

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 23 November 2011

**Public Authority:** City of Wakefield Metropolitan District Council

**Address:** Town Hall  
Wood Street  
Wakefield  
WF1 2HQ

#### Decision (including any steps ordered)

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1. The complainant has requested information about the cost of raising a specific invoice for repairs totalling £30.
2. The Commissioner's decision is that City of Wakefield Metropolitan District Council [the council] does not hold the requested information.
3. The Commissioner does not require the public authority to take any further action.

#### Request and response

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4. Following a chain of correspondence between the complainant and the council about a specific invoice, the complainant wrote to the council on 26 November 2009 and requested information in the following terms:

*"I write to acknowledge your letter of 11<sup>th</sup> November and note the advice from the Finance Department that the cost of raising an invoice in the WMDC is £30, would you please extend the information as to why it does cost £30, please supply details why and how the £30 is made up"*

5. The council responded on 6 January 2010. It stated that it had received the request on 1 December 2009. The council informed the complainant that it did not hold the requested information. There then followed a chain of correspondence between the complainant and the council. During which the complainant continued to query the cost of raising an invoice along with other questions in relation to the council's policy of collecting fees, particularly in relation to fees of £30 or less.

6. Following an internal review the council wrote to the complainant on 1 March 2010. In response to the complainant's further enquiries in relation the economic viability of raising an invoice of £30 the council stated that it did not have a policy of not charging where charging was appropriate. It also stated that it did not hold information in relation to how a £30 invoice was made up.

## Scope of the case

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7. The complainant contacted the Commissioner to complain about the way his request for information had been handled. The complainant was particularly concerned that there appeared, to him, to be a policy within the council not to raise or charge for invoices of less than £30.
8. The Commissioner cannot consider the viability of any policies or procedures a council may or may not have, therefore in this case the Commissioner has only considered whether or not the council holds any information in relation to the cost of generating a specific invoice for £30.

## Reasons for decision

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9. Section 1 of FOIA states that:

*"Any person making a request for information to a public authority is entitled –*

*(a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and*

*(b) if that is the case, to have that information communicated to him."*

10. The Commissioner has considered the public authority's handling of the request with regard to the section 1 requirements of the Act. In doing so he has viewed all the information and representations provided to him by the public authority and complainant.
11. The council explained that it has an invoicing team which has an annual cost attributed to it to cover the costs of the computer system, staff and management however the actual cost of raising an invoice varies in each and every case. If invoices are automated through advanced booking arrangements they are cheaper than an invoice that requires manual input. The costs don't change for each invoice raised but each invoice raised will use paper, ink, postage and administration (which will vary depending on the service provided). There are therefore 'fixed' costs

associated with the council having the ability to raise invoices and variable costs depending on the specific circumstances.

12. The council went on to explain that the invoice in question was in relation to repairs carried out on an unsafe manhole cover following an accident. The cost of the repair was £30. The council did not recover the cost from the party responsible for the manhole cover. It explained that it was unclear who was responsible for the manhole cover and therefore to expend man hours on tracing the responsible party would have cost the council more in administration costs than the cost of the repair. Therefore, the council took the decision that it was not economically viable in this case to recover the cost of the repairs. It further explained that it couldn't provide a breakdown of the £30 because this was not the cost of raising an invoice. The council added that similar decisions are taken on a case by case basis and were not governed by any policies held by the council.
13. From the explanations provided to him by the public authority in response to his detailed enquiries, the Commissioner is of the view that the public authority has carried out searches of the appropriate locations in order to locate and retrieve the relevant information. The Commissioner holds that it is not reasonable to suggest that other information pertaining to the request may be held by the public authority elsewhere. Moreover the Commissioner has viewed all the information provided to him by the public authority within the course of his investigation and he has not found any evidence within the correspondence, to suggest that further information within the scope of these requests exists. Therefore, in the absence of any evidence to the contrary, he is satisfied that the public authority does not hold any information relevant to the request.

## Right of appeal

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14. Either party has the right to appeal against this Decision Notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)  
GRC & GRP Tribunals,  
PO Box 9300,  
LEICESTER,  
LE1 8DJ

Tel: 0300 1234504

Fax: 0116 249 4253

Email: [informationtribunal@hmcts.gsi.gov.uk](mailto:informationtribunal@hmcts.gsi.gov.uk)

Website: [www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/information-rights/index.htm](http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/information-rights/index.htm)

15. If you wish to appeal against a Decision Notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
16. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this Decision Notice is sent.

**Signed** .....

**Andrew White**  
**Group Manager, Complaints Resolution**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**