

## Freedom of Information Act 2000

### Decision notice

**Date:** 25 January 2016

**Public Authority:** Cabinet Office

**Address:** 70 Whitehall

London

SW1A 2AS

#### Decision (including any steps ordered)

---

1. The complainant requested information relating to Syrian refugees from the Prime Minister's Office – whose obligations under the Freedom of Information Act 2000 (the Act) fall to the Cabinet Office. The Cabinet Office acknowledged the complainant's request but has not issued a response which fulfils its obligations under the terms of the Act.
2. The Commissioner's decision is that the Cabinet Office has breached section 10(1) of the Act.
3. The Commissioner requires the public authority to take the following steps to ensure compliance with the legislation.
  - Issue a response to the complainant under the Act by either complying with section 1(1) or issuing a valid refusal notice (which includes the outcome of any public interest considerations, if relevant).
4. The public authority must take these steps 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

---

5. On 16 October 2015, the complainant wrote to the Cabinet Office and requested information in the following terms:

*"I wish to know the following information regarding local authorities and refugees.*

*1. How many local authorities have contacted Central Government or the Prime Minister in connection with housing and assisting refugees in 2015 and have requested additional funds to do so?*

*2. What are the names of the local authorities that have done so?*

*3. Has the London Borough of Camden or any other London borough contacted Central Government or the Prime Minister in connection with housing and assisting refugees in 2015 and have requested additional funds to do so?*

*4. If so, what is the text of the emails or letters, and in particular from the Leader or Deputy Leader of the London Borough of Camden?"*

6. The Commissioner notes that the complainant sent the request through the website '<https://email.number10.gov.uk/>', which allows individuals to contact the Prime Minister of the United Kingdom. The website states that all emails received through this site are read and the office will do its best to ensure a reply is sent to the message. The complainant also received an acknowledgement from this website which demonstrates that the request has been received.
7. Upon accepting this complaint, the Commissioner contacted the complainant and he confirmed that no response had been received. The Commissioner also contacted the Cabinet Office to provide its FOI team with a copy of the request, but no response was received to this.

## Scope of the case

---

8. The complainant contacted the Commissioner on 15 November 2015 to complain about the way his request for information had been handled.
9. The Commissioner considers the scope of the case to be whether the Cabinet Office has complied with section 10(1) of the Act.

## Reasons for decision

---

10. Section 10(1) of the Act states that public authorities must comply with section 1(1) within 20 working days of receipt of the request.
11. The Cabinet Office is obliged under section 1(1) of the Act to confirm or deny whether recorded information relevant to the complainant's request is held and then provide it, unless there is an exemption which prohibits it from doing so (in which case a refusal notice must be issued).
12. The Cabinet Office acknowledged receipt of the complainant's request on 16 October 2015. The twentieth working day after this was 13 November 2015. As the Cabinet Office did not issue a response by this date – and has still not done so - it has breached section 10(1) of the Act. The Commissioner therefore requires the Cabinet Office to issue a response to the complainant under the Act.

## Right of appeal

---

13. 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 123 4504

Fax: 0870 739 5836

Email: [GRC@hmcts.gsi.gov.uk](mailto:GRC@hmcts.gsi.gov.uk)

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

14. 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.
15. 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 .....**

**Alexander Ganotis  
Group Manager  
Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF**