

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

### **Decision notice**

**Date:** 14 November 2024

**Public Authority:** Local Government & Social Care Ombudsman (LGSCO)

**Address:** PO Box 4771  
Coventry, CV4 0EH

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

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1. The complainant has requested LGSCO to disclose information relating to a complaint they brought to it concerning a local authority and property address information. LGSCO confirmed that it does not hold information relating to questions one and two of the request. In relation to question three, it disclosed the recorded information it holds.
2. The Commissioner's decision is that on the balance of probabilities LGSCO does not hold any further recorded information to that already disclosed and that it has met its obligations under FOIA in relation to each element of the request.
3. The Commissioner does not require any further steps to be taken.

#### **Request and response**

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4. The complainant wrote to LGSCO and requested information in the following terms:

"On 12 August 2021 LGSCO made the following statements :

(1) I recognise the Council has a duty to maintain the LLPG, but your belief it has a duty to notify OS Mapping (through a collaborative service called GeoPlace) appears to have no basis in law. Relevant

official websites say every local authority in the UK has a statutory obligation to manage and maintain their address register and submits their address register (including the UPRN) to GeoPlace. The words I have underlined mean the information the Council holds may be shared with OS Mapping, but it does not mean the Council has a duty to notify OS Mapping of changes to the LLPG. This is principally why we could not say the Council was at fault in the way you suggest.

(2) Any discrepancy in the co-ordinates for your address appears to have been a matter of yards or metres, rather than an error which would lead an ambulance by road to a completely different location.

I request the following :

1. In relation to (1) please advise the statute under which a local authority is required to manage and maintain an address register and submit that information to GeoPlace;
2. What are the changes referred to as being excluded from the statutory obligation ;
3. In relation to (2) please advise the date when the enquiry regarding the UPRN and associated geographical co-ordinates was made stating the value of the said co-ordinates.
4. Please provide all documentation relied upon."

The request was received on 7 February 2024.

5. LGSCO responded on 1 March 2024. In relation to question one, LGSCO corrected the complainant's interpretation and directed them to information publicly available on GeoPlace's website. It stated that it does not hold any recorded information falling in the scope of this question. Regarding question two, it also said that it does not hold the requested information. In respect of question three, LGSCO disclosed the recorded information it holds.
6. The complainant requested an internal review on 5 March 2024. They stated that they do not believe their information request has been complied with because the LGSCO's response and explanations surrounding the request are "wrong and misleading".

## Scope of the case

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7. The complainant contacted the Commissioner to complain about the way their request for information had been handled. Their complaint was accepted on 21 May 2024 without the benefit of an internal review.
8. It became apparent during the Commissioner's investigation that the complainant had been placed on restricted contact and had been advised that they could only correspond by post. The complainant's internal review was sent by email, despite this and so the communication was blocked by LGSCO.
9. There have been various communications between the complainant and the Commissioner, in which the Commissioner has tried to explain the purposes of FOIA and what its limitations are. The complainant's reasons for dissatisfaction, as outlined in their internal review request, are not matters that can be addressed or indeed resolved via FOIA. The complainant has been unwilling to accept this and believes LGSCO has still not responded to their request in accordance with FOIA. It has therefore been necessary to proceed to a decision notice.
10. The Commissioner will consider each element of the request in turn and decide whether or not LGSCO has dealt with them in accordance with the requirements of FOIA.

## Reasons for decision

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11. Section 1 of FOIA requires a public authority to confirm whether or not it holds recorded information of the nature specified in the request and, if it does, to communicate that information to the applicant, subject to any exemptions that may apply, as outlined in Part II of FOIA.
12. There is no requirement to go above and beyond these requirements. If the public authority meets these requirements in relation to an information request it receives, and within the relevant timeframe, it will have discharged its responsibilities under FOIA.
13. There is no requirement for a public authority to enter into additional dialogue or debate over issues surrounding or the subject of the request. The complainant's concerns, as outlined in the internal review and in correspondence with the Commissioner, focus on the accuracy of statements and explanation LGSCO has given in relation to the complainant's wider complaint that they brought to it in relation to an ambulance and a delay in it arriving at a property. The Commissioner

has informed the complainant repeatedly that such matters do not fall within the scope of FOIA.

14. In relation to questions one and two of the request LGSCO confirmed that it does not hold any recorded information falling within the scope of these questions. It however directed the complainant to some information that may be useful to them on GeoPlace's website.
15. The Commissioner is satisfied that on the balance probabilities LGSCO does not hold any recorded information falling in scope of these two questions. LGSCO confirmed that this was the case in its refusal notice of 1 March 2024 and so it has met its obligations under FOIA.
16. Concerning question three, LGSCO disclosed all the recorded information it holds falling in scope. This was disclosed to the complainant in its response of 1 March 2024 and therefore within the statutory timeframe for compliance as outlined in section 10 of FOIA, of 20 working days. The Commissioner is satisfied that in relation to question three, LGSCO has met its obligations under FOIA.
17. Whether or not the complainant agrees with the information they have received is a matter for them. This does not mean that the LGSCO holds anything further or has not met its obligations under FOIA. The obligation on LGSCO is to confirm whether or not it holds recorded information and if it does to disclose that if appropriate. LGSCO has done that.

## **Other matters**

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18. LGSCO is entitled to apply contact restrictions if it sees fit to do so. Those restrictions can extend to the information request-making process, providing that LGSCO has set out clearly what process the individual should follow in order to submit a request or to challenge a response they have received.
19. Looking at the refusal notice that was issued it is apparent that the complainant received details of LGSCO's standard internal review procedure and was forwarded its standard leaflet for applicants. The Commissioner does not know if this leaflet suggests or says it is possible to send an internal review by email. He suspects it does. If it does, it was inappropriate in this case, as any email the complainant sends cannot be received due to the restrictions LGSCO has put in place.
20. LGSCO should have altered this part of its response for the complainant and reminded them of the terms of their contact restriction and that it would only accept an internal review request submitted by post.

## **Right of appeal**

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21. 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)

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

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