

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 17 August 2023

Public Authority: The Governing Body of Balliol College
Address: Balliol College
Broad Street
Oxford
OX1 3BJ

Decision (including any steps ordered)

1. The complainant requested information from Balliol College (the College) about retention policy guidelines and interview notes.
2. The Commissioner's decision is that the College breached section 10(1) of FOIA by failing to provide a valid response to the request within the statutory time frame of 20 working days. No steps are required.

Request and response

3. On 19 April 2023, the complainant made the following request for information:

"You've dealt with my original request and my review request with courtesy and professionalism. However on checking my review request I see that the following points have not been addressed:

"Next you say that the interview notes were destroyed "within retention policy guidelines". Please supply a copy of those guidelines

and tell me who made the decision to destroy the notes, or alternatively the job title of the person who made that decision.

...

Why was the record of voting not kept? If you say it was pursuant to the document retention policy I repeat the points made above about that, and I repeat my request for the name or position of the person who made the decision to destroy the information."

I appreciate this may have been a simple oversight. I don't want to rush off to the ICO immediately if this is the case.

I also appreciate that this is a delicate and unusual set of requests. I've written to you and all the other Fellows tonight because I feel very strongly that [name redacted] was not a suitable choice as Master."

4. The College responded to the request for information on 27 July 2023.

Reasons for decision

5. 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."

6. Section 10(1) of FOIA states that a public authority must respond to a request promptly and "not later than the twentieth working day following the date of receipt".
7. From the evidence provided to the Commissioner in this case, it is clear that the College did not deal with the request for information in accordance with FOIA. The Commissioner finds that the College has breached section 10(1) by failing to respond to the request within 20 working days.

Right of appeal

8. 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-regulatorychamber

9. 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.
10. 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.....

Michael Lea
Team Manager
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF