

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 2 February 2021

**Public Authority:** Harris Manchester College  
**Address:** Mansfield Rd  
Oxford  
OX1 3TD

#### Decision (including any steps ordered)

---

1. The complainant requested information from Harris Manchester College (“the College”) about Trainee Clinical Psychologists, their terms and conditions as members of the College and other related information. By the date of this notice the College had failed to provide a substantive response to this request.
2. The Commissioner’s decision is that the College has breached section 10(1) of the FOIA in that it failed to provide a valid response to the request within the statutory time frame of 20 working days.
3. The Commissioner requires the College to take the following steps to ensure compliance with the legislation.
  - Respond to the complainant’s request in accordance with the FOIA.
4. The College 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

---

5. On 29 June 2020, the complainant wrote to the College and requested information in the following terms:

*"I request the Harris Manchester College provide me with the following information:*

*(1) Full true copy of the generic (anonymised) Council Tax Exemption Letter issued by Harris Manchester College to Trainee Clinical Psychologists 2000-2020.*

*(2) Full true copy of the generic (anonymised) contract/agreement issued (2000-2020) by Harris Manchester College to Trainee Clinical Psychologists setting out the terms/conditions of the Trainee's membership of Harris Manchester College, and detailing the cost (fees charged) in respect of the individual Trainee's membership of Harris Manchester College."*

6. To date, a substantive response has not been issued.

## Scope of the case

---

7. The complainant contacted the Commissioner on 5 November 2020 to complain about the failure by the College to respond to his request.
8. The Commissioner has considered whether the College has complied with its obligations in relation to the time for compliance at section 10 (1) of the FOIA.

## Reasons for decision

---

9. Section 1(1) of the 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. Section 10(1) of the FOIA states that a public authority must respond to a request promptly and "not later than the twentieth working day following the date of receipt."

11. On 26 November 2020 and 15 January 2021, the Commissioner wrote to the College, reminding it of its responsibilities and asking it to provide a substantive response to the complainant within 10 working days.
12. Despite this intervention the College has failed to respond to the complainant.
13. From the evidence provided to the Commissioner in this case, it is clear that the College did not deal with the request for information in accordance with the FOIA. The Commissioner finds that College has breached section 10(1) by failing to respond to the request within 20 working days and it is now required to respond to the request in accordance with the FOIA.

## Right of appeal

---

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: 0870 739 5836

Email: [grc@justice.gov.uk](mailto:grc@justice.gov.uk)

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

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** .....

**Ben Tomes**  
**Team Manager**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**