

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

### **Decision notice**

**Date:** 15 May 2025

**Public Authority:** Flintshire County Council

**Address:** Tŷ Dewi Sant  
St. David's Park  
Ewloe  
CH5 3FF

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

The complainant requested the following information from Flintshire County Council on 16 August 2024:

"The information I would like to request is communications between cabinet members relating to provision of support during school holidays to children in receipt of free school meals.

Please distinguish in providing the communications which:

- (a) have been made using Flintshire County Council systems
- (b) have been made using personal devices and/or third party systems under licences other than to Flintshire County Council (eg Whatsapp messages, SMS on personal devices)"

Flintshire County Council provided a valid response on 1 November 2024.

#### **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. Other Matters:**

The Commissioner notes that Flintshire County Council failed to conduct an internal review within 40 working days. The Section 45 Code of Practice advises all public authorities to conduct internal reviews in a timely manner and within 20 working days. A total of 40 working days is permitted in particularly complex cases only.

Flintshire County Council is reminded of the requirements of the Code and of the importance of carrying out internal reviews in a timely manner and in accordance with the timeframes specified in the Code. The Commissioner has recorded this as part of his routine monitoring of public authorities.

### **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](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**