

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 9 December 2014

Public Authority: Wood Fold Primary School
Address: Green Lane
Standish
Wigan
WN6 0TS

Decision (including any steps ordered)

1. The complainant has requested information from Wood Fold Primary School ("the School") relating to a payment made by the School to an organisation.
2. The Commissioner's decision is that the School has provided the complainant with all the recorded information it holds within the scope of his request.
3. The Commissioner requires the public authority to take no steps.

Request and response

4. On 24 June 2014, the complainant wrote to the School and requested information in the following terms:

I am unable to find any reference in the accounts of payment made to "Two heads better than one" for the sum of £2,196, this being the amount charged by [redacted name] in his invoice 131210 (copy attached).

1. *Please provide proof of payment of this account.*

Within the accounts are 5 payments that I would like further details, as follows:-

2. *Please provide copies of correspondence and information regarding payment of £500 to NAHT, North West Region on 23/10/2013
What was the reason for this payment*
3. *As item 2 for payment of £100 to NAHT on 17/7/2013*
4. *As item 2 for payment of £72 to National Governors Association on 15/3/2014*
5. *As item 2 for 2 payments to Centre for Education and Finance Management for:-*
 - (a) *£150 on 17/7/2013*
 - (b) *£106.52 on 17/7/2013*
5. The School sent its response to the complainant on 30 July 2014. The complainant did not receive this until 9 September 2014. In its response the School provided the complainant with the requested information.
6. The complainant subsequently asked for an internal review on 29 September 2014. The School sent the outcome of its internal review on 20 October 2014. The School upheld its previous decision that all recorded information held by the School at the time the request was made had been provided to the complainant. However in an attempt to resolve the matter, the School provided the complainant with a bank statement dated 1 October 2014 which was not held at the time the request was made.

Scope of the case

7. The complainant contacted the Commissioner on 22 October 2014 to complain about the way his request for information had been handled. Specifically he believed the School held further information within the scope of request 1.
8. The Commissioner has had to consider whether the School holds any further information within the scope of request 1.

Reasons for decision

9. Section 1(1) of FOIA states that:

"Any person making a request for information to a public authority is entitled:-

(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".

10. In scenarios where there is some dispute between the amount of information located by a public authority and the amount of information that a complainant believes may be held, the ICO, following the lead of a number of Information Tribunal decisions, applies the civil standard of the balance of probabilities.

11. In other words, in order to determine such complaints the ICO must decide whether on the balance of probabilities a public authority holds any information which falls within the scope of the request (or was held at the time of the request).

12. The complainant disputed the School's claim that he had received all recorded information within the scope of request 1.

13. The Commissioner subsequently returned to the School and asked it to reconsider its handling of the request. Specifically, he asked the School to confirm whether it held any further information which may be captured by request 1.

14. The School explained that in its response of 30 July 2014 it provided the complainant with a copy of the financial accounting transactions report as proof of payment. It confirmed that this information had been obtained from the relevant computerised accounting system.

15. The School further explained that in its internal review response, it provided the complainant with a copy of the relevant bank statement with demonstrated payment to the organisation. The School explained that this information had not previously been disclosed to the complainant as the bank statement is dated 1 October 2014 and it was therefore not held at the time of the request was submitted.

16. The School concluded by stating that it holds no further recorded information within the scope of request 1.

17. The Commissioner acknowledges that the School did not have to provide the complainant with a copy of the bank statement as FOIA is concerned with recorded information held at the time the request is made. The Commissioner recognises that the School went beyond its obligations under FOIA in order to resolve the complainant's concerns.
18. Taking into account the submissions presented by the School, the Commissioner is satisfied on the balance of probabilities that no further information within the scope of request 1 is held by the School.

Right of appeal

19. 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 1234504

Fax: 0870 739 5836

Email: GRC@hmcts.gsi.gov.uk

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

20. 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.
21. 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

Rachael Cragg
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