

29 June 2011

Your reference: FOI 309425

Our reference: FS50392356

Dear Mr Jenkins

Complaint from Tom Watson MP

I am writing to confirm that the Information Commissioner has received a complaint from Tom Watson MP stating that no response has been sent to an information request which was received by your organisation on 20 December 2010. We enclose a copy of this request for your information.

Any public authority in receipt of such a request is under a duty to respond within 20 working days of receipt. As you know, the Cabinet Office recently signed an undertaking regarding its response times in relation to requests.

In view of the (apparent) severe delay associated with the handling of this request, this has been brought to the attention of the Commissioner's Enforcement team.

As it is the case that you have not responded but acknowledged receipt of the request, we would ask that you now respond within 10 working days of receipt of this letter.

You should state whether or not the information is held in a recorded form. If it is held, you should either provide the information or issue a refusal notice in accordance with the requirements of section 17 of the Freedom of Information Act or regulation 14 of the Environmental Information Regulations as appropriate. You can find more information on refusal notices contained in the guidance issued by the Commissioner which is available at:

http://www.ico.gov.uk/upload/documents/library/freedom_of_information/detailed_specialist_guides/fes016_refusing_a_request_v1.pdf

http://www.ico.gov.uk/upload/documents/library/freedom_of_information/detailed_specialist_guides/fep058_refusing_a_request_v1.pdf

Finally you should be aware that the Information Commissioner often receives requests for copies of the letters we send and receive when dealing with casework. Not only are we obliged to deal with these in accordance with the access provisions of the Data Protection Act 1998 (the DPA) and the Freedom of Information Act 2000 (the FoIA), it is in the public interest that we are open, transparent and accountable for the work that we do.

However, whilst we want to disclose as much information as we reasonably can, there will be occasions where full disclosure would be wrong. It is also important that the disclosures we make do not undermine the confidence and trust in the Commissioner of those who correspond with him.

If you reply to this letter, I would be grateful if you would indicate whether any of the information you provide in connection with this matter is confidential, or for any other reason should not be disclosed to anyone who requests it. I should make clear that simply preferring that the information is withheld may not be enough to prevent disclosure. You should have a good reason why this information should not be disclosed to anyone else and explain this to us clearly and fully.

For further advice on how to deal with information requests, please visit our website at www.ico.gov.uk or call our helpline on 0303 123 1113.

If you need to contact us about this matter, please quote the case reference number from the top of this letter.

Yours sincerely

FOI Case Reception
Information Commissioner's Office