Reference: IC-218211-C4J5

Freedom of Information Act 2000 (Section 51) Information notice

Date: 13 April 2023

Public Authority: The University Council of the University of

Southampton

Address: University Road

Southampton

SO17 1BJ

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-218211-C4J5, for a decision whether a request for information made by the complainant to the above public authority on 15 November 2022, has been dealt with in accordance with the requirements of Part I of the Act.

Reference: IC-218211-C4J5

Nature of complaint

2. The Commissioner wrote to the public authority on 28 February 2023 to confirm that he had accepted this complaint. He asked the public authority to provide its submissions in support of its position within 20 working days.

- 3. On 3 April 2023, the Commissioner chased the public authority and gave it a further week in which to provide its submission.
- 4. At the date of this notice, the Commissioner's correspondence had not been responded to, or even acknowledged.

Information required

- 5. 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 public authority shall, within 30 calendar days of the date of this notice, furnish the Commissioner with a copy of the following information:
 - Unredacted copies of the information that has previously been disclosed.
 - A detailed explanation of the searches carried out to establish that all information within the scope of the request has been identified. This explanation should be based on the Commissioner's <u>Key</u> <u>Questions for Public Authorities</u>
 - Detailed explanations of the legitimate interest, necessity and balancing tests carried out in respect of the information section 40(2) of FOIA is being relied upon to withhold.

Failure to comply

6. 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-218211-C4J5

Right of appeal

7. 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

8. 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.

Roger Cawthorne
Senior Case Officer
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF