Freedom of Information Act 2000 (FOIA)

Decision notice

Date:	**25 October 2024**
Public Authority:	**UK Research and Innovation (UKRI)**
Address:	**Polaris House** **North Star Avenue** **Swindon** **SN2 1FL**

Decision (including any steps ordered)

1. The complainant has requested information produced by UKRI in response to an open letter from the Secretary of State for Science, Innovation and Technology. UKRI confirmed information was held but was being withheld under section 36(2), section 42, section 38 and section 40(2). UKRI disclosed some emails with information redacted under section 40(2). During the course of the Commissioner's investigation UKRI agreed it could now provide some of the names of senior staff from the disclosed information and the documents previously withheld under section 38 and the Commissioner now expects UKRI to make this information available to the complainant as agreed.

2. The Commissioner's decision is that UKRI is entitled to rely on section 36(2)(b)(i) and (ii), section 42(1) to withhold the remaining requested information and section 40(2) for the names/contact information of any junior staff and third parties.

3. The Commissioner finds that UKRI has breached FOIA section 10(1) by failing to respond within the time for compliance. It has also breached section 17(3) in delaying the provision of its refusal notice.

Request and response

4. An initial information request was made to UKRI on 31 October 2023 in the following terms:

   "All the information (understood as internal and external correspondence, drafts, minutes, agendas, memos) that was produced in response to the Open Letter than Michelle Donelan MP wrote on 28-10-2023 and that was directed to Ottoline. For the avoidance of doubt, "in response to" means "as a reaction to".

   Please limit search and disclosure from the moment this letter was received by UKRI to the 17:01 h of the 31-10-2023. Please include information regardless of its nature: e-mails, paper trails, WhatsApp messages, etc."

5. UKRI responded on 3 January 2023 confirming information in scope of the request was held and that it considered the scope to be information relating to the Open Letter from the Secretary of State for Science, Innovation and Technology (Michelle Donelan MP) to UKRI's Chief Executive Officer and to the development of UKRI's response to the letter and the issues the letter raised. UKRI stated all the information held, which included emails, texts and WhatsApp messages should be withheld from disclosure and it cited a number of FOIA exemptions:

   - section 36(2)(b)(i), (ii) and (2)(c) – prejudice to the effective conduct of public affairs
   - section 42(1) – legal professional privilege; and
   - section 38(1)(b) – health and safety

6. The complainant requested an internal review of this decision on 4 January 2023, challenging the application of the exemptions and raising concerns about the procedural aspects of the handling of their request.

7. Following an internal review UKRI responded with the outcome on 16 May 2024. UKRI explained due to the passage of time it was now able to disclose some documents with some personal information redacted under sections 40(2) and 36(2) FOIA. UKRI maintained its position in relation to the remaining information, continuing to withhold it under the various exemptions cited.

Scope of the case

8. The complainant contacted the Commissioner on 10 June 2024 following the internal review response to express their continued dissatisfaction with the decision of UKRI to withhold the majority of the information in scope of the request.

9. During the course of the Commissioner's investigation UKRI re-visited the request and reviewed the information and concluded that, due to the passage of time some of the information no longer attracted the same sensitivities as at the time of the request and could now be disclosed. This information was the names of senior staff and UKRI Board members involved in two meetings that had been withheld under section 40(2) and internal security communications to staff on the heightened threat level at the time of the incident, previously withheld under section 38 FOIA.

10. The Commissioner has therefore not considered the use of the exemptions in relation to this information and makes no comment on whether this information was correctly withheld at the time of the request but does now expect UKRI to disclose this information.

11. The Commissioner considers the scope of his investigation is to determine if UKRI has correctly relied on any of the remaining cited exemptions to withhold information from the documents identified as in scope of the request.

Background

12. The request relates to UKRI's response to a letter from Michelle Donelan MP, in her capacity as Secretary of State for Science, Innovation and Technology, to UKRI. The letter raised concerns about views expressed by members of a Research England advisory group on equality diversity and inclusion in October 2023 following the attacks by Hamas on Israel, it also raised concerns about breaches of the advisory groups terms of reference and concerns about UKRI's approach to equality and diversity. The Secretary of State's letter was published on X on 28 October 2023 and UKRI's Chief Executive Officer, Ottoline Leyser, provided a response on 30 October 2023 outlining steps that would be taken to consider the concerns raised. The response letter was also posted on X at 17:00 on 31 October 2023. The FOIA request considered in this notice was made on 31 October 2023 at 17:23.

13. Following the letter, UKRI undertook an investigation into the concerns and the outcome of the investigation was published in March 2024,

finding no evidence of support for proscribed terrorist organisations or the sharing of extremist material.

Reasons for decision

14. Section 36 of FOIA states that information is exempt where, in the reasonable opinion of a qualified person, disclosure would, or would be likely to, prejudice the effective conduct of public affairs.

15. UKRI has applied sections 36(2)(b)(i),(ii) and 36(2)(c) to withhold the relevant requested information. Arguments under these sections are usually based on the concept of safe space and a 'chilling effect'. The chilling effect argument is that disclosure of discussions would inhibit free and frank discussions in the future, and that the loss of frankness and candour would damage the quality of advice and deliberation and lead to poorer decision making.

16. The Commissioner's guidance on section 36 states that information may be exempt under section 36(2)(b)(i) if its disclosure would, or would be likely to, inhibit the free and frank provision of advice. Section 36(2)(b)(ii) allows for information to be exempt if its disclosure would, or would be likely to, inhibit the ability of public authority staff, and others, to express themselves openly, honestly and completely, or to explore extreme options, when giving their views as part of the process of deliberation. In this case, UKRI argues disclosure of the majority of the documents, emails and communications would be likely to inhibit these abilities.

17. The exemptions at section 36 can only be engaged on the basis of the reasonable opinion of a qualified person ("QP"). The Commissioner is satisfied that the Chief Executive Officer of UKRI is designated as the QP and therefore a QP under section 36(5) of FOIA gave the opinion that the exemption was engaged.

18. The Commissioner has considered whether the opinion about section 36(2)(b)(i) and (ii) is reasonable. It's important to note that 'reasonableness' is not determined by whether the Commissioner agrees with the opinion provided but whether the opinion is in accordance with reason. In other words, is it an opinion that a reasonable person could hold? The only requirement is that it is a reasonable opinion, and not necessarily the most reasonable opinion.

19. The test of reasonableness is not meant to be a high hurdle and if the Commissioner accepts that the opinion is one that a reasonable person could hold, he must find that the exemption is engaged.

20. For the QP's opinion to be reasonable, it must be clear as to precisely how the inhibition may arise. In his published guidance on section 36 the Commissioner notes that it is in the interests of public authorities to provide him with all the evidence and arguments that led to the opinion, to show that it was reasonable. If this is not done, then there is a greater risk that the Commissioner may find that the opinion is not reasonable.

21. UKRI has provided the Commissioner with a copy of the submission it provided to the QP. This shows that the QP was provided with a summary of the information being sought, detailed arguments for why the prejudice envisioned under sections 36(2)(b)(i) and (ii) would or would be likely to occur, and counter arguments.

22. The QP made their decision on the basis that the envisioned inhibition would happen. This means that the QP considers that it is more likely than not that the inhibition would occur.

23. The QP considered disclosure would inhibit the free and frank provision of advice and exchanges of views around the UKRI's response to incidents, both in terms of the immediate case of the Secretary of State's letter and when responding to future incidents. The QP considered it was important that free discussions could take place both within UKRI and between UKRI and other bodies such as the Department of Science, Innovation and Technology (DSIT) as UKRI's sponsoring Department, and other public bodies.

24. The Commissioner accepts that it was reasonable for the qualified person to consider that there was a need to protect the confidentiality of discussions and deliberations.

25. He is also satisfied that the qualified person's opinion - that inhibition relevant to those subsections would occur through disclosure of the withheld information - is reasonable. He is therefore satisfied that the exemption was correctly applied.

26. Section 36 is subject to the public interest test. This means that although section 36(2)(b)(i) and (ii) are engaged, the withheld information must be disclosed unless the public interest in maintaining the exemption is stronger than the public interest in disclosure.

Public interest arguments in favour of disclosure

27. UKRI accepts that disclosure of this information may increase transparency within UKRI and the public around the role of UKRI's advisory groups. This could potentially increase public trust around their role. Much has been questioned around freedom of speech and academic freedom and UKRI's position, and disclosure may enhance

understanding of these issues. UKRI also acknowledges the request relates to an important issue within the research community.

28. As such disclosure of information relating to UKRI's handling of the Secretary of State's letter would be in the public interest to promote transparency and accountability in relation to UKRI's role and function.

29. The complainant's arguments for disclosure are linked to the fallout from the letter and UKRI's investigation and the cost of both the investigation and the legal bills relating to the libel case brought against Michelle Donelan MP by the academic falsely accused of extremist views. The complainant argues that, across the board, this incident called into question the machinery of public bodies as Michelle Donelan MP used taxpayer money to settle her libel case, UKRI's CEO did not seek re-election of her post and the Chair of the UKRI Advisory Group resigned.

30. The complainant acknowledges these matters happened after the FOIA request was made but considers this shows that there was public interest in the information at the time of the request to provide full transparency in how UKRI make decisions and allow for scrutiny and accountability.

31. The complainant considers the information is in the wider public interest as it will show whether UKRI acquiesced to the Secretary of State or if there were legitimate concerns that needed a full investigation. This will show whether UKRI is really independent from DSIT and is more concerned with its own reputation and relationships or is acting in the interests of academic freedom, freedom of speech and equality and diversity.

Public interest arguments in favour of maintaining the exemption

32. UKRI identified over 900 documents, emails and communication in scope of the request across a number of different areas including internal discussions on UKRI's immediate response and reply to the Secretary of State's letter, plans relating to the instigation of an independent investigation into the concerns raised, discussions relating to internal communications and the external response from media and academics, and communications with DSIT.

33. UKRI states the information all related to developing views around the content of the letter and general academic freedom and discussions were conducted at significant pace to allow UKRI to respond effectively to the rapidly developing situation. UKRI states even to date there is still impact from the incident, including resignations of individuals from UKRI advisory structures. The future of these advisory structures remains a live issue and there is continued interest from academia and UK media.

34. UKRI considers if those involved in responding to the initial incident had believed their contributions may be released to the public at a later point this would have inhibited the free and frank provision of advice and exchange of views necessary for the ongoing management of the situation. Frank and swift input remains essential for an effective response.

35. It also argued that there is importance in rebuilding trust with its communities and stakeholders and disclosure of the information in scope would make it accessible to potential applicants and existing members of UKRI panels and advisory groups. This could potentially discourage them from applying or continuing to serve. This would degrade UKRI's ability to fulfil its primary objectives. Disclosure would also likely further exacerbate the very issues that the evidence-based investigation aimed to address.

36. More broadly, UKRI argued disclosure is very likely to have a chilling effect on staff's willingness to provide swift, frank, and complete views when responding to any future incident. This information contains specific and detailed developing views in reaction to a rapidly evolving situation. Some of these views or initial assumptions may have in hindsight not appeared accurate but were considered true at the time they were expressed. The requirement for candour, and ability for positions to evolve based on what is known to individuals at the time, is critical in light of fast-moving events, and delays to communications may be introduced, for example in the face of increasing levels of external comment and communications. Examples from the information in scope include early communications and updates of the rapidly evolving situation which may not have been expressed as clearly as intended and internal challenge to plans and actions already in motion.

37. Ensuring that UKRI can maintain a safe space for the exchange of information like this in real time - without the fear that any initial misunderstandings may be weaponised against the individuals involved – it is argued is crucial to an effective incident response. In the absence of this safe space officials would share information more slowly, only share information that they were certain of, or even withhold views entirely inhibiting the free flow of thinking and information at a critical point in any incident response.

38. UKRI considers an effective incident response requires a safe space for officials to feed in their thoughts, views and advice very quickly, and very candidly. Disclosure of the information may inhibit UKRI's ability to respond to future incidents as it will have a chilling effect on officials' willingness to openly and candidly exchange views and advice at speed and may lead to officials restricting their communications only to statements, they are completely certain of or to views that are

completely uncontroversial. This would result in significantly slower communications and a substantial weakening of the advice received by the senior team handling the incident response, with potentially unintended impacts on employees, communities and stakeholders, materially degrading UKRI's ability to respond effectively to incidents as a result.

39. UKRI also considers disclosure of the information would have likely prejudiced the effective completion of the ongoing impending investigation. Establishing the facts and making evidence-based decisions without external interference is critical for building confidence and trust with its communities and stakeholders thus disclosure would not be in the public interest.

40. The information also describes how UKRI should respond to the rapidly evolving reactions from its wider communities, including staff views on the role of UKRI in freedom of speech and academic freedom. UKRI argues release could further inhibit staff willingness to discuss these important questions.

Balance of the public interest arguments

41. When he considers the balance of the public interest, the Commissioner takes account of the weight of the QP's opinion, the timing of the request, and the severity, extent and frequency of the envisioned prejudice or inhibition.

42. The QP in this case had the requisite knowledge of how their organisation works and the consequences of any disclosure. The Commissioner recognises that the QP's opinion was that the envisioned inhibition would occur.

43. The Commissioner has next considered the timing of the request. The public interest in being able to exchange views about an issue freely and frankly, for example, will be greater if the issue is ongoing and live at the time of a request.

44. The Commissioner considers the timing of the request in this case is very significant. The request was made minutes after UKRI's response to the Secretary of State's letter was published on X. This response letter made it clear that an investigation would take place.

45. The communications, documents, drafts and discussions that have been withheld all amount to conversations that took place over a short period of time and are a picture of a rapid response to an emerging incident. The Commissioner has viewed the information that has been withheld and notes it is very frank and candid for the most part, containing initial

reactions and thoughts and exchanges of ideas and views as to how to proceed, respond and externalise any decisions.

46. It is clear these exchanges took place with no thought that this would be disclosed and that there existed a safe space to be able to debate and offer candid views away from public scrutiny. UKRI believes disclosing this information will inhibit free and frank discussions in the future and that any loss of candour will damage the quality of advice and deliberation and lead to poorer decision-making.

47. The Commissioner has considered the severity, extent and frequency of the envisioned prejudice or inhibition. He found that the QP's opinion about the relevant information was reasonable.

48. Disclosure at the time discussions are ongoing or issues are still live will be much more likely to have the effect described by the UKRI and would impact on the safe space needed to continue to discuss and deliberate.

49. The Commissioner has considered similar timing issues before. In Gillingham v Information Commissioner (EA/2017/0152)[1] the First-Tier Tribunal considered a request relating to offensive comments made online by a solicitor who had been used by the public authority. The public authority, on learning of the comments, had to make a rapid decision and a few days later announced a full review. A FOIA request was made the next day for information on the decision and information was deemed to have been correctly withheld under section 36(2)(b).

50. In its findings the Tribunal noted:

"We find that the public interest in withholding the requested information outweighed the interest in disclosure. The electorate was alerted on 15th. June, 2016 to LBC's suspension of BS pending a full review of the position. No further decision had been taken by 16th. July. Of course, there is always a strong public interest in transparency as regards the transactions of a local authority to promote trust and democratic accountability. There was a significant public interest here in knowing how LBC intended to balance the practical problems arising from these unpleasant tweets with an appropriate reaction to the widespread revulsion at such disgraceful insensitivity by its solicitors. There is a strong public interest in prompt disclosure of decisions taken by a local authority and the reasons for those decisions, where sensitive issues of this kind are involved. However, the precise content of discussions, arguments and negotiations, which precede such decisions,

[1] Microsoft Word - Gillingham v ICO Decision .docx

as recorded in Emails, and the formulation of the reasons for them, will generally be of less consequence. Of course, that will not be true if they reveal improper conduct – for example a scheme to mislead the public on some aspect of the affair. That is not the case here. No "wrongdoing" would be exposed.

On the other hand, a sensible debate and a calm appraisal of the problems involved are inevitably more difficult if every option or undigested proposal, every request for advice is exposed to public scrutiny, whilst the outcome of the debate is in the balance. This is not just another case about the "chilling effect" on future candour; it relates more immediately to the effects on decision – making taking place at the date of the request."

51. The Commissioner considers the situation here to be very similar. At the time of the request the investigation had only been announced, no final decision or judgement had been reached. The withheld information contains discussions, arguments and proposals as to how to proceed.

52. The Commissioner agrees with the Tribunal that a calm appraisal of the situation is inevitably more difficult if every option or undigested proposal is exposed to public scrutiny and that, as in the case referred to above, there is a very real risk that there will be an immediate impact on the decision-making still taking place, through the investigation, at the time of the request.

53. The Commissioner has carefully considered the public interest arguments for and against disclosing the information to which UKRI has applied the section 36(2)(b) exemptions. He has noted the QP's opinion and UKRI's concerns and he considers that the timing of the request is key in his decision. Disclosing the internal discussions that took place when the investigation was pending would not be in the public interest as it would draw public scrutiny and affect the decision-making process.

54. Because he has found that section 36(2)(b) is engaged and the public interest does not favour disclosure, the Commissioner has not gone on to consider UKRI's application of section 36(2)(c) to the same information.

Section 42 – legal professional privilege

55. Section 42 of FOIA states:

"(1) Information in respect of which a claim to legal professional privilege or, in Scotland, to confidentiality of communications could be maintained in legal proceedings is exempt information."

56. There are two categories of legal professional privilege ("LPP") – litigation privilege and legal advice privilege. Legal advice privilege may apply whether or not there is any litigation in prospect but legal advice is needed. In both cases, the communications must be confidential, made between a client and professional legal adviser acting in their professional capacity and made for the sole or dominant purpose of obtaining legal advice.

57. Of the large amount of information identified as in scope of the request UKRI found six items it considered were covered by LPP. These involved confidential communications between a client (UKRI) and a lawyer where the sole and dominant purpose was to seek legal advice.

58. The complainant raised concerns that UKRI had not shown whether there was a genuine client and lawyer relationship. They also suggested the initial response from UKRI talked about an incident management group so it was questionable if the information could attract LPP if the information was accessible to multiple employees of UKRI and not only to those UKRI specifically authorised to engage with lawyers.

59. UKRI advised that the communications identified were solely for the purpose of obtaining legal advice about contemplated litigation. It was considered at the time of the communications that there was a real prospect that UKRI could be subject to litigation due to the nature of the views concerning UKRI conduct expressed by the Secretary of State.

60. UKRI confirmed the information had not been shared publicly and has remained confidential within UKRI so privilege has not been waived. The Commissioner notes that one of the emails contains a brief summary of legal advice that was shared to a small group of UKRI employees but the Commissioner does not consider this waives privilege as the information has not been disclosed to the world at large.

61. The Commissioner has seen the withheld information and is satisfied that it attracts LPP; he therefore finds that section 42(1) is engaged. He will now progress to consider the public interest as set out in section 2(2)(b).

62. UKRI recognises there is a public interest in complete transparency. However, it considers there is a substantial public interest in legal privilege being maintained and public bodies not being hamstrung by the release of privileged material which could be exploited in future litigation.

63. It argues there is no clear, compelling or specific justification for disclosure that outweighs the public interest in protecting the legal

privilege attached to the communication particularly in the context that the prospect of litigation was real and remains live.

64. In balancing the opposing public interest factors under section 42, the Commissioner considers it necessary to take into account the in-built public interest in this exemption: that is, the public interest in the maintenance of LPP. In his view, the general public interest inherent in this exemption will always be strong due to the importance of the principle behind LPP ie safeguarding openness in all communications between client and lawyer to ensure access to full and frank legal advice.

65. In his view, that principle is fundamental to the administration of justice and disclosing any legally privileged information threatens that principle. The Commissioner agrees with UKRI in regard to the public interest in openness and transparency and he acknowledges the value in providing access to information to enable the public to understand more fully the conduct of public authorities. However, in order to be equal to or outweigh the inherent public interest in maintaining the exemption the Commissioner considers that there must be a compelling argument for disclosure to override the strong element of public interest inbuilt into the privilege itself. In this case the Commissioner has not been presented with any such argument and therefore considers the public interest is in favour of maintaining the exemption.

66. The Commissioner's decision is that in the circumstances of this case UKRI correctly applied the section 42(1) exemption to the six documents it identified as attracting LPP.

Section 40(2) – third party personal data

67. UKRI has continued to use section 40(2) to withhold personal data. Much of this personal data is contained in documents the Commissioner has already determined has been correctly withheld under section 36(2)(b) or 42(1) FOIA. However, UKRI has continued to withhold personal data from the documents it had disclosed and those withheld under section 38 that it has stated can now be provided.

68. This personal information amounts to names and contact information. UKRI has stated that it is now able to provide the redacted names of the more senior staff from the information it has already disclosed and it stands to reason that the names of more senior staff can also be disclosed in the documents previously withheld under section 38.

69. However, the complainant has continued to argue that the names of all staff, regardless of seniority should be disclosed. As such the Commissioner has gone on to consider whether UKRI was correct to

apply section 40(2) to withhold the names/contact information of junior staff and third parties from the information it has disclosed and will be disclosing.

70. Section 40(2) says that information is exempt information if it is the personal data of another individual and disclosure would contravene one of the data protection principles. The two main elements of personal data are that the information must relate to a living person and that the person must be identifiable.

71. In this case, the Commissioner is satisfied that the redacted information is the personal data of the individuals involved in the correspondence.

72. In the case of a FOIA request, the personal data is processed when it is disclosed in response to the request. This means that the information can only be disclosed if to do so would be lawful, fair and transparent.

73. When considering whether the disclosure of personal information would be lawful, the Commissioner must deliberate whether there is a legitimate interest in disclosing the information, whether disclosure of the information is necessary and whether these interests override the rights and freedoms of the individuals whose personal information it is.

74. The Commissioner considers that the complainant is pursuing a legitimate interest - transparency around communications that UKRI has had and who was involved - and that disclosure of the requested information is necessary to meet that legitimate interest.

75. However, the Commissioner also recognises that the request seeks the identities and contact details of junior staff within the UKRI, and also third parties who are officers of other public authorities – who have engaged, or otherwise been copied into, correspondence with UKRI. The Commissioner notes that there is significant caselaw relating to such information, which has consistently found that the rights and freedoms of those individuals must be protected save only in occasional situations where the legitimate interest is significant and overriding. This caselaw is reflected in the Commissioner's guidance on section 40(2)[2], and the decision notices that the Commissioner regularly issues in such cases, example links provided.[3][4]

[2] Requests for personal data about public authority employees
[3] ic-174200-p5g0.pdf
[4] ic-208893-y8n2.pdf

76. In the circumstances of this case, the Commissioner does not consider that any significant and overriding basis has been evidenced for the disclosure of the individuals' personal data. Whilst these individuals have been involved in communications on behalf of UKRI, or other public authorities, this does not provide a default justification for their identities to become a matter of public record.

77. The Commissioner has therefore determined that there is insufficient legitimate interest to outweigh the fundamental rights and freedoms of the individuals. Therefore, he considers that there is no legal basis for the UKRI to disclose information of junior staff or third parties and to do so would be in breach of principle (a).

78. The Commissioner's decision is that the UKRI is entitled to rely on section 40(2) of FOIA to refuse to provide this information.

Procedural matters

79. Section 1(1) provides that any person making a request for information to a public authority is entitled, subject to exemptions;

    (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and

    (b) if that is the case, to have the information communicated to him.

80. Section 10(1) provides that public authorities must comply with section 1(1) promptly and in any event not later than the twentieth working day following the date of receipt.

81. Section 17(1) provides that a public authority must issue a refusal notice in respect of any exempt information within the same timescale.

82. Section 17(3) allows a public authority to claim a "reasonable" extension to the statutory 20 working days limit, if necessary, to consider the balance of the public interest test.

83. FOIA does not define how long a reasonable time is. The section 45 Code of Practice on request handling states that "it is best practice for an extension to be for no more than a further 20 working days". This means that the total time spent responding to a request should not exceed 40 working days unless there are exceptional circumstances.

84. In this case UKRI provided the complainant with its substantive response and some of the requested information after 48 working days. The Commissioner does not consider there to have been exceptional

circumstances in this case and has therefore found that the delay in providing a substantive response resulted in UKRI breaching FOIA section 17(3).

Other matters

85. Whilst there is no statutory time limit, within the FOIA, for carrying out an internal review, the Commissioner considers that internal reviews should normally take no longer than 20 working days and never longer than 40 working days.

86. The Commissioner notes that it took UKRI four months to inform the complainant of the outcome of its internal review. He regards this as being poor practice.

87. The Commissioner also wishes to highlight that he acknowledges the strong public interest in the information in this case, the issue at hand was of great interest to academia and attracted significant media attention. The outcome of the investigation and the subsequent libel case has only increased the public interest in understanding what happened and how UKRI managed the situation. Whilst the timing of this request has tipped the balance of the public interest towards withholding information in this case any new requests may find the public interest arguments are differently weighted.

Right of appeal

88. 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

89. 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.

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

Jill Hulley
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