

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

### **Decision notice**

**Date:** 27 July 2023

**Public Authority:** University of Bedfordshire

**Address:** Vicarage St  
Luton  
LU1 3JU

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

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1. The complainant requested information concerning rent prices and availability of university owned student accommodation. By the date of this notice the University of Bedfordshire (the University) had not issued a substantive response to this request.
2. The Commissioner's decision is that the University has breached section 10(1) of 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 University to take the following step to ensure compliance with the legislation.
  - The University must provide a substantive response to the request in accordance with its obligations under FOIA.
4. The University must take this step 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 FOIA and may be dealt with as a contempt of court.

#### **Request and response**

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5. On 19 May 2023, the complainant wrote to the University and requested information in the following terms:

Under the freedom of information act, I request the following information:

1. Revenues and spending on university owned/operated student housing for the academic year 2022/23 and 2021/22
  2. Average price of rent per week and per year for students in 2022/23, and also cheapest and most expensive prices per week
  3. Average price of rent per week and per year for students in 2023/24 , and also cheapest and most expensive prices per week
  4. Number of places for students in halls this coming year
  5. How much has rent increased this year?
  6. How much has rent increased by over the last ten years?
  7. How many applications for accommodation were received for the coming year, and of those, how many were accepted or rejected?
6. The University failed to acknowledge the request. To date, a substantive response has not been issued.

### **Reasons for decision**

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7. Section 1(1) of 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."
8. Section 10(1) of 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".
9. On 7 July 2023 the Commissioner wrote to the University, reminding it of its responsibilities and asking it to provide a substantive response to the complainant's request within 10 working days.
10. Despite this intervention the University has failed to respond to the complainant.
11. From the evidence provided to the Commissioner in this case, it is clear that the University did not deal with the request for information in

accordance with FOIA. The Commissioner finds that the University 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 FOIA.

## Right of appeal

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12. 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](mailto:grc@justice.gov.uk)

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

13. 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.
14. 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 .....**

**[Name of signatory]**

**[Job title of signatory]**

**Information Commissioner's Office**

**Wycliffe House**

**Water Lane**

**Wilmslow**

**Cheshire**

**SK9 5AF**