



27 November 2009

*Dear Mr Carruthers*

**Freedom of Information Request**

I refer to your Freedom of Information Act (FOIA) request of 1 September 2009, a reply to which was sent to you on 15 September 2009. On that date you submitted a request for a review which you were informed would be carried out by the Deputy Chief Executive in the Office of the Parliamentary and Health Service Ombudsman.

Your Freedom of Information Act request was however addressed to me in my capacity as a member of the Commission for Local Administration in England (CLAE) and I have therefore decided that I should respond to your request for a review which I now do.

The CLAE is a corporate body and is a public authority for the purposes of the FOIA. In my capacity as Parliamentary and Health Service Ombudsman and in discharging my functions as such I am a public authority for the purposes of the FOIA. But individual members of the CLAE, a corporate body, are not public authorities for the purposes of the FOIA. Your request is addressed to me in my capacity as a member of the CLAE. In that capacity I am not a public authority for the purposes of the FOIA and your request is not a valid request under the FOIA. Any request under the FOIA relating to information held by the CLAE or on its behalf should be addressed to that body.

Under s50 of the FOIA you have a right to apply to the Information Commissioner for a decision whether, in any specified respect, a request for information to a public authority has been dealt with in accordance with the requirements of Part 1 of the FOIA. However, as stated above, your request was not made to a public authority. You may obtain further details of the Information Commissioner's role from the website at [www.ico.gov.uk](http://www.ico.gov.uk).

*Yours sincerely*  
A handwritten signature in blue ink, appearing to read "Ann Abraham".

**Ann Abraham**  
**Parliamentary and Health Service Ombudsman**



Millbank Tower  
Millbank  
London SW1P 4QP