

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 10 March 2020

Public Authority: Bank of England
Address: Threadneedle Street
London
EC2R 8AH

Decision (including any steps ordered)

1. The complainant requested from the Bank of England (the Bank) information as to whom he should contact within the Bank to update his address as a former employee.
2. The Commissioner's decision is that the Bank failed to respond to the request within 20 working days and has therefore breached section 10 of the FOIA.
3. However, as the Bank has now provided the complainant with a response, the Commissioner does not require any steps to be taken as a result of this decision notice.

Request and response

4. On 14 August 2019, the complainant wrote to the Bank and requested information in the following terms:

"...I am approaching the Bank in order to obtain advice as to whom I should advise within the Bank of my new address."

5. In an attempt to handle the request within its “normal course of business”, on 20 August 2019, the Bank advised the complainant that he should only contact the Bank’s pension administrator. This correspondence was followed by further communication, in which the complainant explained that he had updated his contact details with the pension administrator but wanted to do the same with the Bank.
6. On 11 September 2019, the complainant sent a reminder email to the Bank, asserting that his initial request was submitted as a freedom of information request and that he expected a response within 20 working days, from the date when the request was submitted.
7. The Bank provided the complainant with a response to his request on 26 February 2020, in which it stated that no information was held within the scope of the request.

Scope of the case

8. The complainant contacted the Commissioner on 16 September 2019 to complain about the way his request for information had been handled. In his correspondence the complainant also raised data protection concerns, which have been dealt with separately.
9. On 5 March 2020, the complainant requested a decision notice concerning the timeliness of the Bank’s response.

Reasons for decision

10. Section 1(1) of the FOIA states 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.*

11. Section 8(1) of the FOIA states:

In this Act any reference to a “request for information” is a reference to such a request which –

- (a) is in writing,*

- (b) states the name of the applicant and an address for correspondence, and*
 - (c) describes the information requested.*
- 12. The Commissioner considers that the request in question fulfilled these criteria and therefore constituted a valid request for recorded information under the FOIA.
- 13. Section 10 of the FOIA states that responses to requests made under the Act must be provided *"promptly and in any event not later than the twentieth working day following the date of receipt."*
- 14. From the evidence presented to the Commissioner in this case, it is clear that, whilst the Bank responded to the complainant, in failing to issue a response to the request within 20 working days, it has breached section 10 of the FOIA.

Right of appeal

15. 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@justice.gov.uk

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

16. 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.
17. 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

**Ben Tomes
Team Manager
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF**