

Freedom of Information Act 2000

Decision notice

Date: 18 May 2015

Public Authority: Cabinet Office
Address: 70 Whitehall
London
SW1A 2AS

Decision (including any steps ordered)

1. The complainant requested the phone number of the unit or department within the Cabinet Office responsible for handling requests made under the Freedom of Information Act 2000 (the Act). By the date of the decision notice the complainant had not received a response to his request.
2. The Commissioner's decision is that the Cabinet Office has breached sections 10 of the Act as it failed to respond to the complainant's request within 20 working days.
3. The Commissioner requires the public authority to take the following steps to ensure compliance with the legislation.
 - Issue a response to the complainant's request in accordance with the Act by either complying with section 1(1) or issuing a valid refusal notice.
4. The public authority 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 7 February 2015, the complainant wrote to the Cabinet Office and requested information in the following terms:

"Please inform me, by return email, of the direct line telephone number of the unit or department within the Cabinet Office which processes Freedom of Information requests on behalf of the Cabinet Office."

6. On 7 March 2015 the complainant informed the Cabinet Office in writing that its response was overdue. To date the Cabinet Office has not responded to the request.

Scope of the case

7. The complainant contacted the Commissioner on 7 March 2015 to complain about the way his request for information had been handled.
8. The Commissioner considers the scope of the request to be whether the Cabinet Office has complied with section 10 of the Act.

Reasons for decision

9. Section 1 of the Act states that an individual who asks for information is entitled – providing no exemptions apply – to be informed whether that information is held, and to have the information communicated to them.
10. Section 10 of the Act states that a public authority must respond to a request promptly or "not later than the twentieth working day following the date of receipt".
11. The complainant submitted his request on 7 February 2015. The twentieth working day from this date was 6 March 2015. By the date of this decision notice the Cabinet Office has still not issued a response to the request, despite the Commissioner also having notified it of the details of this complaint on 30 March, 17 April and 27 April 2015.
12. As the Cabinet Office has not issued a response within 20 working days it has breached section 10 of the Act.
13. The Commissioner requires the Cabinet Office to issue a response to the complainant's request in accordance with the Act by either complying with section 1(1) or issuing a valid refusal notice.

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 123 4504

Fax: 0870 739 5836

Email: GRC@hmcts.gsi.gov.uk

Website: <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

**Alexander Ganotis
Group Manager
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF**