

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

### **Decision notice**

**Date:** 6 June 2024

**Public authority:** House of Commons

**Address:** Houses of Parliament  
St Margaret Street  
London  
SW1A 0AA

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

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1. The complainant requested information from the House of Commons regarding staff time spent on various events. The House of Commons stated that it did not hold recorded information within the scope of the complainant's request.
2. The Commissioner's decision is that, on the balance of probabilities, the House of Commons does not hold the requested information.
3. The Commissioner does not require the House of Commons to take any steps as a result of this decision notice.

### **Request and response**

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4. On 28 November 2023 the complainant made a request for information to the House of Commons. That request was as follows:

"Under the Freedom of Information Act, I'd like to request the following information:

Please can you share a breakdown of total staff time (FTEs, staff grades, estimated hours / days etc.) expended upon those processes, activities and procedures which can reasonably be construed as 'ceremonies', 'rituals', 'traditions' or otherwise which do not directly contribute to parliamentary productivity but which are, nevertheless, undertaken routinely / regularly by the House of Commons? Where

known, please also share the financial costs associated with such activities insofar as they relate to time expended.

Please do not hesitate to reach out to me if any aspect of my request requires further clarification.”

5. The House of Commons responded on 18 December 2023. It stated that it did not hold any relevant information within the scope of the complainant’s request.
6. The complainant requested an internal review on 2 January 2024. The House of Commons provided an internal review response on 19 January 2024 asserting that no relevant information was held and providing a further explanation.

### **Scope of the case**

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7. The complainant contacted the Commissioner on 10 February 2024 to complain about the way their request for information had been handled. The complainant disputed the House of Commons’ assertion that it did not hold any information relevant to the request.
8. The Commissioner considers the scope of the investigation is to determine if, on the balance of probabilities, the House of Commons holds the requested information.

### **Reasons for decision**

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9. Under section 1(1) of FOIA anyone who requests information from a public authority is entitled under subsection (a) to be told if the authority holds the information and, under subsection (b), to have the information communicated to them if it is held and is not exempt information.
10. The Commissioner has sought to determine whether, on the balance of probabilities, the House of Commons holds the requested information.
11. From the information provided, the Commissioner can see that the House of Commons has explained in both the original response to the complainant and in the internal review, that it does not hold such information.
12. On 22 May 2024, in response to the Commissioner’s enquiries, the House of Commons set out the reasons why it does not hold information in scope of the complainant’s request.

13. The House of Commons stated that it had first considered the events which might fall within the scope of the request and listed the events for the Commissioner. It then explained that, apart from one specified event, House of Commons administrative staff have expended no time on these. In relation to the specified event (The Lord Chancellor's Breakfast) the House of Commons explained to the Commissioner that the only involvement of staff is the preparation and service of food. Its Catering Services team move existing staff from other areas of the parliamentary estate to carry this out, and their time is not separately recorded or allocated for this purpose. Therefore, the House of Commons holds no record of a breakdown of staff time for this event.
14. The House of Commons informed the Commissioner that it has considered what information may be held in relation to staff hours (and cost). In doing so, it consulted with senior staff from different departments.
15. The House of Commons further informed the Commissioner that the House of Commons Staff Handbook requires its staff to record their time for the purpose of managing contractual working hours, leave etc. Many staff use an electronic time recording system for this purpose, which only records start and finish times, breaks etc but does not allocate time to specific tasks or describe the work undertaken, as there is no business need to do this. The staff who do not use the electronic system operate on a rota basis and again the rota system does not record specific tasks and time allocated, as there is no business need. Overtime forms are completed showing overtime spent but again do not specify tasks.
16. The House of Commons does proactively record and publish staff costs for some major events e.g. the Lying in State of Queen Elizabeth II and the State Opening. These were not deemed to be within the scope of the complainant's request as they do not take place "routinely and regularly." The Commissioner agrees with this approach.
17. The House of Commons noted that the complainant referred to the State Opening and the Lord Chancellor's Breakfast as examples of cost-recorded events, however they did not re-define the scope of their request to include these.
18. The House of Commons considered whether it may hold sufficient "building blocks" to mean it holds the requested information. The situation in relation to this request would necessitate assessment of which staff who were working on the Estate on the days when events were held were likely to have been involved in relevant tasks and how much of their time could reasonably be said to relate to those elements. This would require the exercise of skill and judgment in

interpreting timesheets and rotas which do not record tasks and broad descriptions on some overtime forms. It would also clearly require a significant element of estimation.

19. The House of Commons concludes that it holds no recorded information within the scope of the complainant's request and that there is no business need or statutory requirement to hold such information.
20. The Commissioner is satisfied that thorough and adequate searches were carried out and consideration given by the House of Commons to determine whether recorded information within scope of the request was held or not held. Furthermore, the Commissioner is satisfied that appropriate consultations took place with staff and that, should information within scope of the request have been held, those staff who were consulted would have been aware of such information.
21. On the balance of probabilities, the Commissioner is satisfied that the requested information is not held by the House of Commons and, therefore, it cannot be provided.
22. The House of Commons has complied with its obligations under section 1(1) of FOIA in this case.

## Right of appeal

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23. 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)

24. 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.
25. 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 .....**

**Name: Deirdre Collins**

**Title: Senior Case Officer**

**Information Commissioner's Office**

**Information Commissioner's Office**

**Wycliffe House**

**Water Lane**

**Wilmslow**

**Cheshire**

**SK9 5AF**