

Freedom of Information Act 2000 (Section 51)

Information notice

Date: 15 January 2020

Public Authority: The Council of the University of Exeter
Address: Prince of Wales Road
Exeter
Devon
EX4 4SB

Section 51

Under section 51 of the Freedom of Information Act 2000 (the "Act"), which is set out below, the Information Commissioner (the "Commissioner") has the power to serve a notice on a public authority requiring it to furnish her with any information she requires to enforce the requirements of the Act.

51. – (1) If the Commissioner –

(a) has received an application under section 50, ...

she may serve the authority with a notice (in this Act referred to as "an information notice") requiring it, within such time as is specified in the notice, to furnish the Commissioner, in such form as may be so specified, with such information relating to the application, to compliance with Part I or to conformity with the code of practice as is so specified.

Application under section 50

1. The Commissioner has received an application under section 50, reference IC-50501-L9X5, for a decision whether a request for information made by the complainant to the University on 3 July 2020, has been dealt with in accordance with the requirements of Part I of the Act.

Nature of complaint

2. The complainant disputes the University's application of section 40(2) of the FOIA (third party personal data) to withhold information – as set out in the Commissioner's investigation letter of 27 November 2020.

Information required

3. In view of the matters described above the Commissioner hereby gives notice that in the exercise of her powers under section 51 of the Act she requires that the Council of the University of Exeter shall, within 30 calendar days of the date of this notice, furnish the Commissioner with a copy of the following information:
 - A copy of the information being withheld in respect of this request
 - Substantive responses to the questions set out in the Commissioner's letter of 27 November 2020 (fresh copy attached)

Failure to comply

4. Failure to comply with the steps described above may result in the Commissioner making written certification of this fact to the High Court (or the Court of Session in Scotland) pursuant to section 54 of the Act, and may be dealt with as a contempt of court.

Right of appeal

5. There is a right of appeal against this information notice to the First-tier Tribunal (Information Rights). Information about the appeals process can be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals,
PO Box 9300,
LEICESTER,
LE1 8DJ

Tel: 0300 1234504

Fax: 0870 739 5836

Email: grc@Justice.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

6. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this information notice is sent. If Notice of Appeal is served late the Tribunal will not accept it unless it is of the opinion that it is just and right to do so by reason of special circumstances.

Signed

Phillip Angell
Group Manager
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF