

## **Freedom of Information Act 2000 (FOIA)**

### **Decision notice**

**Date:** 29 January 2013

**Public Authority:** The Governing Body of the Kings Avenue Primary School

**Address:** Kings Avenue School  
Kings Avenue  
London SW4 8BQ

#### **Decision (including any steps ordered)**

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1. The complainant requested information about Kings Avenue Primary School's (the school) salaries and related payments.
2. The Commissioner's decision is that the public authority did not deal with the request in accordance with the FOIA. This is because the public authority provided its response outside the statutory 20 working days and it has therefore breached section 10(1) of the FOIA.
3. As the requested information was provided during the course of the investigation, the Commissioner does not require any steps to be taken.

#### **Request and response**

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4. On 4 September 2012, the complainant wrote to the school and requested information relating to salaries, bonuses, expenses, redundancy payments and office rental costs.

#### **Scope of the case**

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5. On 12 October 2012 the complainant contacted the Commissioner to complain about the lack of a response from the school. The Commissioner contacted the school on 7 December 2012. After our intervention the school sent a copy of a response dated 10 October 2012 to the complainant. The school stated that it might not have been issued to the requestor at the time it was prepared.

## **Reasons for decision**

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6. Section 10 of the FOIA provides that a public authority should respond to a request for information within 20 working days. It does appear that a draft response was prepared by the school just over the 20 working day limit but in the absence of any evidence to establish this was sent, the Commissioner considers that there are sufficient grounds to record a breach in this case.

## Right of appeal

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7. 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)

8. 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.
9. 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 .....**

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