

Summary of ICO decision notices from April to June 2019

City of York Council - 23 Apr 2019

The complainant requested from City of York Council (the Council) information related to procurement “low risk” contracts above £30,000 and below £100,000. The Council refused to comply with the complainant’s request relying on section 21 as it considered the information requested to be reasonably accessible to the complainant. The Commissioner’s view is that the complainant’s request was not clear since there was more than one objective reading of the request, therefore the Council was under an obligation under section 16(1) of the FOIA to contact the complainant under section 1(3) to seek clarification of the request. In failing to do so, the Council breached section 16(1) of the FOIA. The Commissioner requires the Council to write to the complainant seeking clarification of the request in relation to “ date and responsible staffer” and “ entire financial year”. The Council must take these steps within 35 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 the Act and may be dealt with as a contempt of court.

Complaint upheld

Decision notice FS50769503