

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 28 September 2015

**Public Authority:** Blackwell Parish Council  
**Address:** 169 Sheepbridge Lane  
Mansfield  
Nottinghamshire  
NG18 5DT

#### Decision (including any steps ordered)

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1. The complainant has made a request to Blackwell Parish Council ("the council") for information about receipts and expenditure since April 2014. The council has not responded to the request.
2. The Commissioner's decision is that the council has breached section 10(1) of the FOIA.
3. The Commissioner requires the council to take the following steps to ensure compliance with the legislation:
  - Respond to the request under the terms of the FOIA.
4. The public authority must take these steps within 35 calendar days of the date of this decision notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of the Act and may be dealt with as a contempt of court.

#### Request and response

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5. On 7 January 2015 the complainant wrote to the authority and requested the following:

*"I wish to see receipts and expenditure from April 2014 to present date as well as un-redacted copies of the accounts which show gross salaries not net salaries as I am aware that that information is data protected..."*

6. The council did not provide a valid response under the terms of the FOIA.

### **Scope of the case**

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7. The complainant contacted the Commissioner on 7 June 2015 to complain that he had not received a response to his request.
8. The Commissioner contacted the council on 11 August 2015 to confirm whether a response had been provided. From this the Commissioner became aware that although the council had responded to the complainant, this response did not meet the terms of the FOIA.

### **Reasons for decision**

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#### **Section 10(1) – time for compliance**

9. Section 10 of FOIA requires that an information request should be responded to within 20 working days of receipt. In this case a valid response was not provided. The council, therefore, breached section 10(1) in relation to the complainant's request.

## 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: [GRC@hmcts.gsi.gov.uk](mailto:GRC@hmcts.gsi.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

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**