

## **Freedom of Information Act 2000 (FOIA)**

### **Decision notice**

**Date:** 25 October 2022

**Public Authority:** Foreign, Commonwealth & Development Office  
**Address:** King Charles Street  
London  
SW1A 2AH

#### **Decision (including any steps ordered)**

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1. The complainant requested information from the Foreign, Commonwealth & Development Office (FCDO) about the International Conference: Freedom of Religion or Belief held at the QEII centre in July 2022. By the date of this notice the FCDO has not issued a substantive response to this request.
2. The Commissioner's decision is that the FCDO 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 requires the FCDO to take the following step to ensure compliance with the legislation.
  - the FCDO must provide a substantive response to the request in accordance with its obligations under the FOIA.
4. The FCDO must take this step 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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5. On 11 July 2022, the complainant wrote to the FCDO and requested information in the following terms:
- “I should be grateful if you can furnish me with the following:
- a. The detailed expenditure for the said conference.
  - b. List of all organisations and entities that were invited/consulted in the UK w.r.t. the said conference, it's agenda and its implementation.
  - c. The basis on which each panel was selected.
  - d. Was a race equality impact assessment carried out ? If so, a copy of the said.
  - e. Will you make accessible downloadable videos of each session? If so, please provide link?
  - f. What are you future plans to take issues emerging forward and how will those be implemented.”
6. The FCDO acknowledged the request on 11 July 2022. To date, a substantive response to the request has not been issued.

## Scope of the case

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7. The complainant contacted the Commissioner on 1 October 2022 to complain about the FCDO's failure to respond to their request.
8. The Commissioner has considered whether the FCDO has complied with its obligations in relation to the time for compliance at section 10(1) of the FOIA.

## Reasons for decision

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9. 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."*

10. 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"*.
11. On 6 October 2022 the Commissioner wrote to the FCDO, reminding it of its responsibilities and asking it to provide a substantive response to the complainant's request within 10 working days.
12. Despite this intervention the FCDO has failed to respond to the complainant.
13. From the evidence provided to the Commissioner in this case, it is clear that the FCDO did not deal with the request for information in accordance with the FOIA. The Commissioner finds that the FCDO has breached section 10(1) by failing to respond to the request within 20 working days and it is now required to respond to the request in accordance with the FOIA.

## Right of appeal

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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: 0203 936 8963

Fax: 0870 739 5836

Email: [grc@justice.gov.uk](mailto:grc@justice.gov.uk)

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

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