

Freedom of Information Act 2000 (FOIA)

Decision Notice

Date: 10 January 2023

Public Authority: Department for Work and Pensions
Address: Caxton House
Tothill Street
London
SW1H 9NA

Decision (including any steps ordered)

1. The complainant has requested the first draft of an external research report commissioned by the Department for Work and Pensions (DWP).
2. DWP withheld the information on the basis of sections 36(2)(b)(i), 36(2)(b)(ii) and 36(2)(c). The Commissioner's decision is that section 36 is not engaged but section 35(1)(a) is engaged and the balance of the public interest favours maintaining the exemption.
3. The Commissioner also finds that DWP has breached sections 10 and 17 by not providing its substantive response within the statutory timeframe.
4. The Commissioner does not require DWP to take any remedial steps.

Background

5. DWP commissioned a research project, led by the National Centre for Social Research (NatCen), called The Uses of Health and Disability Benefits. This project interviewed benefit recipients about their experiences of receiving Personal Independence Payment (PIP), Employment Support Allowance (ESA) and Universal Credit.
6. The final report was received by the Government in September 2020 and was not published.
7. On 23 August 2021, the Chair of the Work and Pensions Committee¹ wrote to the Secretary of State for Work and Pensions querying why the report had not been published and whether there were plans to do so. The Chair of the Committee also requested a copy of the report².
8. On 21 September 2021, the Secretary of State for Work and Pensions, responded and confirmed that there were no plans to publish the report³.
9. Following several rounds of correspondence, the Chair wrote to the Secretary of State and confirmed that if the report was not published by 11 January 2022, the Committee would use its parliamentary powers to obtain the report and publish it⁴.
10. On 12 January 2022, the Chair wrote to NatCen and confirmed that the Committee was using the powers provided by the House of Commons to obtain a copy of the report⁵.
11. On 3 February 2022, the Committee published the report⁶.

¹ <https://committees.parliament.uk/committee/164/work-and-pensions-committee/>

² <https://committees.parliament.uk/publications/7436/documents/77750/default/>

³ <https://committees.parliament.uk/publications/7437/documents/77751/default/>

⁴ <https://committees.parliament.uk/committee/164/work-and-pensions-committee/news/159956/disabled-peoples-experiences-of-the-benefits-system-work-and-pensions-secretary-given-final-chance-to-publish-report/>

⁵ <https://committees.parliament.uk/publications/8472/documents/85835/default/>

Request and response

12. On 4 December 2021, the complainant wrote to DWP and requested information in the following terms:

"In the article:

<https://www.disabilitynewsservice.com/dwp-refuses-to-publish-report-that-found-disabled-claimants-had-unmet-needs/>

about the publication of the report of the NatCen research project titled The Uses of Health and Disability Benefits, the journalist John Pring reported that a whistleblower explained.

"After being shown the first draft of the report, DWP told NatCen to reduce the number of references to "unmet needs" and to delete some of its analysis.

The whistleblower, who is close to the team that prepared the report, said: "It was obvious to me that the findings about unmet needs and adequacy of benefits were not what the government wanted to hear".

They said that the final version, which was submitted to DWP in September 2020, had fewer references to unmet needs."

RFI1: Please disclose the first draft of the NatCen report "The Uses of Health and Disability Benefits" referenced above."

13. On 6 January 2022, the complainant requested an internal review of the handling of the request as they considered that DWP had not provided a response within the statutory timeframe.
14. On the same day, DWP wrote to the complainant and confirmed that it was extending the statutory timeframe in order to consider the balance of the public interest as permitted under section 17(3). DWP stated that it may hold information falling within the scope of the request, however, it needed more time to consider aspects of the request.
15. DWP confirmed that it considered that section 35(1)(a) was engaged and it required more time to consider the balance of the public interest.
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⁶ <https://committees.parliament.uk/committee/164/work-and-pensions-committee/news/160750/disabled-peoples-experiences-of-the-benefits-system-committee-publishes-government-commissioned-research>

DWP explained that it was aiming to provide a full response by 3 February 2022.

16. Regarding the complainant's request for an internal review, DWP explained that, in relation to FOIA, "working day" means any day other than a Saturday, a Sunday, Christmas Day, Good Friday or a day which is a bank holiday under the Banking and Financial Dealings Act 1971 in any part of the United Kingdom. DWP explained that whilst 4 January 2022 was only a bank holiday in Scotland, its non-working day status applies to all requests made under FOIA. DWP confirmed that 6 January 2022 was the twentieth working day following the request.
17. The complainant requested an internal review on 7 January 2022 and disputed that DWP was entitled to rely on section 10(3) to consider the balance of the public interest. The complainant considered that as DWP had recently withheld the final report, it was not credible that it would require additional time to consider the public interest regarding the draft version.
18. On 3 February 2022, DWP wrote again to the complainant to extend the time for compliance further. DWP explained that it now also considered that sections 36(2)(b) and 36(2)(c) were engaged.
19. DWP confirmed that it was aiming to provide a full response by 3 March 2022.
20. On the same day, DWP provided a response to the request for an internal review made on 7 January 2022. DWP confirmed that it considered that its handling of the request had so far been correct.
21. Following the Commissioner's intervention, DWP provided the complainant with its substantive response on 24 February 2022. DWP confirmed that it held the requested information but was withholding it on the basis of sections 36(2)(b) and 36(2)(c).
22. DWP set out its consideration of the public interest. It recognised that the publication of the information requested could provide a greater understanding of The Uses of Disability Benefits report. However, DWP explained that it has to balance this against the fact that the draft versions of the report are a work in progress. DWP considered that the information includes details that would not be designed to be released with the final version. Those working on the draft version would not expect, or have in mind, that these versions would be released.
23. DWP explained that the Government Social Research protocol states that the agreed final draft is the product for publication. The agreed final draft is the end point of a project at which a final version of the output had been received and accepted. This will be after any internal

review/peer review and revisions as a result of these peer review comments.

24. DWP considered that if it always had to release draft reports, there is a chance that the overall consultation, research and report stages of any such work would become poorer. The reason for this is that people would be less inclined to comment or have their opinions recorded, meaning that the development of these reports would suffer. This would overall lead to worse outcomes that may impact future development of government policy and how DWP works with other organisations.
25. DWP explained that publication of the draft report would be likely to inhibit candour and be likely to prejudice the effective conduct of public affairs. DWP considered that there is a strong public interest in it being able to carry out and use frank assessments, including unrestrained and candid contributions from business areas. DWP confirmed that it considered that, on balance, the public interest in maintaining the exemption outweighs the public interest in disclosure.

Scope of the case

26. The complainant originally contacted the Commissioner regarding DWP's extension to the statutory timeframe.
27. The Commissioner initially contacted DWP regarding providing its substantive response. Following this, with DWP's agreement, the Commissioner accepted the complaint for investigation without an internal review of this substantive response.
28. Section 36 can only be relied upon by a Government Department, such as DWP, where it relates to information that does not engage section 35.
29. The Commissioner asked DWP to confirm what exemption was engaged in light of the mutually exclusive nature of sections 35 and 36. DWP confirmed that it wished to maintain its position that section 36 was engaged and not section 35.
30. The Commissioner has discretion to proactively consider exemptions that have not been relied on by the public authority. This position is supported by DEFRA v Information Commissioner and Simon Birkett, GIA/1694/2010⁷.

⁷ http://foiwiki.com/foiwiki/images/b/ba/Gia_2098_2010-00.pdf

31. The Commissioner will therefore consider whether DWP is correct that section 36 is engaged or if section 35 is engaged. He will then consider the balance of the public interest in relation to the appropriate exemption.
32. The Commissioner will also consider whether DWP's handling of the request was in accordance with the procedural requirements of FOIA.

Reasons for decision

Section 35(1)(a): Formulation or development of Government policy

Section 36: Prejudice to the effective conduct of public affairs

33. Section 36(1) states that this exemption can only apply to information to which section 35 does not apply.
34. DWP provided the Commissioner with a copy of the submission to the Qualified Person which stated that the Secretary of State had decided not to publish the final version of the requested report alongside the Health and Disability Green Paper or subsequently in order to protect the private space for policy development. DWP explained that it planned to publish the report alongside the White Paper when this policy work was complete.
35. The Commissioner has previously found that the Health and Disability Green Paper constituted Government policy in IC-102213-F4W6⁸.
36. Section 35(1)(a) applies to information if it relates to the formulation or development of Government policy.
37. The term 'relates to' can be interpreted broadly as confirmed in *DfES v Information Commissioner & the Evening Standard* (EA/2006/0006, 19 February 2007)⁹.
38. This means that the information does not have to be created as part of the development of Government policy. Any significant link between the information and the Government policy is enough. Information may 'relate to' the policy due to its original purpose when created, or its later

⁸ <https://ico.org.uk/media/action-weve-taken/decision-notices/2022/4022359/ic-102213-f4w6.pdf>

⁹ <https://informationrights.decisions.tribunals.gov.uk/DBFiles/Decision/i70/DFES.pdf>

use, or its subject matter. Information created before the formulation or development of government policy may still be covered if it was used in or affected the policy at a later date. Information created after the policy that was developed is complete may still be covered if it refers back to the Government policy.

39. If the majority of a piece of information relates to a formulation or development of Government policy, any associated or incidental information will also relate to the formulation or development of that Government policy, even if in isolation it would not be covered.
40. The Commissioner therefore considers that any distinction drawn between the use of the information in the final report and the information in the first draft of this report would be an artificial one.
41. As the final version of the report went on to be used in the formulation or development of government policy, the first draft of this same report clearly relates to the development of government policy.
42. The Commissioner is therefore satisfied that section 35(1)(a) is engaged in relation to the requested information.
43. Section 35(1)(a) is a qualified exemption and the Commissioner will therefore consider the balance of the public interest.

The balance of the public interest

44. When considering the public interest in maintaining the exemption, public authorities and the Commissioner must focus only on arguments which relate specifically to the exemption which is engaged, in this case, the protection of the policymaking process.
45. The Commissioner has therefore considered the arguments provided by DWP which are relevant to section 35(1)(a).
46. Consideration of the public interest in disclosure does not need to be restricted in such a manner, the complainant's arguments in favour of disclosure will be relevant regardless of the exemption which has been engaged.
47. DWP acknowledged only that disclosure may increase understanding of the report.
48. The complainant considered that DWP had, in its refusal notice, failed to explain why and how disclosure of the report would result in the prejudice claimed. The complainant stated that it repeats "tired vacuous" arguments that have been repeatedly rejected by the Commissioner and Tribunals.

49. The complainant considers that DWP's references to disclosure leading to issues with it being "able to carry out and use frank assessments, including unrestrained and candid contributions from business areas" prove that it has not considered the specific circumstances of this case.
50. The complainant stated that the report is an external independent piece of research and doesn't contain frank assessments or candid opinions from DWP or any other Government Department business area.
51. The complainant considers that DWP's claims that people would be less inclined to comment or be open with their opinions can only be construed as boilerplate text as NatCen made it clear that any contributions to the research would remain completely confidential.
52. The complainant explained that there is a considerable weight in the public knowing about the activities of Government Departments such as DWP, especially when it relates to disabled people. The complainant stated that a simple search online reveals the scale of the problems faced by disabled members of society who must interact with DWP to claim social security benefits such as ESA, PIP and Universal Credit. The complainant provided evidence of claimants starving to death¹⁰ following termination of their benefits and a rise in the number of reviews DWP carries out when a person claiming benefits comes to serious harm¹¹.
53. The complainant explained that DWP had announced in its Green Paper "Shaping future support: the health and disability green paper"¹² that it wants to make significant changes to health disability benefits. The complainant stated that "Given the debacle associated with its design and delivery of Employment and Support Allowance, Personal Independence Payment and Universal Credit, people are right to be concerned. Disability Rights UK (a leading UK disability rights organisation) highlighted a few positive points from the Green Paper but identified significantly more concerns"¹³.

¹⁰ <https://www.theguardian.com/society/2021/mar/04/family-of-man-who-starved-to-death-after-benefits-cut-loses-case-against-dwp>

¹¹ <https://www.bbc.co.uk/news/uk-57726608>

¹² <https://www.gov.uk/government/consultations/shaping-future-support-the-health-and-disability-green-paper>

¹³ <https://www.disabilityrightsuk.org/news/2021/september/health-and-disability-green-paper-%E2%80%93-cause-concern>

54. The complainant considered that if DWP has manipulated evidence from NatCen which is critical of how it deals with the needs of disabled people and the implications for future spending on benefits, there is a strong public interest in seeing the evidence prior to the changes. The complainant considers that this will allow a comparison with the version published by the Work and Pensions committee. The complainant considered that the draft report is the output of the research before DWP imposed its changes.
55. The complainant confirmed that DWP had refused to disclose the final version of the report to:
- The Chair of the Work and Pensions Committee¹⁴
 - Baroness Lister of Burtsett (a Professor of Social Policy)¹⁵
 - The Press (for example, Disability News Service)
 - Benefits Rights Organisations such as Benefits and Work¹⁶
 - FOI campaigners
56. The complainant explained that the Work and Pensions Committee gave the Secretary of State for Work and Pensions several opportunities to release the final report. It then used its statutory powers to obtain and release the final report¹⁷.
57. The complainant considers that it appears that DWP only wants scrutiny and transparency on its own terms. They consider that it is unacceptable that a government department, which has such a huge impact on the lives of so many people, can commission independent research and then attempt to manipulate the findings or refuse to publish it.

¹⁴ https://www.parallelparliament.co.uk/mp/stephen-timms/search?search_term=NatCen&department=DepartmentforWork_Pensions&order_field=relevance&mp_type=163&document_type=writtenanswers

¹⁵ <https://members.parliament.uk/member/4234/experience>

¹⁶ <https://www.benefitsandwork.co.uk/news/how-damning-is-secret-disability-benefits-report>

¹⁷ <https://committees.parliament.uk/committee/164/work-and-pensions-committee/news/160750/disabled-peoples-experiences-of-the-benefits-system-committee-publishes-government-commissioned-research/>

58. The complainant considers that the public and the media have every right to wonder how many other pieces of research referenced in the Green Paper have been 'influenced' by DWP to protect the narrative it wishes to promote.
59. The complainant directed the Commissioner to the Government Social Research Publication Protocol¹⁸ which sets out five principles for publication of government social research:
- Principle 1: The products of government social research and analysis will be made publicly available.
 - Principle 2: There will be prompt release of all government social research and analysis, including advance publication of research protocols and analysis plans.
 - Principle 3: Government social research and analysis must be released in a way that promotes public trust.
 - Principle 4: Clear communication plans should be developed and maintained for all social research and analysis produced by government.
 - Principle 5: Responsibility for the release of social research and analysis produced by government must be clear.
60. The complainant considers that DWP's refusal to disclose the draft report is incompatible with the Government Social Research Publication protocol and that adherence to this protocol is vital if publicly funded social research and analysis is to be trusted by politicians and the public.
61. The complainant considers that the whistleblower in the news article cited in the request is credible. They consider that their claims are supported by the fact that DWP refused to disclose the final report. The complainant stated that the accusations of DWP manipulating the report to reduce how critical it was of DWP are deeply disturbing. They consider that there is an overwhelming public interest, now that the Work and Pensions Select Committee has released the final report, in disclosure of the draft report. This will allow the public and the media to judge the extent to which DWP manipulated independent research to suit its own narrative.

¹⁸ <https://www.gov.uk/government/publications/government-social-research-publication-protocols>

62. The complainant quoted an extract from Lord Bingham in *R v Shayler* [2002] UKHL 11, [2003] 1 AC 247 (a case regarding whether the Official Secrets Act had been breached):

"Modern democratic government means government of the people by the people for the people. But there can be no government by the people if they are ignorant of the issues to be resolved, the arguments for and against different solutions and the facts underlying those arguments. The business of government is not an activity about which only those professionally engaged are entitled to receive information and express opinions. It is, or should be, a participatory process. But there can be no assurance that government is carried out for the people unless the facts are made known, the issues publicly ventilated. Sometimes, inevitably, those involved in the conduct of government, as in any other walk of life, are guilty of error, incompetence, misbehaviour, dereliction of duty, even dishonesty and malpractice. Those concerned may very strongly wish that the facts relating to such matters are not made public. Publicity may reflect discredit on them or their predecessors. It may embarrass the authorities. It may impede the process of administration. Experience, however shows, in this country and elsewhere, that publicity is a powerful disinfectant. Where abuses are exposed, they can be remedied. Even where abuses have already been remedied, the public may be entitled to know that they occurred".

63. DWP explained that the draft versions were works in progress that those working on the draft version would also not expect or have in mind that this version would be released.
64. DWP stated that the Government Social Research protocol states that the agreed final draft is the product for publication. The agreed final draft is the end point of a project at which a final draft version of the output has been received and accepted. This will be after any internal review or peer review and revisions as a result of these peer review comments.
65. DWP considered that if it always had to disclose draft reports, there is a chance that the overall consultation, research and report stages of any such work would become poorer. DWP reasoned that this is because people would be less inclined to comment or have their opinions recorded, meaning that the development of these reports would suffer. DWP considered that this would overall lead to worse outcomes that may impact future development of government policy and how DWP works with other organisations. In particular, DWP believes it is likely to lead to far less research being contracted externally which, while some may be substituted internally, would mean a loss of expertise feeding into policy development.

66. DWP considered that the potential additional value to the public interest in seeing draft reports is relatively small and is more likely to be detrimental to the public interest because drafts will not have gone through thorough quality assurance and may include misleading or incorrect material. DWP stated that the potential adverse consequences of release of draft reports are significant and outweigh the potential small benefits of release by a large margin.
67. DWP considered that the precedent created by release of the drafts of this report would be likely to have a significant effect on the future willingness for organisations to undertake and/or engage in research for Government. DWP considered that this adverse effect is not limited to the research report sought by the complainant.

The Commissioner's position

68. During the course of this investigation, the Upper Tribunal handed down its ruling in the case of *Montague v Information Commissioner and Department for International Trade* [2022] UKUT 104 (AAC). This ruling, which is binding on the Commissioner, states that the correct point at which to assess the balance of the public interest is the point at which the public authority issued its refusal notice.
69. Where the public authority provides its refusal notice outside of the statutory timeframe, the balance of the public interest should be considered on the basis of the circumstances at the time the refusal notice **should** have been issued, ie within 20 working days of the request.
70. In this case, the Commissioner is therefore required to consider the balance of the public interest on the basis of the circumstances up to and including 6 January 2022.
71. The Commissioner acknowledges the complainant's position that the public interest lies in comparing the first draft with the now published final version. However, at the time of the request, the final report had not yet been published. This would later occur on 3 February 2022.
72. With regards to the arguments in favour of disclosure, the Commissioner accepts that the nature of the report "The Uses of Health and Disability Benefits" will impart a public interest in transparency. The report relates to the lived experiences of those on disability benefits and therefore relates to the experiences of millions of people, including the most vulnerable members of society.
73. The Commissioner recognises that at this time very little, if any, information regarding the findings of this report was available to the public and this does increase the public interest in disclosure of the

withheld information. However, in the Commissioner's view, that public interest lay in DWP publishing the final report, not the initial draft.

74. The Commissioner has included the controversy surrounding the publication of the final report, set out in the background section, in this consideration.
75. The Commissioner notes the complainant's concerns regarding the independence of the final report. In light of the timing of the request, and the lack of a published final report, the Commissioner considers that the degree to which disclosure of the first draft would genuinely add to the public's understanding of the review process is limited. Essentially, at the time at which the public interest must be considered, the draft report could not be compared to the final report as the final report was not publicly available.
76. However, even with the benefit of hindsight and the published report, the Commissioner considers that disclosure of the draft version of the report would not reveal anything regarding the intentions behind any changes made prior to the final version. Comparison would allow any changes to be located but the reasons for these changes would be purely speculative. The "first draft" provided by NatCen does not contain DWP's comments or requested changes.
77. The Commissioner recognises there is a compelling public interest in preserving the safe space in which reports are finalised through the drafting process. The Commissioner accepts that if a first version of a report were to be disclosed, particularly before the agreed final version, this would be likely to impact on the future drafting and review process of commissioned research. The Commissioner accepts that if officials at DWP and NatCen believed that the draft versions of reports would be disclosed, particularly before publication of the final report, they may be less candid in their feedback and reviews and more cautious in initial drafts. The Commissioner accepts that this would be likely to impact on the quality of information and evidence available during the formulation or development of Government policy.
78. The Commissioner notes that the complainant considers that DWP's claims that people would be less inclined to comment or be open with their opinions must be boilerplate text as NatCen made it clear that any contributions to the research would remain completely confidential. The Commissioner respectfully disagrees with this interpretation of DWP's statement. The Commissioner does not believe that this statement was referring to the confidentiality of the research itself. The statement refers to those involved in the drafting of the report and reviewing this draft.

79. The purpose of draft versions of any report is to ensure that the brief has been met, inaccuracies or errors can be corrected and the information is presented in an understandable and accessible manner. The Commissioner accepts that the process of drafting and review would be likely to be impacted if the initial drafts are disclosed and this would negatively impact on the development of Government policy.
80. The Commissioner has not, however, attributed much weight to DWP's argument that disclosure of draft reports would be likely to lead to far less research being contracted externally as DWP has not provided any reasoning regarding why this would be likely to occur.
81. In conclusion, the Commissioner has found that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. In reaching this finding, the Commissioner has placed particular weight on the timing of the request, ie that disclosure would have resulted in the draft version being placed into the public domain before the final agreed version. The Commissioner would stress, however, that this does not automatically mean that any similar request made after the date of publication of the final report would result in disclosure. Should the Commissioner be presented with a complaint of this nature, he would consider the case afresh in light of the updated circumstances.

Sections 10 & 17: Procedural issues

82. Section 1(1) of FOIA provides that any person making a request for information to a public authority is entitled, subject to the exemptions:
 - (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.
83. Section 10(1) of FOIA provides that public authorities must comply with section 1(1) promptly and in any event not later than the twentieth working day following the date of receipt.
84. Under section 17(3) a public authority can, where it is citing a qualified exemption, have a 'reasonable' extension of time to consider the balance of the public interest. The Commissioner considers it reasonable to extend the time to provide a full response, including public interest considerations, by up to a further 20 working days, which would allow a public authority 40 working days in total. The Commissioner considers that any extension beyond 40 working days should be exceptional and requires the public authority to fully justify the time taken.

85. Whilst DWP did provide its initial response within 20 working days, this response failed to inform the complainant whether DWP held information of the description specified in the request. DWP stated that it "may" hold the requested information.
86. The extension to the statutory timeframe provided by section 17(3) applies only to the consideration of the balance of the public interest. Public authorities must, within the statutory timeframe of 20 working days, confirm that the information is held (or that it is refusing to confirm or deny whether the information is held) and confirm what exemption it considers is engaged.
87. The extension to the statutory timeframe cannot be used to determine whether an exemption is engaged.
88. As set out above, DWP initially confirmed that it considered that section 35(1)(a) was engaged on 6 January 2022 and on 3 February 2022, it confirmed that it also considered that sections 36(2)(b) and 36(2)(c) were engaged.
89. DWP stated:

"For the avoidance of doubt, we are not suggesting that both Section 35 and Section 36 exemptions would apply at the same time, we know this cannot happen. We have not yet reached a decision on the balance of the public interest in relation to these two exemptions."
90. On 24 February 2022, DWP provided its substantive response that sections 36(2)(b) and 36(2)(c) were engaged and the public interest favoured maintaining the exemption.
91. Section 36(1)(a) makes clear that sections 35 and 36 are mutually exclusive and cannot apply to the same information (where that information is held by a government department). DWP appears to have been considering which exemption is engaged on the basis of the public interest. Where an exemption is engaged but the public interest favours disclosure, this does not render the exemption no longer engaged. If section 35 had been engaged but the public interest favoured disclosure, section 36 **could not** be engaged by virtue of section 36(1)(a).
92. DWP did not seek the qualified person's opinion until 17 February 2022 and the opinion was given on 22 February 2022, more than six weeks after DWP extended the timeframe to consider the balance of the public interest.
93. It is clear that when extending the statutory timeframe, DWP had not yet ascertained which exemption was engaged. The extension of the statutory timeframe appears to have been used to determine whether

section 35 or 36 was engaged and to obtain the Qualified Person's opinion rather than to consider the balance of the public interest.

94. DWP was not, therefore, entitled to rely on section 17(3) to extend the statutory timeframe.
95. For the above reasons, the Commissioner finds that DWP breached section 10(1) and 17(1) of the Act by failing to respond adequately within the statutory timeframe.
96. The Commissioner expects DWP to take steps to improve its handling of section 35 and 36 cases such that its responses represent the quality expected of a large governmental department with the knowledge and expertise available to DWP.

Right of appeal

97. 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

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

98. 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.
99. 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

Victoria Parkinson
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