Reference: IC-139462-B7W2



Freedom of Information Act 2000 (Section 51) Information notice

Date: 18 August 2022

Public Authority: Health and Safety Executive (HSE)

Address: Redgrave Court

Merton Road

Bootle

Merseyside L20 7HS

Section 51

Under section 51 of the Freedom of Information Act 2000 (the "Act"), which is set out below, the Information Commissioner (the "Commissioner") has the power to serve a notice on a public authority requiring it to furnish him with any information he requires to enforce the requirements of the Act.

- 51. (1) If the Commissioner -
 - (a) has received an application under section 50, ...

he may serve the authority with a notice (in this Act referred to as "an information notice") requiring it, within such time as is specified in the notice, to furnish the Commissioner, in such form as may be so specified, with such information relating to the application, to compliance with Part I or to conformity with the code of practice as is so specified.

Application under section 50

1. The Commissioner has received an application under section 50, reference IC-139462-B7W2, for a decision whether a request for information made by the complainant to the HSE on 4 June 2021, has been dealt with in accordance with the requirements of Part I of the Act.

Reference: IC-139462-B7W2



Nature of complaint

2. The Commissioner wrote to the HSE on 18 July 2021 setting a 20 working day deadline to provide a copy of the withheld information and its justification for applying the exemptions. That correspondence had been neither acknowledged nor responded to at the date of this notice.

3. In view of the previous difficulties experienced in obtaining submissions from the HSE, as the HSE has missed its deadline, the Commissioner considers it appropriate to go straight to an Information Notice.

Information required

- 4. In view of the matters described above the Commissioner hereby gives notice that in the exercise of his powers under section 51 of the Act he requires that the HSE shall, within 30 calendar days of the date of this notice, furnish the Commissioner with a copy of the following information:
 - A copy of any information that the HSE still wishes to withhold in respect of this request.
 - A substantive response to the Commissioner's letter of 18 July 2021

Failure to comply

5. Failure to comply with the steps described above may result in the Commissioner making written certification of this fact to the High Court (or the Court of Session in Scotland) pursuant to section 54 of the Act, and may be dealt with as a contempt of court.

Reference: IC-139462-B7W2



Right of appeal

6. There is a right of appeal against this information notice to the First-tier Tribunal (Information Rights). Information about the appeals process can 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

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

chamber

7. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this information notice is sent. If Notice of Appeal is served late the Tribunal will not accept it unless it is of the opinion that it is just and right to do so by reason of special circumstances.

Signed	
Jigiica	

Roger Cawthorne
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