

FREEDOM OF INFORMATION ACT 2000 (SECTION 50)

DECISION NOTICE

Dated 24th November 2005

Name of Public Authority: London Borough of Barking and Dagenham

Address of Public Authority: Civic Centre
Dagenham
RM10 7BN

Nature of Complaint

The Information Commissioner (the "Commissioner") has received a complaint which states that on 6th April 2005 the following information was requested from the London Borough of Barking and Dagenham under section 1 of the Freedom of Information Act 2000 (the "Act"):

'A copy of the Report in relation to the handling of my son's case'

It is alleged that London Borough of Barking and Dagenham failed to respond to the Complainant's request within 20 working days.

The Commissioner's Decision

Under section 50(1) of the Act, except where a complainant has failed to exhaust a local complaints procedure, or where the complaint is frivolous or vexatious, subject to undue delay, or has been withdrawn, the Commissioner is under a duty to consider whether the request for information has been dealt with in accordance with the requirements of Part I of the Act and to issue a Decision Notice to both the complainant and the public authority.

The Complainant made her request by recorded delivery letter dated 6th April 2005. No response was received. However, London Borough of Barking and Dagenham responded to the Commissioners request that the information be provided to the complainant on the 4th October 2005.

Section 10(1) states:

"...a public authority must comply with section 1(1) promptly and in any event not later than the twentieth working day following the date of receipt."

The Commissioner's decision in this case is that London Borough of Barking and Dagenham has not dealt with the Complainant's request in accordance with the requirements of Part I of the Act in that it has failed to comply with

section 10(1).

Action Required

The Commissioner recognises that London Borough of Barking and Dagenham did provide the Complainant with a response to their request on the 4th October 2005. In view of these matters the Commissioner does not require any remedial steps to be taken by London Borough of Barking and Dagenham.

Right of Appeal

Either party has the right to appeal against this Decision Notice to the Information Tribunal (the "Tribunal"). Information about the appeals process can be obtained from:

Information Tribunal	Tel: 0845 6000 877
Arnhem House Support Centre	Fax: 0116 249 4253
PO Box 6987	Email: informationtribunal@dca.gsi.gov.uk
Leicester	
LE1 6ZX	

Any Notice of Appeal should be served on the Tribunal within 28 days of the date on which this Decision Notice is served.

Dated the 24th November 2005

Signed:

Richard Thomas

Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF