

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 14 March 2025

Public Authority: Calderdale Metropolitan Borough Council
Address: Town Hall
Crossley Street
Halifax
West Yorkshire
HX1 1UJ

1. Request

Following a previous request for information which was refused under section 12, the complainant made a new refined request to Calderdale Council ("the council") on 30 August 2024 for the following information:

"We would like to refine our request after your use of the statutory cost exemption. We have amended the time period on this to April 2022.

We acknowledge that some of the information we have requested is not in a reportable format. Therefore, if reducing the time frame to April 2022 does not bring this FOI within the cost limit, then we would request that questions 4 and 5 are removed, and the local authority only provide information for questions 1, 2, 3, 6, 7, 8 and 9.

If there are any other questions which would be particularly onerous for the local authority to answer, please let us know.

Requested Information

We request that you provide us with details of the following information:

1. How much money has been spent on Independent Care Act Advocacy (ICAA) annually, for the past two financial years (namely from April 2022 to April 2024)?

2. How many ICAA referrals have been made annually, for the past two financial years (namely from April 2022 to April 2024)?
3. How many needs assessments have been conducted annually under s9 Care Act 2014, for the past two financial years (namely from April 2022 to April 2024)?
4. How many of those needs assessments considered the need for ICAA, for the past four financial years (namely from 6 April 2022 to 5 April 2024)?
5. Of those needs assessments that considered the need for ICAA, how many ICAA referrals were made under s67 Care Act 2014 for the past four financial years (namely from 6 April 2022 to 5 April 2024)?
6. Please provide details of which organisation you have commissioned to provide ICAA for the past four financial years (namely from 6 April 2022 to 5 April 2024)?
7. What was the financial envelope available when the ICAA contract last went out to tender and what was the figure of the successful bid?
8. Please provide a copy of the service/product specification given to all bidders for your ICAA funding when it was last advertised.
9. Please provide a copy of the assessment tool or guide currently used for assessing whether an adult meets the eligibility criteria for ICAA."

2. Commissioner's decision

The Commissioner's [guidance](#) on the application of section 12 of FOIA states that:

"If the requester refines their request appropriately, you should then deal with this as a new request. The time for you to comply with the new request should start on the working day after the date you receive it."

A public authority will breach section 10(1) 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 council has not issued a substantive response to this request. Therefore, the Commissioner finds a breach of section 10(1) of FOIA.

3. Steps

The council 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.

4. 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

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

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.

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's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF