

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 15 February 2022

Public Authority: The Cabinet Office

Address: 70 Whitehall
London
SW1A 2AS

Decision (including any steps ordered)

1. The complainant requested information from the Cabinet Office relating to correspondence received by the Head of the Cabinet Office Inquiries Sponsor Team.
2. The Commissioner's decision is that the Cabinet Office failed to respond to the request within 20 working days and has therefore breached section 10(1) of the FOIA.
3. As a response to the request has been provided no steps are required.

Request and response

4. On 8 January 2022, the complainant wrote to the Cabinet Office and requested information in the following terms:

"Under FOI, please provide:

Copies of all e-mail correspondence sent by and received by the Head of the Cabinet Office Inquiries Sponsor Team on 11th June 2021."
5. The Cabinet Office wrote to the complainant on 10 January 2022 to acknowledge the request.

6. The complainant contacted the Commissioner on 10 February 2022 to complain about the Cabinet Office's failure to respond to their request.
7. On 14 February 2022 the Commissioner wrote to the Cabinet Office, reminding it of its responsibilities and asking it to provide a substantive response to the complainant's request within 10 working days.
8. The Cabinet Office provided the complainant with a substantive response to their request on 14 February 2022.

Scope of the case

9. The complainant contacted the Commissioner on 15 February 2022 to request a decision notice considering the Cabinet Office's compliance with the FOIA.
10. The Commissioner has considered whether the Cabinet Office has complied with its obligations in relation to the time for compliance at section 10(1) of the FOIA.

Reasons for decision

11. 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."
12. 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".
13. From the evidence provided to the Commissioner in this case, it is clear that the Cabinet Office did not deal with the request for information in accordance with the FOIA. The Commissioner finds that the Cabinet Office breached section 10(1) of the FOIA by failing to respond to the request within 20 working days.

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: 0203 936 8963

Fax: 0870 739 5836

Email: grc@justice.gov.uk

Website: 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

Michael Lea
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Wilmslow
Cheshire
SK9 5AF