

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 28 January 2021

Public Authority: HM Treasury
Address: 1 Horse Guards Row
London
SW1A 2HQ

Decision (including any steps ordered)

1. The complainant requested information from HM Treasury about the UK national debt.
2. The Commissioner's decision is that HM Treasury has breached section 10(1) of the FOIA in that it failed to provide a valid response to the request within the statutory time frame of 20 working days.
3. The Commissioner does not require HM Treasury to take further steps.

Request and response

4. On 22 April 2020, the complainant wrote to HM Treasury and requested information in the following terms:

"I would be obliged to receive precise details of the identities of the Top 20 entities, corporate bodies, national governments, financial institutions, individuals to whom the UK owes money and for each of those the amounts owed standardised to pounds sterling. In providing this information please do not use vague or generic terms such as the markets, lenders, banks, sovereign wealth funds etc. etc."
5. HM Treasury provided a substantive response to the complainant's request on 13 January 2021.

Scope of the case

6. The complainant contacted the Commissioner on 24 November 2020 to complain about HM Treasury's failure to respond to their request.
7. The Commissioner has considered whether HM Treasury has complied with its obligations in relation to the time for compliance at section 10(1) of the FOIA.

Reasons for decision

8. 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."

9. Section 10(1) of the FOIA states that a public authority must respond to a request promptly and *"not later than the twentieth working day following the date of receipt"*.
10. On 25 January 2021 the Commissioner wrote to HM Treasury, reminding it of its responsibilities and asking it to provide within 10 working days either a substantive response to the complainant's request or proof that one had been provided already.
11. On 25 January 2021 HM Treasury replied to the Commissioner to confirm that a response to the request for information had been provided on 13 January 2021.
12. From the evidence provided to the Commissioner in this case, it is clear that HM Treasury did not deal with the request for information in accordance with the FOIA. The Commissioner finds that HM Treasury has breached section 10(1) by failing to respond to the request within 20 working days.

Other matters

13. The Commissioner wishes to place on record her understanding of the immense pressures placed on public authorities during the coronavirus pandemic. She is sympathetic to the difficult decisions such authorities

must make, between prioritising front-line services and continuing to meet their obligations under the FOIA.

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 1234504

Fax: 0870 739 5836

Email: grc@justice.gov.uk

Website: 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

Ben Tomes
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Water Lane
Wilmslow
Cheshire
SK9 5AF