

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 7 August 2017

Public Authority: The Academy Grimsby
Address: Westward Ho
Grimsby
Lincolnshire
DN34 5AQ

Decision (including any steps ordered)

1. The complainant has requested a complete copy of The Academy Grimsby's (the school's) policy and procedures relating to the school's receipts of complaints from parents/guardians about the conduct of other pupils at the school.
2. The Commissioner's decision is that the Academy Grimsby has breached section 10 (1) time for compliance in the handling of this request.
3. The Commissioner doesn't require any steps to be taken as a result of this notice.

Request and response

4. On 17 November 2016, the complainant wrote to the Academy Grimsby and requested information in the following terms:

"Dear Sir/Madam

Information Request

I would be most grateful if The Academy Grimsby could provide me with a complete copy of their policy and procedure, including copies of any guidance documents for members of staff, relating to the school's receipt of complaints from parents/guardians about the conduct of other pupils at The Academy Grimsby.

Thank you for your cooperation and I look forward to receiving this information within 20 working days”.

5. The Academy Grimsby responded on 12 January 2017. It stated that they had provided the complainant with their Investigation and Complaints Policy and Procedure.

Scope of the case

6. The complainant contacted the Commissioner on 10 February 2017 to complain about the way her request for information had been handled.
7. The Commissioner has considered whether the school dealt with this request in accordance with its obligations under section 10 (1) FOIA.

Reasons for decision

8. Section 10 of FOIA states that a public authority must comply with section 1 (1) of FOIA promptly and in the event not later than the twentieth working day following the date of the receipt.
9. From the information provided to the Commissioner it is evident that The Academy Grimsby did not respond to the complainant within the statutory timeframe in respect of her complaint: the complainant submitted her request on 17 November 2016 and only received a response on 12 January 2017.

Conclusion

10. The Commissioner's decision is that The Academy Grimsby did not deal with the request for information in accordance with the FOIA. In this case The Academy Grimsby has breached section 10 (1) of the FOIA by failing to respond to the complainant within the statutory time limit.

Right of appeal

11. 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

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

12. 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.
13. 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
SK9 5AF