

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 26 March 2014

Public Authority: Wirral Metropolitan Borough Council

Address: Wallasey Town Hall
Brighton Street
Wallasey
Wirral
CH44 8ED

Decision (including any steps ordered)

1. The complainant has requested information from Wirral Metropolitan Borough Council ("the council") about an investigation. The council did not provide a response to this request within 20 working days following the date of receipt.
2. The Commissioner's decision is that the council has therefore breached section 10(1) of the FOIA.
3. The Commissioner does not require any steps to be taken.

Request and response

4. On 27 March 2012, the complainant wrote to the council and requested the following:

"WBC commissioned [redacted business name] to conduct an investigation into the working of DASS and an illegal policy in overcharging vulnerable adults.

Please disclose the officer commissioning the investigation and the officer liaising with [redacted business name] authorising increased scope and costs.

Please disclose the breakdown of the final invoice.

Please disclose the initial proposed costs and all emails between

the responsible officer and [redacted business name] regarding costs.

Please disclose the final and complete cost of the investigation."

5. The council responded on 7 June 2013. It provided some information, but withheld some on the basis of an exemption.

Scope of the case

6. The complainant contacted the Commissioner on 17 July 2013 to complain about the way his request for information had been handled.
7. During the course of the Commissioner's investigation, the council dis-applied the exemption and provided the previously withheld information to the complainant. However, the council's response was made outside the time for compliance.

Reasons for decision

Section 10(1) – Time for compliance

8. Section 10(1) requires that an information request should be responded to within 20 working days following the date of receipt. In this case a response was not provided until after that length of time. The council therefore breached section 10(1).

Right of appeal

9. 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

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

10. 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.
11. 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
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Water Lane
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Cheshire
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