

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

### **Decision notice**

**Date:** 31 January 2025

**Public Authority:** Information Commissioner

**Address:** Wycliffe House  
Water Lane  
Wilmslow  
SK9 5AF

#### **1. Request and Response:**

The complainant requested the following information from the Information Commissioner on 17 August 2024:

"To clarify, with regard to this complaint you're stating that my only way to challenge your decision review would be via judicial review? On numerous other occasions I was advised by the ICO that my only way forward would be to the ombudsman via my member of parliament. Why has the ICO now changed their position? Furthermore, on numerous occasions now I have submitted services complaints regarding decision notices provided from different members of staff. Rather than receiving a response from a Manager the member of staff responded on behalf of the Manger. Is this normal practice and how was this an independent review of the staff member outcome decision. Under the FOIA please provide me with the ICO staff training and all other information that you hold regarding the about mention issues. I look forward to your response."

The Information Commissioner provided a valid response on 18 September.

#### **2. 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, the public authority did not provide a valid response within

the statutory time frame. Therefore the Commissioner finds a breach of section 10.

### **3. 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**