

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 13 March 2012

**Public Authority:** Sheffield Homes

**Address:** PO Box 1918  
Sheffield  
S1 2XX

### Decision (including any steps ordered)

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1. The complainant requested information about the policy and/or procedure used by Sheffield Homes for dealing with requests for compensation due to a failure to attend a tenant's property for a pre-arranged appointment.
2. The Commissioner's decision is that Sheffield Homes has supplied the complainant with all of the requested information. The information was not supplied within 20 working days and therefore Sheffield Homes has breached section 10.
3. The Commissioner does not require Sheffield Homes to take any further action.

### Request and response

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4. On 22 June 2011, the complainant wrote to Sheffield Homes and requested the following information:  
*"A copy of your policy/procedure for dealing with requests for compensation from your tenants due to your failure to attend an appointment arranged by you"*
5. Sheffield Homes responded on 22 July 2011 in which it stated that it did not hold the information requested.
6. Following an internal review Sheffield Homes wrote to the complainant on 14 October 2011. Sheffield Homes again stated that it did not hold the requested information.

## 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. During the course of the Commissioner's investigation, Sheffield Homes provided the complainant with a copy of its claims procedure. This information satisfied the complainant's request, however the complainant wished for a decision notice to be issued to address the delay he had experienced in obtaining the information he had requested. Therefore, this decision notice concerns the late response, by Sheffield Homes, which was in breach of section 10 of the FOIA.

## Reasons for decision

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8. Section 10(1) of the FOIA provides that a public authority should comply with section 1(1) within 20 working days. Section 1(1) requires a public authority in receipt of a request to confirm whether it holds the requested information, and if so, disclose it to the applicant.
9. The request was submitted on 4 July 2011, and Sheffield Homes provided the requested information on 16 January 2012. Consequently the Commissioner finds that Sheffield Homes has breached section 10(1) of the FOIA, by failing to provide the requested information within 20 working days.

## Right of appeal

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10. 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)

11. 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.
12. 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**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**