

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 11 September 2024

Public Authority: Wrexham County Borough Council

Address: Guildhall
Wrexham
LL11 1AY

Decision (including any steps ordered)

1. The complainant requested details of the costs incurred by Wrexham County Borough Council ('the Council') for an audit. The Council provided the total figure for audits of six buildings which it divided by six to arrive at the figure for each one. The complainant was not satisfied with this and believes it holds information specific to Ty Pawb. The Commissioner's decision is that on the balance of probabilities, the Council does not hold the requested information. The Commissioner does not require any steps.

Request and response

2. On 6 March 2024 the complainant wrote to the Council and requested the following information:

"Please could you let me have the full costs incurred by Wrexham County Borough Council in having the report Ty Pawb Whole System Audit by Greener Edge Sustainability."
3. The Council responded on 2 April 2024. It stated that the audit of Ty Pawb was part of a larger project involving audits of 6 separate buildings. The total cost of the project was £16,850. The Council divided this figure by 6 to provide the cost of each individual audit and report - £2803.33.

4. Following an internal review the Council wrote to the complainant on 9 April 2024. It upheld its original position and stated that the invoice received was for the total amount of the six audits and did not break down the cost for each of the buildings.

Scope of the case

5. The complainant contacted the Commissioner on 11 April 2024 to complain about the way their request for information had been handled. They did not specify the nature of their complaint, therefore the Commissioner has used their comments in their request for an internal review as the basis for the complaint.
6. The complainant stated that the Council's response did not meet the request as they requested the cost of the report for Ty Pawb Whole System Audit not for the other buildings.
7. The scope of the Commissioner's investigation is to consider whether the Council holds the information requested.

Reasons for decision

Section 1 – General right of access to information held

8. Section 1(1) requires that any person making a request for information to a public authority must be informed in writing by the public authority whether it holds information relevant to the request, and if so, to have that information communicated to them. This is subject to any exclusions or exemptions that may apply.
9. In scenarios where there is some dispute between whether relevant information is held, the Commissioner, following the lead of a number of First-tier Tribunal (Information Rights) decisions, applies the civil standard of the balance of probabilities.
10. In other words, in order to determine such complaints, the Commissioner must decide whether on the balance of probabilities a public authority holds any - or additional - information which falls within the scope of the request (or was held at the time of the request).

The complainant's position

11. As stated in paragraph 2 of this notice, the complainant requested the cost for Ty Pawb Whole System Audit as opposed to the total figure for

six different audits. They consider that £2,808.33 for a report of approximately 60 pages by a consultancy company is unrealistic, and believes that the Council was trying to reduce the costs of Ty Pawb by dividing costs into other projects.

The Council's search

12. The Commissioner contacted the Council for further information in respect of the figures provided and for a copy of the invoice. The Commissioner also asked whether the Council holds any other information regarding the Ty Pawb Whole System Audit.
13. The Council informed the Commissioner that the original specification was for six sites and all six sites were delivered against the quote and invoice. It added that all buildings underwent the exact same process and that it received outputs in a standard format that reported the finding of the audit for each separate building. The Council added that whilst the content was tailored to the specific outputs from the auditing of each building, it followed a standard format.
14. In terms of searches, the Council confirmed that its search included emails, files and folders kept on secure drives and its financial system P2P. It added that searches carried out on these systems would retrieve all information relevant to the commission of the audits as all such information is contained within those folders as per its normal procedures.
15. The Council also informed the Commissioner that the search terms used included WSA, (Whole System Audit) Greener Edge, Buildings and Energy and Ty Pawb.
16. The Council confirmed that it has a statutory requirement to retain financial information for seven years.

The Commissioner's conclusion

17. The Commissioner acknowledges that it is not unreasonable for the complainant to have anticipated a total figure unique to the audit of Ty Pawb. However, the Commissioner considers that the explanation provided by the Council regarding why it is not possible for it to provide this information is reasonable. He can also confirm that having viewed a copy of the invoice, that it provides a total figure for all six audits and is not broken down by individual building.
18. The Commissioner has also considered the details of the Council's search and in his view, a search of its financial system P2P is both reasonable and proportionate when searching for details of costs of an

audit. Similarly, the search terms confirmed by the Council seem reasonable and appropriate.

19. The Commissioner is therefore satisfied that based on the balance of probabilities, that the Council does not hold information relating to the total cost of the audit for Ty Pawb. It only holds the cost of the project in question which involved audits of 6 separate buildings.

Right of appeal

20. 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

21. 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.
22. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

Catherine Dickenson
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Information Commissioner's Office
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Wilmslow
Cheshire
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