

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 14 October 2022

Public Authority: Education and Skills Funding Agency - an executive agency of the Department for Education

Address: Cheylesmore House
5 Quinton Road
Coventry
CV1 2WT

Decision (including any steps ordered)

1. In a seven part request, the complainant has requested information about St Mary's College, Blackburn. The Education and Skills Funding Agency (ESFA) addressed part 4 of the request and advised it does not hold the information requested in part 5. ESFA has now disclosed some information it previously withheld but it is maintaining its reliance on section 36(2) of FOIA (prejudice to effective conduct of public affairs) with regard to information within scope of the remaining five parts of the request. It has also applied section 43(2) (commercial interests) to part 3.
2. The Commissioner's decision is as follows:
 - On the balance of probabilities, ESFA does not hold the information requested in part 5 of the request and complied with section 1(1) in respect of that part.
 - ESFA correctly applied sections 36(2)(b)(i), 36(2)(b)(ii) and 36(2)(c) of FOIA to information it is withholding within scope of parts 1,2, 3, 6 and 7 of the request. The public interest favoured maintaining those exemptions.
 - ESFA breached section 10(1) and section 17(1) as its response and refusal were provided outside the 20 working day requirement.

3. The Commissioner does not require ESFA to take any corrective steps.

Background

4. As noted, ESFA is an executive agency of the UK government and is sponsored by the Department for Education (DfE).
5. From a related decision he made in a separate case involving information requested from DfE¹ the Commissioner is aware of the following background and context.
6. A decision was made to close St Mary's College (SMC) in Blackburn due to the falling number of students attending the college. This was because no suitable merger partner could be found through the Further Education (FE) Commissioner-led structure and prospects appraisal (SPA) process.
7. SMC was a small sixth form college which, until November 2020, was a Catholic sixth form college, but changed its faith status due to the low proportion of Catholic learners and staff. The college was financially unviable due to declining learner numbers over several years and it has been under a Financial Notice to Improve since February 2017.
8. However, attempts were made to secure the college's future. First, it entered into a federation with Cheadle and Marple Sixth Form College (CAMSFC). The federation was never formally enacted and ceased in 2019 when CAMSFC had its own financial difficulties. Second, one of the department's deputy FE Commissioners led an SPA during 2020, with the aim of finding a merger partner by approaching local academies, schools and colleges. No suitable partner was identified and the recommendation then was to close the college. This was accepted by the college corporation which announced in November 2020 its plans to close.
9. Ministers agreed to a 'teach-out' of the college's existing learners as being in their best interests, supported by up to £5 million emergency funding from the DfE. Under the 'teach-out' strategy the college recruited no new learners in 2021/22 and concentrated on teaching its existing year 13 learners. Part of the agreement with the appointed liquidator is to provide a 'post exams results service' to these learners on receipt of their GCSE/A level results.

¹ <https://ico.org.uk/media/action-weve-taken/decision-notices/2022/4021447/ic-127617-h2b0.pdf>

10. In addition, ESFA has explained that at the time of the current request, its priority was clearly for students and staff to be able to go through the teach-out process with as little further disruption as possible. ESFA was mindful that this cohort of learners began their post-16 programmes in September 2020 and so had been severely impacted by COVID-19 infections and restrictions: their GCSE exams were cancelled, and there were ongoing teaching impacts in 2020/21.
11. ESFA says it is worth pointing out that Blackburn with Darwen as a borough has higher than average levels of deprivation (ranked 14th in the 2019 Indices of Deprivation) and a diverse multicultural mix (with the Census 2011 reporting 28% Asian ethnicity). At this time it was widely reported that people from minority ethnic backgrounds were at higher risk from COVID-19. Blackburn and Lancashire were subject to ongoing restrictions during this period. ESFA considered it was therefore in the learners' best interests to be able to complete their programmes at SMC and it therefore wished to mitigate the risks of SMC closing early so far as possible. This, combined with the commercial prejudices that ESFA perceived, and continue to perceive, which disclosure would be likely to incur, means that ESFA (and DfE) continue to believe the exemptions applied remain fair and appropriate at the time of the submission discussed in this notice.

Request and response

12. On 9 August 2021 the complainant wrote to ESFA and requested information in the following terms:

""SMC Financial Report and Accounts 2019/2020

I note SMC's Members' Report and Financial Statement (MRFS) for the period 1 August 2019 to 31 July 2020. For context, I set out here a number of excerpts from the MRFS in bold with my own brief annotations and comments. These are linked to my specific FOIA requests referenced DM1 – DM7.

I was gratified to see that one of SMC's four 'key strategic aims' (p.3) is, "To maintain the trust and integrity of the College through honest and open communication with our students, staff, stakeholders and the wider community we serve." As a UK taxpayer I believe I sit comfortably among these categories.

"The recommendation of the SPA [FE Commissioner's Structure and Prospects Appraisal, October 2020] is for a dignified orderly closure, and the relevant Minister's office has ratified the funding proposal."
(p.3)

1: A copy of the funding proposal ratified by the Minister's office, including any additional proposals ratified to date.

"A Grant Funding Agreement has been made between the Secretary of State for Education and St Mary's College whereby the Department for Education will pay the funding of the College in accordance with a Payment schedule." (p.4)

2: A copy of this Grant Funding Agreement and related payment schedules, including any amendments and additional funding agreements to date.

"The ESFA will continue to support the College operationally and, as part of the two-year process and associated funding, the ESFA have commissioned RSM to undertake a limited scope independent business review [IBR] of the College, to review the financial position, liabilities and project plan." (p.4)

3: A copy of the IBR report produced by RSM (or other provider) for the ESFA, including all relevant supporting schedules, appendices, presentations etc. If yet to be completed, please provide an estimate of the due date of completion.

On p.8 the MRFS explains that bank debt to the tune of £2,735,658 has been reclassified as 'short term liabilities'. This implies that the whole of this outstanding balance would be repaid by the end of the financial year 1 Aug 20 - 31 July 21.

4: As I understand it, this debt owed to SMC's bank was secured upon the College's land and buildings. Am I to understand that the UK Government has stepped in to pay off this debt? If so, please set out the reasons taxpayers' money been used to underwrite this debt and thereby override the terms set out at the inception of the loan(s).

"In November 2020 the College received a reservation of rights letter from the bank relating to the 2019/20 financial year, and the bank have confirmed that they do not intend to take further action." (p.8)

5: A copy of this reservation of rights letter.

"In October 2020 the finance team at the College produced a 'Teach out' budget [...] and this was subsequently agreed with the Minister and ESFA Intervention Team and emergency funding of up to £5m has been approved ..." (p.8)

6: A copy of the Teach out budget, updated to the most recent available.

7: A subjective analysis of the £5m 'emergency funding', showing how it was calculated and including any amendments and/or additions to the date of this request.

To clarify, because of the enormous time-lags between the events, activities and transactions relating to SMC's closure and their public reporting (if that happens at all), I am requesting that you please provide up-to-date versions of all the information requested, ie to include all relevant additional financial and other resource commitments made by the DfE between the date of the MRFS and the date of this FOI request. "

13. On 3 November 2021 ESFA responded. It withheld the information requested in parts 1, 2, 3, 6 and 7 of the request under section 36(2) of FOIA and also applied section 43(2) to part 3. ESFA addressed part 4 and advised it does not hold the information requested in part 5.
14. ESFA provided an internal review on 9 February 2022. It noted its response to the request had been late but upheld its position with regard to parts 1, 2, 3, 5, 6 and 7 of the request.

Scope of the case

15. The complainant contacted the Commissioner on 7 February 2022 to complain about the way their request for information had been handled.
16. Having reconsidered the request as a result of the complaint to the Commissioner, ESFA provided the complainant with a fresh response to their request on 25 August 2022. It disclosed some of the information it had previously withheld in its entirety; namely information in an emergency funding agreement and in independent business review phase 1 and phase 2 documents. ESFA maintained its position with regard to the remainder of the withheld information.
17. The Commissioner's investigation has focussed on whether ESFA holds information within scope of part 5 of the request, and its application of sections 36(2)(b)(i), 36(2)(b)(ii) and 36(2)(c) to information requested in parts 1, 2, 3, 6, 7 and 8. If necessary, he will consider whether ESFA correctly applied section 43(2) to part 3. Finally, the Commissioner has considered the timeliness of ESFA's response.

Reasons for decision

Section 1 – general right of access to information held by public authorities

18. Under section 1(1) of FOIA anyone who requests recorded 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 subject to an exemption.
19. ESFA advised the complainant that it does not hold the information requested in part 5 of the request, namely a “reservation of rights” letter that SMC received from a bank.
20. In its submission, ESFA has confirmed that it is confident that it does not hold this information, as it is not information that it has ever requested. ESFA says it does not routinely hold correspondence between a college and its bank. Although ESFA was aware of the letter in question from its dialogue with SMC, it had no reason to request a copy, and therefore does not hold a copy of this information.
21. As was noted in the complainant’s request, the letter in question was one that was sent to SMC by its bank. The Commissioner therefore accepts ESFA’s explanation and is satisfied, on the balance of probabilities, that ESFA does not hold the letter. He finds that ESFA’s response to part 5 of the request complied with section 1(1)(a) of FOIA.

Section 36 – prejudice to effective conduct of public affairs

22. Section 36 of the FOIA is an exemption that differs from all other prejudice exemptions in that, in most cases, the judgement about prejudice must be made by the legally authorised, qualified person for that public authority.
23. Other than for information held by Parliament, section 36 is a qualified exemption. This means that even if the qualified person (QP) considers that disclosure would cause harm, or would be likely to cause harm, the public interest must still be considered.
24. ESFA has provided the Commissioner with a copy of the information it is withholding under this exemption, which he has reviewed.

Section 36(2)(b) – provision of advice / exchange of views

25. Section 36(2)(b)(i) of FOIA says that information is exempt if its disclosure would or would be likely to inhibit the free and frank provision of advice. Section 36(2)(b)(ii) says that information is exempt if its

disclosure would or would be likely to inhibit the free and frank exchange of views for the purposes of deliberation.

26. To determine, first, whether ESFA correctly applied the exemptions under section 36(2)(b), the Commissioner must consider the QP's opinion as well as the reasoning that informed the opinion.
27. Therefore, in order to establish whether the exemptions have been applied correctly the Commissioner must:
 - ascertain who was the qualified person or persons
 - establish that an opinion was given by the qualified person
 - ascertain when the opinion was given; and
 - consider whether the opinion was reasonable.
28. In this case, the QP was Alex Burghart MP, then the Minister for Apprenticeships and Skills. The Commissioner is satisfied that, under sub-section 36(5)(a) of FOIA, Alex Burghart was an appropriate QP at the time of the request.
29. ESFA has provided the Commissioner with a copy of the submission it sent to the Minister, dated 15 October 2021. The submission seeks the Minister's opinion on ESFA's proposed approach to the complainant's request. The submission shows that the Minister confirmed that, in his opinion, disclosing the withheld information would be likely to have the effects set out under section 36(2). The Commissioner is therefore satisfied that an opinion was given by the QP.
30. The request was submitted on 9 August 2021. The Minister's opinion in the submission is dated "21/20/21". This is a typo but, given the date the submission was sent to the QP and that ESFA provided a response to the request on 3 November 2021, the Commissioner will assume the opinion was given on 21/10/21. As such, the Commissioner considers that the opinion was given at an appropriate time.
31. The Commissioner has gone on to consider whether that opinion is reasonable. It is important to note that 'reasonableness' is not determined by whether the Commissioner agrees with the opinion provided but whether the opinion is in accordance with reason. In other words, is it an opinion that a reasonable person could hold? This only requires that it is a reasonable opinion, and not necessarily the most reasonable opinion.
32. The test of reasonableness is not meant to be a high hurdle and if the Commissioner accepts that the opinion is one that a reasonable person could hold, he must find that the exemption is engaged.
33. The QP's opinion in this case is that the prejudice envisioned under section 36(2)(b)(i) and section 36(2)(b)(ii) would be likely to occur if

ESFA disclosed the withheld information. 'Would be likely' imposes a less strong evidential burden than the higher threshold of 'would occur'.

34. In order for the QP's opinion to be reasonable, it must be clear as to precisely how the inhibition may arise. In his published guidance on section 36 the Commissioner notes that it is in public authority's interests to provide him with all the evidence and arguments that led to the opinion, in order to show that it was reasonable. If this is not done, then there is a greater risk that the Commissioner may find that the opinion is not reasonable.
35. In the submission it provided to the Minister, ESFA provided: a background to, and copy of, the request, a description of the section 36(2)(b) exemptions, reasoning as to why the information should be withheld under these exemptions and a recommendation.
36. ESFA summarises the information being withheld as being ESFA's emergency funding grant agreement and an independent business review. As noted, ESFA subsequently disclosed some of this information.
37. ESFA's submission to the QP discusses financial matters associated with SMC and possible future scenarios related to those matters if the information were to be disclosed. The Commissioner has considered that discussion but does not intend to reproduce it in this notice.
38. In its submission to the Commissioner ESFA has said that the withheld information (the independent business review produced by RSM Restructuring Advisory LLP (RSM) in particular) **contains** "the provision of free and frank advice". Phase one of the business review is dated 8 January 2021 and phase 2 is dated 30 March 2021. ESFA argues that RSM should have a "safe space" to provide timely, specific advice to it without fear of disclosure. ESFA considers that releasing the information would be likely to deter such external experts from providing full, free and frank advice in the future, particularly in sensitive circumstances such as the possible closure of an educational institution.
39. The Commissioner notes these arguments but they were not arguments presented to the QP and do not obviously link to the arguments that **were** presented to the QP. Section 36(2)(b) concerns prejudice to the provision of advice and the exchange of views. As noted above, in order for the QP's opinion to be reasonable, it must be clear as to precisely how that inhibition may arise. The QP submission is not clear on why disclosing the information would cause the specific prejudice under the section 36(2)(b) exemptions. ESFA has discussed the RSM reviews in its submission to the Commissioner. These are dated January and March 2021 and the request was submitted in August 2021. RSM's advice and views had therefore already been formulated and communicated by that

point. Nor does the Commissioner consider that ESFA has put forward a particularly strong argument that disclosing the information would be likely to cause other external experts to be reluctant to advise and exchange views with ESFA or DfE in the future.

40. That said, the Commissioner is mindful of the decision in *ACOBA v Malnick*. In that case, the Upper Tribunal found that the QP's decision only had to be reasonable in substance. It did not matter if the opinion was not reasonably arrived at, so long as, objectively, the opinion is reasonable.
41. The Commissioner will therefore accept that the QP had sufficient appropriate information about the request and the section 36(2)(b) exemptions to form an opinion on the matter of whether reliance on those exemptions with regard to the requested information was appropriate. The Commissioner has noted the evidence at paragraph 35 and he is satisfied that the remaining points at paragraph 27 have also been addressed and that the QP's opinion is, objectively, an opinion a reasonable person would hold. He therefore finds that sections 36(2)(i) and 36(2)(ii) of FOIA are engaged. He will go on to consider the associated public interest tests.

Public interest test

Public interest in disclosing the information

42. ESFA acknowledges in its submission to the Commissioner that there is a responsibility for it to be open and transparent, to assure the public that there is good decision making between public bodies, and that standards of integrity and fair treatment have been upheld.
43. Disclosing the information would also show that the advice RSM provided, and which ministers and officials considered, provided an effective base on which to make informed decisions regarding "the future of struggling educational institutions."

Public interest in maintaining the exemption

44. ESFA has presented the following arguments:
 - Good government depends on good decision-making. This needs to be based on the best intelligence, advice, forecasting, risk assessment, data and metrics available, and a full consideration of the factors surrounding colleges facing financial issues. In this instance this is based on the expertise of RSM, and its associated reports and evidence it made available. The withheld reports contain clear advice from RSM, advising on the financial position of the college and the risks and mitigations involved in the project.

- If such reports were to be released, it is likely that advice and evidence provided by contracted external experts such as RSM would be less free and frank in future. This would lead to the parties involved not being fully abreast of the information, evidence and associated issues, risks and mitigations that should have been made available. This in turn would lead to the decision-making role in such instances being impaired.
- Companies such as RSM should be able to share advice and its expert, professional views within these reports with ESFA, without fear of untimely release. This allows further discussion, consideration and, where necessary, questioning and challenge from departmental officials and ministers, as part of a free, frank and constructive process of deliberation and resolution.
- It is clear from the withheld information, that RSM feels able to provide free and frank views due to the fact that the advice and professional opinion within its reports was not intended to go into the public domain. However, should such reports be made public, the likely result is that future advice such companies give to ESFA and DfE, as well as any issues and concerns raised within such reporting, would be less open and forthright in the future.
- The redacted information contains advice, professional views and opinions from RSM in relation to the financial position of SMC, and the key tasks involved in resolving this issue, along with the associated risks and proposed mitigations. This allows RSM to present and provide free and frank views, opinions and advice, as well as exchange views for the purposes of departmental deliberation within a safe space.
- The professional expertise of companies such as RSM plays a vital role in ensuring that ESFA finds an appropriate, evidence based solution for struggling educational institutions. The ability of such professional organisations to provide ESFA with candid and, at times, sensitive information, views and advice, and for there to be free and frank discussion on such cases, is essential. This is so that WSFA/DfE and ministers can undertake an informed assessment of struggling educational institutions, resulting in the best and most appropriate decision being made as to the future of such colleges.

Balance of the public interest

45. The Commissioner has taken account of the withheld information, the QP submission, ESFA's arguments and the timing of the request. He understands that at the time of the request in August 2021 the matter of the possible closure of St Mary's College was still 'live'.

46. The Commissioner considers that there is strong public interest in all the bodies working with and for SMC and ESFA/DfE being able to discuss and advise on SMC's ongoing structure and appraisal process fully and frankly, without feeling inhibited by fear that that advice and discussion would be disclosed to the public as the result of a FOIA request.
47. The Commissioner has decided that the information that ESFA has disclosed and that falls within scope of the request satisfies the public interest in this case to an adequate degree. In the Commissioner's view at the time of the request there was greater public interest in the structure and prospects appraisal process that SMC was undergoing securing the best possible outcome for its students and staff. This was more likely to be achieved by withholding some of the information the complainant requested.
48. As such, the Commissioner finds that at the time of the request the balance of the public interest favoured maintaining the section 36(2)(b) exemptions.
49. In the interests of completeness, the Commissioner has also considered ESFA's application of section 36(2)(c) of FOIA to the withheld information.

Section 36(2)(c) – otherwise prejudice effective conduct of public affairs

50. Section 36(2)(c) of FOIA says that information is exempt information if, in the reasonable opinion of a qualified person, disclosure of the information would otherwise prejudice, or would be likely otherwise to prejudice, the effective conduct of public affairs.
51. In terms of the reasonableness of the QP's opinion the Commissioner has again considered ESFA's submission to the Minister of 15 October 2021. The QP's opinion is again that the prejudice envisioned under section 36(2)(c) would be likely to occur if ESFA disclosed the withheld information. Again 'would be likely' imposes a less strong evidential burden than the higher threshold of 'would occur'.
52. In addition to the background to, and copy of, the request and a recommendation, the submission also describes the section 36(2)(c) exemption and, as has been noted, discusses the possible related prejudice arising if the information were to be disclosed. Again, the Commissioner does not intend to reproduce that in this notice.
53. The arguments presented to the QP appear somewhat more relevant to the section 36(2)(c) exemption than to the section 36(2)(b) exemptions. As such, he is satisfied that the QP had sufficient appropriate information about the request and the section 36(2)(c) exemption to

form an opinion on the matter of whether reliance on this exemption with regard to the withheld information was appropriate.

54. The Commissioner again notes the evidence at paragraph 35 and, since he is satisfied that the remaining points at paragraph 27 have also been addressed, he accepts that the QP's opinion about withholding the information is one a reasonable person might hold. He therefore finds that ESFA can rely on section 36(2)(c) to withhold the information. The Commissioner will go on to consider the public interest test associated with this exemption.

Public interest test

Public interest in disclosing the information

55. ESFA acknowledges in its submission to the Commissioner that there is a responsibility for it to be open and transparent, to assure the public that there is good decision making between public bodies, and that standards of integrity and fair treatment have been upheld.
56. Disclosing the information would also show that the advice RSM provided, and which ministers and officials considered, provided an effective base on which to make informed decisions regarding "the future of struggling educational institutions."

Public interest in maintaining the exemption

57. ESFA has presented the following arguments:
- The withheld information regarding the professional views of companies such as RSM needs to remain, now and in the future, free, frank and candid. The information held, the evidence base provided and the advice given was written for a specific audience, to be considered within a safe space.
 - Officials and such external experts engaged by ESFA/DfE need a safe space to consider, test and debate live issues, away from external interference and distraction. If this were to be inhibited, the involved parties would be less likely to fully document the risks, issues and mitigations relating to a proposed resolution. Disclosing the information may lead to companies such as RSM and ESFA/DfE officials being more reticent in providing and/or formally documenting their views and advice etc. This would, in turn, impact on the quality of decision making.
 - The information presented by RSM contains reflections about the financial position, financial forecasting and risks, issues and advised mitigations relating to a struggling institution. To release this information could be detrimental to ESFA/DfE's relationships

with such companies, for fear that their reports and associated views may be released. Officials need space to develop their thinking, carry out candid risk assessments, and explore options and potential implications, based on the expert analysis and advice provided by companies such as RSM. If this type of free and frank discussion were to be in the public domain, this would also reduce the effectiveness of advice given to officials and ministers in the future.

- The ESFA/DfE relies on information provided by companies such as RSM to help make informed decisions in order to ensure that the best, evidence based solutions are come to when dealing with struggling colleges. These types of deliberations need to remain confidential to ensure they are handled sensitively and appropriately.
- Experts within companies such as RSM must have confidence that they can share their professional views with ESFA/DfE via such reports, and that there is then an opportunity to understand and, where appropriate, challenge assessments and assumptions presented by them. If ESFA/DfE is required to put this information into the public domain, such companies would be likely to be inhibited from providing this level of free and frank exchange of views for the purposes of deliberation, which in turn would have a negative impact on ESFA/DfE's ability to conduct public affairs effectively.
- Release of this information would also be likely to damage the relationship and trust between the department and RSM, as well as raise questions of confidentiality and trust with other potential contracted expertise in the future.
- Disclosure of the information would be likely to prejudice the effective conduct of public affairs in the future. This is because it would remove the space within which companies such as RSM can present their advice and evidence-based opinions to officials freely and frankly. It would make it more difficult for ESFA/DfE to work collaboratively and cohesively with the relevant parties to ensure that the solution can be found.

Balance of the public interest

58. The Commissioner has again taken account of the withheld information, the QP submission, ESFA's arguments and the timing of the request. He understands that at the time of the request in August 2021 the matter of the possible closure of St Mary's College was still 'live'.

59. The Commissioner considers that the majority of ESFA's section 36(2)(c) arguments are more relevant to the section 36(2)(b) exemptions as they largely concern providing advice and exchanging views.
60. However, he considers that ESFA's argument that potential partners may be less willing to engage with ESFA if the information were to be disclosed is a somewhat valid section 36(2)(c) argument. Of more weight, in the Commissioner's view, is the discussion about financial matters and the consequences of disclosure in ESFA's QP submission, and the Commissioner has taken that into account.
61. The Commissioner has again decided that the information that ESFA has disclosed and that falls within scope of the request satisfies the public interest in this case to an adequate degree. In the Commissioner's view at the time of the request there was greater public interest in the structure and prospects appraisal process that SMC was undergoing securing the best possible outcome for its students and staff. This was more likely to be achieved by withholding some of the information the complainant requested.
62. As such, the Commissioner finds that at the time of the request the balance of the public interest also favoured maintaining the section 36(2)(c) exemption.
63. The Commissioner has found that the information to which ESFA has applied section 36(2), including that within scope of part 3 of the request, is exempt under that exemption, and that the public interest favoured withholding the information. It has therefore not been necessary for the Commissioner to consider whether information within scope of part 3 is exempt under section 43(2) of FOIA.

Section 10 / Section 17 – timeliness of response

64. Under section 10(1) a public authority must comply with section 1(1) promptly and within 20 working days following the date of receipt of a request.
65. Under section 17(1) a public authority which, in relation to any request for information, is to any extent relying on a claim that information is exempt information must, within the time for complying with section 1(1), give the applicant a refusal notice.

In this case, the complainant submitted their request on 9 August 2021 and ESFA did not provide a response, including a refusal to disclose some information, until 3 November 2021. ESFA went on to communicate further relevant information on 25 August 2022. ESFA therefore breached section 10(1) and section 17(1) of FOIA on this occasion.

Right of appeal

66. 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

67. 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.

68. 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

Cressida Woodall
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