

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

### **Decision notice**

**Date:** 5 November 2024

**Public Authority:** Middlewich Town Council

**Address:** The Town Hall  
Victoria Buildings  
Lewin Street  
Middlewich  
CW10 9AS

#### **Request:**

The complainant requested the following information from Middlewich Town Council on 15 July 2024:

"With reference to the FOIA would you please provide me with the following information:

1. A copy of the Council's risk assessment used to engage the services of its consultant [name redacted]. I believe [name redacted] is using Council computers that contain emails from residents as well as information of a personal, commercial, and confidential nature.
2. A copy of all the reports [name redacted] has produced during his engagement with the Town Council. I realise there will be redactions.
3. With reference to the loss of the ex-Town Clerk's laptop computer, i.e. the laptop provided by the Town Council for her to use on Council business, would you please provide me with a copy of the incident paperwork provided by the Police when the Council reported the laptop missing.
4. A copy of all correspondence/emails between the Council and the Information Commissioner relating to the loss of the ex-Town Clerk's laptop. I realise there could be redactions within the information provided."

**Commissioner's Decision:**

A public authority will breach section 10 of FOIA if it fails to respond to a request within 20 working days. Based on evidence available to the Commissioner, by the date of this notice the public authority has not issued a substantive response to this request. Therefore the Commissioner finds a breach of section 10.

**Steps:**

The public authority must provide a substantive response to the request in accordance with its obligations under FOIA.

The public authority must take this step within 30 calendar days of the date of this decision notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of FOIA and may be dealt with as a contempt of court.

**Right of Appeal:**

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)

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

**Information Commissioner  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF**