

## **Freedom of Information Act 2000 (FOIA)**

### **Decision notice**

**Date:** 2 February 2022

**Public Authority:** Commissioner of Police of the Metropolis  
**Address:** New Scotland Yard  
Broadway  
London  
SW1H 0BG

#### **Decision (including any steps ordered)**

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1. The complainant has requested correspondence about policing a vigil for Sarah Everard from the Metropolitan Police Service (the "MPS"). The MPS advised that to respond to the request would be burdensome and it refused to do so citing section 14(1)(Vexatious requests) of the FOIA.
2. The Commissioner's decision is that the MPS breached section 10(1) of FOIA by failing to respond to the request within the statutory time limit. He also finds that the request is vexatious. No steps are required.

#### **Background**

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3. Sarah Everard was murdered by a serving Metropolitan Police Officer in March 2021.
4. Members of Reclaim These Streets (RTS) proposed to organise a vigil for Sarah Everard on 13 March 2021 on Clapham Common, close to where she had last been seen.
5. With the UK still under severe movement restrictions due to the coronavirus pandemic, the MPS met the organisers of the vigil and told them that such a gathering was likely to be in breach of regulations to protect public health. RTS challenged the MPS's position at the High Court, which ruled that MPS's position was correct. On 13 March 2021 RTS confirmed that the vigil would not go ahead.

6. The MPS has provided the Commissioner with copies of media lines its press team had released in connection with the vigil. On 12 March 2021 it issued the following statement:

“Commander Catherine Roper, the Met’s lead for community engagement, said: “Like everyone across London, I have been deeply saddened and shocked by the death of Sarah Everard. My heart goes out to her family, friends and everyone who had the joy to know her.

No woman in London should be unsafe on London’s streets and I understand the strength of feeling that has grown following Sarah’s disappearance. As a woman and a police officer, I want nothing more than for women to feel safe and protected by the police.

But we need to be clear. Our city is still in a battle with Covid-19 with people continuing to be infected and sadly losing their lives. Only a few weeks ago our NHS was at breaking point, we cannot risk undoing all the hard work to reduce the infection rate.

Today’s ruling in the High Court has confirmed that the Metropolitan Police may conclude that attendance at a large gathering could be unlawful. In light of this ruling, our message to those who were looking to attend vigils in London this weekend, including at Clapham Common, is stay at home or find a lawful and safer way to express your views.

I understand this ruling will be a disappointment to those hoping to express their strength of feeling, but I ask women and allies across London to find a safe alternative way to express their views.

Throughout the pandemic, we have consistently enforced the Covid regulations and have made difficult decisions during a range of gatherings on issues about which people have felt very strongly. Our hope has always been that people stick to the Covid rules, taking enforcement action is always a last resort.

We continue to speak with the organisers of the vigil in Clapham and other gatherings in across [sic] London in light of this judgement and will explain the rules and urge people to stay at home.

We will have a number of officers on duty in communities throughout London during the course of this weekend”.

7. On 13 March 2021, following the cancellation of the vigil at Clapham Common, the MPS stated:

"Commander Catherine Roper, the Met's lead for Community Engagement, said:

"I would like to thank the organisers of tonight's vigil in Clapham Common for cancelling the gathering. Since Sarah's disappearance, we have shared Londoners anguish, shock and sadness at the truly awful circumstances of her disappearance and death.

I know that yesterday's ruling would have been unwelcome news for the organisers and to those who were hoping to join others in tribute to Sarah and to make a stand on violence against women.

While it is clear we cannot do this together on Clapham Common, I know there are various others ways to mourn Sarah in a safe way.

We take no joy in this event being cancelled, but it is the right thing to do given the real and present threat of Covid-19. Throughout the week we have had a number of talks with the organisers of the vigil. These talks have undoubtedly been challenging and officers have worked hard to explain the regulations and why gatherings such as this cannot go ahead at this time.

While we understand their frustrations of this cancellation and share the nation's outrage at this crime, we must all continue to work together to fight Covid-19 and keep each other safe.

Throughout the day we will have officers on patrol throughout the capital. We are there to keep people safe and will be highly visible and supporting our communities".

## **Request and response**

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8. On 15 March 2021, the complainant wrote to the MPS and requested information in the following terms:

"I am sending this request under the Freedom of Information Act.

Please provide a copy of all correspondence (email and work instant messenger such as Slack or Teams) sent and received by the head and deputy head of the press office of the Metropolitan Police concerning the policing and plans to police the vigil at Clapham Common related to the death of Sarah Everard.

Please provide correspondence sent or received from 6am March 11<sup>th</sup> 2021 to the time of this request (11am March 15<sup>th</sup> 2021)".

9. The MPS failed to respond to the request. Following the Commissioner's intervention, on 16 August 2021 the MPS responded. It advised the complainant that it held 87 email chains and refused to provide them on the grounds of burden, citing section 14 of the FOIA. When doing so it suggested that it may be able to comply were the complainant to narrow his request, at the same time providing details of the subject / titles of the 87 emails it had identified. It advised him:

*"Should you wish to refine your request, you may wish to consider:*

- *Limiting your request to the head or deputy heads of the MPS Press Office*

*And*

- *Reducing the timeframe of your request*

*Or*

- *Selecting a smaller number of the 87 emails located in connection with your request that would be of interest to you. The title of each email has been provided below to assist you in refining your request".*

10. On 20 August 2021, the complainant narrowed his request and specified 49 of the identified emails.
11. The MPS responded to this refined request on 9 October 2021 and again refused to provide the requested information on the grounds of burden, citing section 14 of the FOIA. It suggested that the complainant further narrowed his request to a selection of 5 emails.

## **Scope of the case**

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12. The complainant first contacted the Commissioner on 20 October 2021 to complain about the way his request for information had been handled.
13. In view of the delays in dealing with the request, and the MPS's continued application of section 14 despite the request being refined, the complainant asked the Commissioner to expedite his request and forego an internal review saying:

*"Timely transparency is crucial around this issue, given the unnecessary and delayed back and forwards on what should be a straightforward request it has already taken six months to get to this stage. I am concerned that the force is trying to delay*

disclosure to the extent that it can reduce the value of accountability that this disclosure could provide by ensuring disclosure only occurs when the issue is less prevalent in the public consciousness. Given that the Met officer responsible for Everard's murder has now been prosecuted, the force may now be hoping this matter will quietly go away by relying on the ICO backlog to delay response further. Transparency delayed is transparency denied in this kind of case”.

14. The Commissioner exercised his discretion and agreed to consider the complaint without an internal review.
15. The complainant asked the Commissioner to consider timeliness and the citing of section 14, which the Commissioner will consider below.
16. The Commissioner requested, and has viewed, a random sample of the withheld information in this case. He asked for unredacted copies of 12 email chains by way of samples to demonstrate the burden that would be caused by preparing them for disclosure: numbers 4, 16, 17, 18, 21, 24, 26, 36, 38, 56, 65 and 80. These 12 chains comprise 107 pages of text. The 49 email chains that make up the withheld information in its entirety consist of 330 pages.

## **Reasons for decision**

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### **Section 1 – general right of access**

#### **Section 10 - time for compliance**

17. Section 1(1) of FOIA states that an individual who asks for information is entitled to be informed whether the information is held and, if the information is held, to have that information communicated to them.
18. Section 10(1) of FOIA provides that a public authority should comply with section 1(1) within 20 working days. Section 1(1)(a) initially requires a public authority in receipt of a request to confirm whether it holds the requested information.
19. The request was submitted on 15 March 2021 and the complainant did not receive a response, which confirmed that the public authority was in possession of the relevant information, until 16 August 2021. The Commissioner therefore finds that the MPS has breached section 10(1) by failing to comply with section 1(1)(a) within the statutory time period.

## Section 14 – Vexatious or repeated requests

20. Section 14(1) of the FOIA states that section 1(1) does not oblige a public authority to comply with a request for information if the request is vexatious. The section is not subject to a public interest test.
21. The term 'vexatious' is not defined in the FOIA. The Upper Tribunal considered the issue of vexatious requests in the case of the *Information Commissioner v Devon CC & Dransfield (Dransfield)*. The Tribunal commented that vexatious could be defined as the "*manifestly unjustified, inappropriate or improper use of a formal procedure*". The Tribunal's definition clearly establishes that the concepts of proportionality and justification are relevant to any consideration of whether a request is vexatious.
22. In the *Dransfield* case, the Upper Tribunal also found it instructive to assess the question of whether a request is truly vexatious by considering four broad issues:
  - (1) the burden imposed by the request (on the public authority and its staff);
  - (2) the motive of the requester;
  - (3) the value or serious purpose of the request; and,
  - (4) harassment or distress of and to staff.
23. The Upper Tribunal did, however, also caution that these considerations were not meant to be exhaustive. Rather, it stressed the:

*"...importance of adopting a holistic and broad approach to the determination of whether a request is vexatious or not, emphasising the attributes of manifest unreasonableness, irresponsibility and, especially where there is a previous course of dealings, the lack of proportionality that typically characterise vexatious requests"* (paragraph 45).
24. The Commissioner has published guidance on dealing with vexatious requests<sup>1</sup>. That guidance includes a number of indicators that may apply in the case of a vexatious request. The fact that a request contains one or more of these indicators will not necessarily mean that it must be vexatious. All the circumstances of the case will need to be considered in reaching a judgement as to whether a request is vexatious.

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<sup>1</sup> <https://ico.org.uk/media/for-organisations/documents/1198/dealing-with-vexatious-requests.pdf>

25. As discussed in the Commissioner's guidance, the relevant consideration is whether the request itself is vexatious, rather than the individual submitting it. A public authority can also consider the context of the request and the history of its relationship with the requester when this is relevant. The Commissioner's guidance states:

"The context and history in which a request is made will often be a major factor in determining whether the request is vexatious, and the public authority will need to consider the wider circumstances surrounding the request before making a decision as to whether section 14(1) applies".

26. Sometimes it will be obvious when a request is vexatious, but sometimes it may not. In that respect, the Commissioner's guidance states:

"In cases where the issue is not clear-cut, the key question to ask is whether the request is likely to cause a disproportionate or unjustified level of disruption, irritation or distress".

27. In the Commissioner's view, section 14(1) is designed to protect public authorities by allowing them to refuse any requests which have the potential to cause a disproportionate or unjustified level of disruption, irritation or distress. This will usually involve weighing the evidence about the impact on the authority and balancing this against the purpose and value of the request. This should be judged as objectively as possible; in other words, would a reasonable person think that the purpose and value are enough to justify the impact on the public authority.

28. In particular, the Commissioner accepts that there may be cases where a request could be considered to be vexatious because the amount of time required to review and prepare the information for disclosure would place a grossly oppressive burden on the public authority. This is the position adopted by the MPS in this case.

29. The Commissioner believes that there is a high threshold for refusing a request on such grounds. This means that a public authority is most likely to have a viable case where:

- the requester has asked for a substantial volume of information and
- the authority has real concerns about potentially exempt information, which it will be able to substantiate if asked to do so by the Commissioner and
- any potentially exempt information cannot easily be isolated because it is scattered throughout the requested material.

30. It is the MPS's position that to comply with the request would be an unreasonable burden and would require a disproportionate effort which cannot be justified by the purpose and value of the request.

*The complainant's views*

31. The complainant did not provide the Commissioner with any arguments to support his view that the request is not vexatious.

*The MPS's views*

32. The MPS has advised that the requested information concerns the correspondence of two senior members of staff from within its Directorate of Media and Communication (DMC). It explained that the role of the DMC is to "provide professional and high-quality communication services to help the Met deliver its vision and strategy" and that an important function of the DMC is to manage contact and communications with the media. The two members of staff identified lead the team within DMC that provide these services on behalf of the MPS.
33. It explained that the 49 emails chosen by the complainant mostly relate to the development of media lines regarding the policing of the vigil at Clapham Common following the murder of Sarah Everard, as cited in the Background section above; having viewed the information the Commissioner concurs with this analogy. It added that the emails also include the following:
1. Correspondence and updates with other police forces and partner organisations.
  2. Operational/tactical updates.
  3. Legal advice.
  4. Personal data (employees of the MPS, other police forces and other partner organisations).
34. The MPS told the Commissioner that it had spoken to the complainant in an attempt to informally resolve his complaint and, in doing so, had enquired as to whether or not he would further reduce the number of emails requested. It also explained the issues it has encountered in attempting to remove / redact exempt material by highlighting the number of persons copied in to the email chains. It advised the Commissioner:
- "I have explained that each person's name has to be assessed for release, including those from external organisations. This would involve a considerable amount of research requiring that I consult with external partners on this point alone. I asked the applicant whether they required details of the persons that received each of the emails, as the exclusion of this information would reduce the



amount of time required to process this request. I also asked the applicant more generally whether there was an approach to their request that could be taken that would reduce the amount of work required to process their request.

To assist in the redaction process, the applicant has explained that would be prepared to remove "1 or 2 emails" from the request, however their view is that their request for 49 emails is reasonable. The applicant has explained that they are not interested in receiving the names of junior members of staff of the MPS or those from other organisations. Additionally the applicant has explained that they are happy to receive the title of any attachments rather than the attachments themselves.

In view of my conversation with the applicant, I have reassessed the amount of work required to complete this request. In doing so, I have copied each of the 49 requested emails into a single word document. Having done so, I can confirm that the requested emails span 330 pages and are made up of 96,885 words. There are no attachments".

35. In further evidence of the burden that would be imposed by complying with the request, the MPS expanded as follows:

"There are also a number of issues inherent in requests for email correspondence that are present in the requested email chains, such as the duplication of correspondence within multiple email chains that branch off in different directions. Each email and email chain contains the names of the sender and any recipients and may contain names within the body of the email and within any signatures. The emails also contain the names of individuals including MPS staff and non-MPS employees whose names need to be considered for redaction.

The physical process of redacting information would be a time consuming task and would be conducted by staff within the Data Office. By way of an example, emails 65 and 80 (page 101-107 [of the samples provided to the Commissioner]) have been redacted to demonstrate the extent to which exempt information is present within the requested material and the number of exemptions that would have to be claimed. You will note that provisional redactions have been made by highlighting exempt material in the colours yellow, red and pink.

- Yellow represents information that I believe will be exempt by virtue of section 40 - personal data.
- Red represents information that I believe will be exempt by virtue of the section 31 - law enforcement.

- Pink represents information that I believe will be exempt by virtue of the section 42 - legal professional privilege.

...

The redactions completed within the PDF document ... give some indication of how complicated the process of redaction will be and some of the exemptions that will have to be considered. This work has taken approximately 1.5 hours, including reading the material, checking each of the names on the intranet and online and recording the rationale for each exemption. It is of note that only 7 of the 330 pages of requested material have been [considered]. Further checks would then have to be completed with senior members of MPS staff and those employed at the Home Office to ensure that the redactions made are appropriate.

Given the work required to redact just 7 pages, it is likely that there would be a significant opportunity cost associated with complying with this request in its entirety. For example, any 'man-hours' spent reading the requested information or performing related tasks would be at the expense of processing other requests under the Act or other duties in support of the law enforcement purposes of the MPS".

36. Regarding the overall detrimental impact that compliance would mean, the MPS identified that this would be due to the:

- Volume of information held (330 pages of emails)
- Repetitive nature of some of the email correspondence
- Potential for one or more FOIA exemptions to apply to the request
- Seniority and specialist responsibilities of the email account holders and those that have contributed to the email chains
- Impact on specific staff that would have to review the requested material
- Need to consult internal and external stakeholders

37. The MPS recognised that there was an inherent value in the disclosure of such information because the request related to a high profile incident directly involving the police, and that this would add weight to the reasons for its disclosure. However, it considered that the legitimate purpose in the request could be served via other means. For example, it advised that a more focused / narrowed request could satisfy the legitimate purpose and value without imposing a disproportionate burden upon the MPS.

38. It also advised that:

"... it is of note that Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) undertook a bespoke thematic

inspection into the Met's handing of the vigil at Clapham Common in March 2020 and published the result. Links were provided to this thematic inspection on the 16<sup>th</sup> of August 2021. The publication of this thematic inspection has served to satisfy some of the public interest in [this request]".

*The Commissioner's view*

39. In the Commissioner's view, section 14(1) of the FOIA is designed to protect public authorities by allowing them to refuse requests which have the potential to impose a disproportionate or unjustified level of burden, disruption, irritation or distress. Balancing the impact of a request against its purpose and value can help to determine whether the effect on the public authority would be disproportionate Was the request vexatious
40. It is for public authorities to demonstrate to the Commissioner why the exemption at section 14 applies and the Commissioner considers there to be a high threshold for refusing a request under section 14(1). The MPS has essentially argued that the request is vexatious because compliance with it would be burdensome; the burden would be disproportionate to the minimal public benefit that would flow from disclosure in terms of the underlying purpose of the request.
41. The actual purpose behind this request is not known and the complainant has not stated what he thinks disclosure would achieve. The request seeks information about an intended vigil and the associated problems which were caused by Covid-19 restrictions. Whilst the complainant's view is that there were intentional delays in dealing with his request to reduce the MPS's accountability, the Commissioner notes that the refusal is on the grounds of burden; he has seen no evidence of an apparent attempt to delay a response and can see no obvious benefit of doing so as that burden remains today despite the passage of time.
42. It is noted that the complainant is happy for more 'junior' staff details to be withheld, however, the MPS cannot know the positions of all the parties that are copied into the email chains without either looking for them online or contacting the relevant force or organisation. The amount of work that would be required in order to comply with the request is significant, based largely on the burden of either verifying whether the parties are known in the public domain and / or contacting the parties who have been copied into the emails and verifying whether or not they consent to their details being disclosed.
43. For example, the first email that the Commissioner requested, (email number 4 on the list provided to the complainant), has one sender from the MPS and 10 recipients all within the MPS. As these are all internal

staff, it can be presumed that the MPS has the ability to determine their seniority and for it to be in a position to determine their expectations regarding disclosure of their names into the public domain. It is also a short chain and the content relates to a press statement proposal. The Commissioner considers it would be fairly simple to prepare this chain for disclosure and it is likely that most of the content would be suitable for disclosure, although he does not know the seniority of all of the named parties and the likelihood of their details being disclosed.

44. However, the second email (number 16 on the list) is very different. It has one sender from the MPS but 187 recipients. This time, only 5 recipients are named internal MPS staff. There are 57 generic addresses, ie 'press office' type mailboxes, although not all of them appear to be media-related and further enquiries would need to be made to each police force or organisation to ascertain whether or not the full addresses are suitable for disclosure. Nine of the addressees are not from a named police force and, along with the remaining named parties, further enquiries would be necessary to ascertain their position, whether or not they are public facing, etc, and whether their names and / or addresses are suitable for release. This particular email consists of 35 pages, and once enquiries had been made and suitability for disclosure determined, the relevant redactions would need to be applied. There may also be further recipients that are copied into the chain along the line - the Commissioner has only considered those in the initial email. Following this exercise, the actual content of the email would also need to be considered, albeit the Commissioner can see little that is contentious and considers it likely that all the subject matter would be disclosable.
45. The Commissioner has also noted that the MPS has undertaken an exercise itself, which it advised had taken 1.5 hours in which to consider only 7 pages in an email chain (see paragraph 35 above). It expanded on this saying that the time was taken because it was necessary to consider the following:

"I have explained my redactions below ...

1. MPS Employee Names - The names of members of staff have been redacted by claiming the personal data exemption where they hold the rank of Superintendent and below or Band A and below. The name of each employee has been checked to establish their rank. Further searches have also been completed online to establish whether employees holding the aforementioned ranks, hold positions where their names are published on officially recognised website (i.e. the MPS website) as this may alter the disclosure decision.

2. Home Office Employee Names - The name of each Home Office employee has been checked online to establish their rank and position/role. Names have then been redacted under the personal data exemption. Each redaction would have to be checked with the Home Office to ensure it is appropriate.
  3. Email Addresses and Telephone Numbers of MPS/Home Office Employees - The email addresses (name facet only) of MPS/Home Office employees have been redacted under the personal data exemption where they hold the rank of Superintendent and below or Band A and below. The email addresses (name facet only) of more senior employees have been removed under the law enforcement exemption, on the basis that this information would allow persons intent on disrupting their work (i.e. by sending inappropriate or vast quantities of unsolicited correspondence), with the contact details that would facilitate this action.
  4. Home Office Communications Mailbox Email Address - The address to this Home Office mailbox has been removed under the law enforcement exemption, on the basis that this information would allow persons intent on disrupting the work of this team, with the contact details that would facilitate this action. This redaction would have to be checked with the Home Office to ensure it and the exemption, are appropriate.
  5. [Name redacted] Place of Work - The location of [name redacted]'s place of work been removed under the personal data exemption.
  6. [Name redacted] Legal Advice - [Name redacted] is a barrister employed by the MPS. [Name redacted]'s legal advice has been redacted, inclusive of any information that would highlight where legal advice has been provided".
46. The Commissioner has considered the named parties in those two particular emails. One includes 10 named MPS officers. The other includes two named MPS officers (who were also named in the other email), one generic Home Office address and four named Home Office staff. He accepts that the description of work which the MPS would need to consider, and the likely time this would take, is reasonable.
  47. The Commissioner has considered both the complainant's position and the MPS's arguments regarding the information request in this case. In reaching a decision he has balanced the purpose and value of the request (as he has determined) against the detrimental effect on the MPS of responding to it.

48. The emails he has viewed, selected randomly from the list of emails provided by the MPS to the complainant, relate largely to the determination of the wording of the press statements, including some legal advice on the matter, resulting in what was ultimately disclosed (see Background section above). There are a considerable number of recipients of the emails and much of the content that would cause the bulk of the burden relates specifically to the names and address details of those parties named in the email chains; the actual content is negligible by comparison in the sample the Commissioner has viewed. Had the complainant agreed to disclosure without any external email addresses then the Commissioner thinks it fairly likely that section 14 may not have been cited by the MPS although, presuming he has selected a representative sample of the content, other exemptions may have applied to some of the information.
49. The Commissioner is satisfied that the MPS has demonstrated that complying with the request would place a grossly excessive burden on it. Nevertheless, the Commissioner will consider whether the purpose and value of the request are enough to justify the impact on the MPS and here he has taken into account the further arguments which have been provided by the MPS and the impact on its services, as described above. The large amount of data which is caught within the scope of the request is also likely to encompass information that is exempt from disclosure under further exemptions, namely sections 31, 40 and 42 of the FOIA.
50. The Commissioner recognises that there is an inherent value in the disclosure of information, given the associated benefits of openness and transparency. Due to the particular circumstances of the murder of Sarah Everard, he also recognises the general public interest in the subject matter of the request, ie MPS' position on the vigil and the resultant media interest in the subject. He accepts that there is a legitimate value and purpose in disclosure in learning how decisions were made by the MPS regarding its policing of the vigil which subsequently took place and the processes leading up to them.
51. However, he further notes that the MPS's actions have been subject to public scrutiny by virtue of the investigation undertaken by HMICFRS, the results of which are available online<sup>2</sup>. (It may be of note that this was commissioned on the same day that the request was made so

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<sup>2</sup> <https://www.justiceinspectorates.gov.uk/hmicfrs/publication-html/inspection-metropolitan-police-services-policing-of-vigil-commemorating-sarah-everard-clapham-common/>

disclosure may have interfered with that investigation, albeit this is not specifically argued by the MPS).

52. The MPS has tried to assist the complainant by creating a list of the subject matter of the emails caught within the scope of the request in an attempt to narrow the work required. It also asked whether he would forego the disclosure of names, which he only partly agreed to thereby still necessitating the work described here to identify the roles and ranks of the parties concerned.
53. Taking all of the factors into consideration, the Commissioner does not agree that the purpose and value of the request is sufficient to justify the burdensome impact on the MPS. He therefore finds that the request is vexatious and that the MPS was entitled to rely on section 14 of the FOIA to refuse it.

## **Other matters**

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54. Although they do not form part of this notice the Commissioner wishes to highlight the following matters of concern.

### Information Notice

55. As the MPS failed to respond to the Commissioner's enquiries in a timely manner it was necessary for him to issue an Information Notice in this case, formally requiring a response. Furthermore, the MPS's response to that notice was late. The Information Notice will be published on the Commissioner's website.
56. The Commissioner will use intelligence gathered from individual cases to inform her insight and compliance function. This will align with the goal in his draft Openness by Design strategy<sup>3</sup> to improve standards of accountability, openness and transparency in a digital age. The Commissioner aims to increase the impact of FOIA enforcement activity through targeting of systemic non-compliance, consistent with the approaches set out in our Regulatory Action Policy<sup>4</sup>.

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<sup>3</sup> <https://ico.org.uk/media/about-the-ico/consultations/2614120/foi-strategy-document.pdf>

<sup>4</sup> <https://ico.org.uk/media/about-the-ico/documents/2259467/regulatory-action-policy.pdf>

## Right of appeal

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57. 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](mailto:grc@justice.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

58. 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.

59. 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 .....**

**Carolyn Howes**  
**Senior Case Officer**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**