

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 28 June 2017

**Public Authority:** The Department for Work and Pensions

**Address:** 4<sup>th</sup> Floor  
Caxton House  
Tothill Street  
London  
SW1H 9NA

#### Decision (including any steps ordered)

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1. The complainant has requested information on benefit claims made by non-EEA nationals.
2. The Department for Work and Pensions refused to comply with the request and cited section 12 of the FOIA.
3. The Commissioner's decision is that the cost of providing the requested information will not exceed the appropriate limit and that section 12 of the FOIA is not engaged.
4. The Commissioner requires the public authority to take the following steps to ensure compliance with the legislation:
  - Issue a fresh response under the FOIA which does not rely on section 12.
5. 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

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6. On 9 June 2016, the complainant wrote to DWP and requested information in the following terms:  
  
*"In February 2016 you published information about 'Expenditure on main DWP benefits on EEA national-led claims in 2013/14'. I should be grateful if you would provide such information for claims led by non-EEA nationals on the same basis, i.e. in the form of the Results on page 5 of the publication."*
7. DWP responded on 6 July 2016. It refused to provide the requested information as to do so would exceed the appropriate limit of £600 and cited section 12 of the FOIA.
8. The complainant requested an internal review on 6 July 2016.
9. DWP wrote to the complainant on 26 July 2016. It stated that it had reviewed the original decision and upheld the decision having examined the time it would take to collate and provide this data.

## Background

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10. In February 2016, DWP produced a one-off statistical report focussing on DWP working age benefit expenditure on European Economic Area (EEA) national-led claims in 2013/14<sup>1</sup>.

## Scope of the case

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11. The complainant contacted the Commissioner on 13 September 2016 to complain about the way his request for information had been handled.
12. During the course of the investigation, DWP changed its position and explained to the Commissioner that the information was not held due to the complex nature of the extraction method required to collate the requested information.

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[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/502129/benefit-expenditure-eea-nationals-ad-hoc-stats.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/502129/benefit-expenditure-eea-nationals-ad-hoc-stats.pdf)

13. The Commissioner confirmed to DWP that she considered that it did hold the information. DWP set out that it wished to maintain its position that the information is not held but should the Commissioner decide against this position, then it considered that section 12 applied.
14. The Commissioner considers that the scope of this investigation is to determine whether the information is held by DWP and, if so, whether providing the complainant with the requested information would exceed the appropriate limit.

## Reasons for decision

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### Is the information held?

15. Section 1(1) of FOIA provides 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.*
16. DWP initially provided the Commissioner with a submission regarding the application of section 12 to the complainant's request. In this submission, DWP set out that it believed there remained a question about whether it does, in fact, hold the requested information.
17. DWP explained that it would have to conduct new analysis to find and extract the requested information from different data sources. DWP explained that it did not consider the required extraction process was "*as simple as extracting it from a database*".
18. DWP explained that it considered the Commissioner's guidance<sup>2</sup> supports this stance where it states:

*A public authority is not creating new information where:*

  - *it presents information it holds in the form of a list or schedule;*
  - *compiling an answer to a request involved simple manual manipulation of information held in files; or*

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<sup>2</sup> [https://ico.org.uk/media/1159/information\\_from\\_original\\_sources.pdf](https://ico.org.uk/media/1159/information_from_original_sources.pdf)

- *it extracts information from an electronic database by searching it in the form of a query.*
19. DWP argued that based on the above guidance, DWP does not hold the requested information as it would have to conduct analysis to extract it and this action goes beyond the obligations under the FOIA. DWP stated *"the Act provides a right of access to recorded information held by a public authority (subject to certain exemptions) but does not oblige a public authority to create new information to answer questions and in this case it is not as simple as extracting the information from a database."*
  20. DWP explained that it considered the complainant had requested that DWP conduct a piece of analysis and questioned whether the FOIA provided applicants with that right.
  21. DWP explained that the request represented a significant analytical challenge and involvement of time in creating new information and bespoke analysis.
  22. DWP set out that it does not hold a social security benefit system which contains information on the nationality of the claimant. DWP explained that the publication, from which the original request stems, shows that bespoke analysis can be produced through a significant data matching process across three different data sources:
    - **Migrant Worker Scan:** A list of National Insurance Numbers registered for foreign nationals since the 1970s. The dataset contains around 12 million records which have been derived from HMRC and are held by DWP.
    - **National Benefits Database (NBD):** A dataset of key DWP benefits from ~1999. The dataset contains over 110 million records and is derived from a range of DWP's in-house social security benefits systems.
    - **Single Housing Benefit Extract (SHBE):** The Local Authority housing returns of individual Housing Benefit claimants containing around 5 million records sourced from hundreds of individual Local Authorities who are responsible for administering housing benefit claims.
  23. DWP explained that the data matching process takes place across a number of incredibly large freestanding datasets together drawn from a range of sources across the department. DWP explained that this would, temporarily, create a number of datasets in order to start the analytical request.

24. DWP explained that this temporary dataset would have to be created before any searching or queries could be undertaken. DWP considers that creation of this data, before the required 'bespoke analysis', is a significant time consuming exercise.

### **The Commissioner's position**

25. The Commissioner does not accept DWP's arguments that the requested information is not held by DWP.
26. The Commissioner acknowledges that DWP does not have a central benefits database that includes the nationality of the claimant and a search of three databases would be required to match the data held between them.
27. The Commissioner considers, however, that in order to match data on a claimant's nationality in one database to the amount of benefits claimed in other databases, the information must be held by DWP. It is not apparent to the Commissioner how information that is not held can be added to the temporary dataset that would be used to extract benefits information.
28. The Commissioner also considers that the creation of a temporary dataset does not constitute the creation of new information that was not previously held by the public authority.
29. Decision notice FS50070854<sup>3</sup> states:
- "The information already exists: the public authority cannot be said to be creating it. And, while producing a list of the documents in which the relevant information is contained may be a new task, it is not creating new information; it is simply a re-presentation of existing information"*
30. Although the above decision notice is regarding a request for a schedule of documents, the Commissioner considers that its findings are relevant in this case. DWP is not required to create information in order to extract the requested information, it is required to match information held in one database with that held in another.
31. Further, the Commissioner has issued guidance<sup>4</sup> stating:

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<sup>3</sup> [https://ico.org.uk/media/action-weve-taken/decision-notices/2006/382816/DECISION\\_NOTICE\\_FS50070854.pdf](https://ico.org.uk/media/action-weve-taken/decision-notices/2006/382816/DECISION_NOTICE_FS50070854.pdf)

*"In most cases when information is held in electronic files and can be retrieved and manipulated using query tools or language within the software, that information is held for the purposes of FOIA and the EIR. The use of query tools or language does not involve the creation of new information. Their use should be viewed simply as the means of retrieving information that already exists electronically."*

32. The Commissioner also considered that the process required to extract the requested information does not constitute "bespoke analysis". Whilst the Commissioner acknowledged that the extraction process is not a simple one, the extraction information does not require analysis to provide the requested information, rather, the information merely required collation.
33. The Commissioner does not, however, require DWP to provide the complainant with the information presented as percentages in the published report. The Commissioner accepts that the calculation of the percentages cited in the ad-hoc report would constitute creating new information not previously held by DWP.

## **Section 12 – Cost of compliance exceeds the appropriate limit**

34. Section 12(1) of the FOIA states that:

*"Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit"*

35. In other words, section 12 of the FOIA provides an exemption from a public authority's obligation to comply with a request for information where the cost of compliance is estimated to exceed the appropriate limit.
36. This limit is set in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (the Fees Regulations) at £600 for Central Government departments and £450 for all other public authorities. The fees regulations also specify that the cost of complying with a request must be calculated at the rate of £25 per hour, meaning that section 12(1) effectively imposes a time limit of 24 hours in this case.

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<sup>4</sup> [https://ico.org.uk/media/for-organisations/documents/1169/determining\\_whether\\_information\\_is\\_held\\_foi\\_eir.pdf](https://ico.org.uk/media/for-organisations/documents/1169/determining_whether_information_is_held_foi_eir.pdf)

37. In estimating whether complying with a request would exceed the appropriate limit, regulation 4(3) states that an authority can only take into account the costs it reasonably expects to incur in:
- determining whether it holds the information;
  - locating the information, or a document containing it;
  - retrieving the information, or a document containing it; and
  - extracting the information from a document containing it.
38. The four activities are sequential, covering the retrieval process of the information from the public authority's information store.

**Would compliance exceed the appropriate limit?**

39. Section 12 explicitly states that public authorities are only required to estimate the cost of compliance with a request, not give a precise calculation. In the Commissioner's view, an estimate for the purposes of section 12 has to be 'reasonable': she expects it to be sensible, realistic and supported by cogent evidence.
40. DWP confirmed that if the Commissioner's decision is that the information is held, its position would be that section 12(1) of the FOIA is engaged.
41. DWP explained that, in 2016, it produced a one-off statistical release focusing on DWP working-age benefit expenditure on European Economic Area (EEA) national-led claims in 2013-14. DWP explained that this was the first time that expenditure on EEA-nationals had been produced and consequently took a number of weeks for the team responsible to locate, identify, retrieve and extract the relevant data and develop the analysis. DWP confirmed that only an EEA-national estimate was produced as part of this process and no other breakdowns (such as non-EEA nationals or country-specific) were produced.
42. DWP explained that nationality is not routinely recorded on DWP social security benefit systems for historical reasons. DWP explained that to provide the benefit claims and expenditure by nationality, it would have to match a number of very large freestanding datasets together drawn from a range of sources across the department.
43. DWP explained that locating, identifying, retrieving and extracting the relevant data would require a number of steps, including data matches between the three systems named in paragraph 22.



44. DWP explained that it had identified ten steps which it estimated would take 46 hours to provide the requested information.
45. Step 1: "*Up-Skilling/understanding of previous approach – 4 hours*"  
DWP explained that none of the current staff members worked on the previously published report and are not familiar with the methodology used. DWP explained that it required a period of up-skilling and understanding how the previous report was produced and adopt the relevant techniques and protocols to produce the requested information.
46. DWP set out that this task would include the following steps:
- Locating the final codes used in the final publication within the shared areas – 0.5 hours  
DWP explained that although the interrogation code was already known, it is complex and without an accompanying document to outline the process, DWP would require time to fully understand the steps taken before any changes could be made. DWP explained that its shared areas would have to be searched to find and review the version of the codes to establish the final codes used for the process.
  - Locating the relevant monthly/quarter datasets used for the publication – 0.5 hours  
DWP explained that although the headline datasets required are known, the particular months/quarters used to produce the estimates in the publication are not known. DWP explained that its servers would have to be searched to find the appropriate month/quarterly datasets used for the process.
  - Understanding the methodology and approach taken for the publication, including understanding how the large number of data matches to extract the information was done – 1.5 hours  
DWP confirmed that it does not hold one dataset which provides the information requested. To understand the process of the data-matching and how the estimates for EEA nationals were produced would require sourcing appropriate methodological documents as well as discussing with former members of the team to ensure consistency.
  - Understanding how expenditure and caseloads were defined – 0.5 hours  
DWP explained that as there are many ways of estimating expenditure and caseloads, it would first be appropriate to understand how the definitions were being used in the publication for EEA nationals. This would involve understanding the previous method to determine the appropriate measures being used through



locating a methodological document and discussing with former members of the team to ensure consistency.

- Understanding how expenditure for EEA nationals was aligned with published benefit expenditure on all claimants – 0.5 hours  
DWP explained that as there are many ways of estimating expenditure and its alignment with publicly available information, it would first be appropriate to understand the approach used in the publication. This would involve understanding the previous method to determine the appropriate measures being used through locating a methodological document and discussing with former members of the team to ensure consistency.

47. DWP explained that it considered all the tasks involved in step 1 fall within the permitted activity *"Locating the information or a document which may contain the information"*
48. Step 2: *"Adjusting the code to reflect the request – 2 hours"*  
DWP explained that although most of the code has already been developed, there would still be a need to locate, identify and retrieve the non-EEA country codes to make adjustments to the code to reflect the request as DWP had not previously looked at non-EEA countries before.
49. DWP explained that it considered this step fell within the permitted activity *"retrieving the information, or a document which may contain the information"*. DWP explained that only through statistical software can the analytical datasets be created and the information extracted. DWP explained that to do this, statistical code needs to be written to reflect the information which is being requested. In this case, a person would have to spend time amending and writing new code to reflect the request being made as a breakdown of non-EEA countries has not been done before. DWP explained that in the Migrant Worker Scan, countries are defined as a numeric variable and require a person to identify and retrieve the correct counties to be included in the non-EEA country estimate and then amend the code accordingly. DWP explained that as the list has not been examined before, this would take additional time to understand how countries which no longer exist should be categorised.
50. Step 3: *"Policy & analytical clarification with other government departments – 4 hours"*  
DWP explained that due to the cross-government nature of the work DWP would need to share its approach and results with other government departments. DWP set out that it would seek to ensure any methodological approach, including definitions of countries, is consistent with other Government departments approaches.

51. Step 4: *“Running SHBE code – 8 hours”*

DWP explained that it would need to match monthly SHBE datasets (approximately 4-5 million records) with the National Insurance number dataset (approximately 12 million records). DWP also explained that it considered it would be highly recommended that a staff member is present whilst the code is running, although this would not be essential for all aspects of the running. DWP explained that while a person is running one piece of code, it significantly limits any other work the staff member would be able to do. DWP explained that the most appropriate method of running the code would be to run different sections of the code and monitor this to ensure the code runs successfully. DWP explained that if the person did not monitor the code, this could take significantly longer as any failure would not be picked up early on in the process and therefore further runs of the code may be required. DWP explained that while the overall running time is estimated at around 8 hours, this is a central estimate as similar runs can take longer if the servers (where analytical data is run) are particularly busy. DWP explained that the tasks involved in this step is likely to be:

- Checking and actually running the code – approximately 1 hour. DWP explained that this would involve checking the code to ensure it is set up to run on the servers and going through the code and running individual parts.
- Monitoring of the log and intermediate datasets – approximately 6-7 hours  
DWP explained that this would involve a person continuously checking that the code is running successfully via monitoring of the log of the statistical software. DWP explained that it would also involve a person checking the intermediate datasets being created through the data match are working successfully and meet the correct specification.

52. Step 5: *“Running NBD code – 8 hours”*

DWP explained that for the four benefits used in the publication (Job Seekers Allowance, Incapacity Benefit, Employment & Support Allowance and Income Support), it would need to run the code for NBD (containing approximately 110 million records) to approximately 12 million National Insurance number records to identify the relevant groups.

53. DWP explained that it would be recommended that a staff member is present whilst the code is running, although this would not be essential for all aspects of the running. DWP explained that while a person is running one piece of code, it significantly limits any other work the staff member would be able to do. DWP explained that the most appropriate method of running the code would be to run different sections of the

code and monitor this to ensure the code runs successfully. DWP explained that if the person did not monitor the code, this could take significantly longer as any failure would not be picked up early in the process and further runs of the code may be required. DWP explained that in this case, it would need to match the overall National Benefits Database (approximately 110 million records) with a National Insurance Number dataset of approximately 12 million records.

54. DWP confirmed that the overall running time is estimated at approximately 8 hours and that this was a central estimate as similar runs can take longer if the servers are particularly busy.
55. DWP explained that the key tasks involved in undertaking this step were:
  - Checking and running the code – approximately 1 hour  
DWP explained that this would involve checking the code to ensure it is set up to run on the servers and going through the code and running individual parts.
  - Monitoring of the log and intermediate datasets – approximately 6-7 hours.  
DWP explained that this would involve a person continuously checking that the code is running successfully via monitoring the log of the statistical software. DWP explained that it would also involve a person checking that the intermediate datasets being created through the data march are working successfully and meets the correct specification.
56. Step 6: *“Outputting and processing outputs – 4 hours”*  
DWP explained that once the data had been run, it would need to pull all of the extracted information together to produce estimates of expenditure for non-EEA and also EEA nationals (to ensure consistency with the publication).
57. DWP explained that this step would include transferring the information to the Excel programme and processing the information. DWP explained that this involved calculating annual expenditure and caseload information.
58. DWP explained that this step would take 4 hours as it required 15 minutes to transfer the information to Excel, three hours to extract the relevant information and 45 minutes to ensure the extracted EEA national information matched that in the previous publication.
59. DWP explained that the extraction of the information would take three hours as the outputs created by running the above codes would include

multiple tables as the data is split by month, benefit type and nationality.

60. Step 7: *“Calibration – 4 hours”*

DWP explained that once the data is pulled together, it would need to be put into appropriate DWP formats and ensure it was presentable for the reader. DWP explained that it would also need to sense check the data against the previous publication and other expenditure information.

61. DWP further explained that calibration is the way of adjusting the outputs produced from DWP held data to what has been estimated and published on DWP accounting information. DWP explained that it publishes a regular series of “Benefit Caseload and Expenditure Forecasts which outlines, for each DWP benefit, the expenditure and caseload outturn and forecast. DWP explained that a common approach, and one used for the February 2016 publication, is to use the outputs produced via DWP-held information on expenditure and apply this to the actual published expenditure. DWP explained that the overall expenditure estimated via analytical datasets will not perfectly match the published expenditure (as it will be based on averages and may miss very short term claims). DWP explained that one approach is to apply the proportion of expenditure found on DWP analytical datasets to published information to find the estimated expenditure on a sub-group, in this case, non-EEA nationals.

62. DWP explained that its considered this falls under the permitted criteria of *“retrieving the information, or a document which may contain the information”* as the information needs to be retrieved from published information and then used, alongside DWP’s outputs, to adjust the calculation to provide the relevant information.

63. Step 8: *“Formatting, presenting the data, and sense checking – 2 hours”*  
DWP explained that having pulled the data together, it would need to put the data into appropriate DWP formats and ensure it is presentable for the reader. DWP explained that it would also require a staff member to sense check the data against the previous publication and other expenditure information.

64. DWP explained that it considered this step falls under the permitted activity *“extracting the information from a document containing it”*. DWP explained that for the information to be presented in the same format as the previous publication, this would require information from the Excel spreadsheets to be extracted into a document format to present the data in a way that was accessible and useable for the requester. DWP explained that this would take around 2 hours to produce as the document version of the previous publication would need to be found, adjusted to reflect the request, the information to be moved across from

the spreadsheet format into the appropriate document. DWP explained that checks would also need to be made to ensure that the information had been moved successfully.

65. DWP explained that as this information has not been produced before, it would be necessary to undertake quality assurance of the results and validate this information with another source of information, most likely from the Family Resources Survey (FRS). DWP also explained that this would require assessment by an independent analyst to ensure the results seem sensible and are accurate. DWP considered that this would be critical to ensuring the complex production process was leading to robust results.
66. DWP explained that quality assurance is a vital component of any analysis to ensure that the information is accurate and is what the requestor has asked for. DWP explained that it considered that as the information has not been produced before and is completely brand new, it would be irresponsible not to ensure that the outputs being created are accurate and of a high standard.
67. DWP explained that the quality assurance would include the following steps:
  - Step 9: *"FRS validation – 6 hours"*  
DWP explained that it would need to run a separate FRS validation to check the information as it had not been produced before.
  - Step 10: *"Independent checks of codes, SAS outputs, Excel tables and final publication – 4 hours"*  
DWP explained that an independent analyst should check the workings to make sure there are no mistakes and DWP is accurate in its estimation.
68. DWP confirmed to the Commissioner that it had not undertaken a sampling exercise as it was already aware of how long the tasks set out above would take based on the time it took to produce the previous report.

### **The Commissioner's position**

69. In considering whether DWP was correct in its application of section 12(1), the Commissioner has taken note of the Fee Regulations and her own guidance.
70. The explanations provided by DWP in its three submissions have not persuaded the Commissioner that responding to the request would exceed the appropriate limit.

71. The Commissioner considers that a significant portion of the tasks DWP considers it would be required to undertake fall within the four permitted activities as set out in the Fees Regulations.
72. Regarding step 1 *"Upskilling/understanding of previous approach"*, the Commissioner accepts that the tasks required to locate the final codes and the relevant datasets fall within the permitted activity of *"locating the information"* and DWP has confirmed that it requires 1 hour to carry out these tasks.
73. The Commissioner considers that the following tasks do not fall within any of the permitted activities and cannot, therefore, be included in the accepted estimate:
  - Understanding the methodology and approach taken for publication
  - Understanding how caseload and expenditure were defined
  - Understand how expenditure of EEA nationals was aligned with public benefit expenditure on all claimants
74. The Commissioner acknowledges that a public authority may, in principle, require time to consider where information is located and how to extract it, but it is not apparent to the Commissioner why so much time has been attributed to this process given that a similar exercise has already been undertaken.
75. With regards to step 2 *"Adjusting the code to reflect the request – 2 hours"*, the Commissioner accepts that this step falls within the permitted activity *"retrieving the information"* as it is an essential part of extracting the requested information.
76. Regarding step 3 *"Policy and analytical clarification with other government departments"*, the Commissioner considers that this task does not fall under any of the four permitted activities. The Commissioner appreciates that DWP may wish to ensure that the information disclosed is consistent with other government departments, however, the Commissioner considers that this is at the discretion of DWP and this task is not required in order to provide the applicant with the requested information.
77. Regarding step 4 *"Running the SHBE code"*, the Commissioner does not accept that DWP will require a staff member to continuously monitor the output of the code. DWP acknowledges that it is not essential for a staff member to be present for all aspects of the code run-time and also explains that the running of the code *"significantly limits any other work the staff member would be able to do"* which suggests that the assigned



staff member would be free to undertake other work and would not, therefore, spend the entire estimate of 8 hours monitoring the code.

78. Regulation 4(4) of the Fees Regulations states:

*To the extent to which any of the costs which a public authority takes into account are attributable to the time which persons undertaking any of the activities mentioned in paragraph (3) on behalf of the authority are expected to spend on those activities, those costs are to be estimated at a rate of £25 per person per hour*

79. The Fees Regulations are clear that time included in a public authority's estimate must be staff time spent undertaking the four permitted activities. DWP has confirmed that eight hour estimate is for the running of the code and a staff member will not be undertaking work relating to the request for the entirety of the eight hours.

80. The Commissioner accepts DWP's estimate of 1 hour to set up the code. The Commissioner considers that a maximum of five minutes per half an hour of run time to monitor the code as it is being run is a reasonable estimate for this activity. This provides an overall time estimate for this step of 2.25 hours (rounded to the next highest quarter hour).

81. Regarding step 5 "*Running NBD code*", the Commissioner considers that, for the reasons set out for step 4, she cannot accept DWP's estimate of eight hours and will accept a maximum estimate of 2.25 hours.

82. Regarding step 6 "*Outputting and processing output*", the Commissioner accepts the estimates put forward for the tasks "*Moving information from SAS to Excel*" and "*Extract data for each benefit*" which make a total of 3.25 hours. She does not, however, consider that the task "*Ensure the extracted EEA national information matched that in the previous publication*" falls under any of the permitted activities and cannot accept the estimate of 0.75 hours for this task.

83. Regarding step 7 "*Calibration*", the Commissioner does not consider this step falls under any of the permitted activities and so the estimate of four hours will not be included in the overall estimate.

84. Regarding steps 8, 9 and 10, "*Formatting, presenting data and sense checking*", "*FRS validation*" and "*Independent checks of codes, SAS outputs, Excel tables and final publication*", the Commissioner does not consider that any of these steps fall within the permitted activities. The Commissioner notes that these steps occur following extraction of the requested information and appear to be tasks involved in quality assurance and presentation.



85. The Commissioner appreciates that DWP would want to ensure that information of this nature is accurate, however, the Commissioner considers that these steps are taken at DWP's discretion and are not an essential requirement in order to provide the requested information.
86. The Commissioner considers that the overall time estimate for tasks falling within the four permitted activities is as follows:

<b>Step</b>	<b>Time estimated in hours</b>
1	1.0
2	2.0
4	2.25
5	2.25
6	3.25
<b>Total</b>	<b>10.75</b>

87. The Commissioner's decision is that DWP is not entitled to rely on section 12(1) of the FOIA and must comply with paragraph 4 of this notice.

## Right of appeal

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88. 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: 0870 739 5836

Email: [GRC@hmcts.gsi.gov.uk](mailto:GRC@hmcts.gsi.gov.uk)

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

89. 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.
90. 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** .....

**Alun Johnson**  
**Team Manager**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
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