

Mr P Swift
By e-mail only
request-21546-dedaf4ce@whatdotheyknow.com

2nd July 2010

Dear Mr Swift

Request for review of the IPCC's decision under the Freedom of Information Act 2000

I write in response to your email of 1st June requesting a review of the IPCC's decision of the same date. Your application for a review does not contain any arguments as to why Mr Johnston's decision was incorrect so I have just reviewed the decision

I have considered your original request and the IPCC's file. Mr Johnston relied on Regulation 5 of the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004. As you are aware, Regulation 5 allows a public authority to aggregate two or more requests for the purposes of calculating costs.

As Mr Johnson made clear in his letter, the IPCC received five requests referring to your original request which had been turned down on the basis that extracting the information you had requested would exceed the costs limit. He set out details of those requests. He also referred to annotations on the whatdotheyknow website.

This information led him to conclude that all five requests (yours included) had been co-ordinated by means of the site and that therefore he was able to aggregate them under Regulation 5.

He therefore concluded that the appropriate limit of £450 (or 18 hours work at £25 per hour) would be exceeded. As a result he relied upon the exemption in section 12 of the Act

Having reviewed the file, I have concluded that the IPCC was within its rights to aggregate the request for the purposes of cost and was therefore able to rely on the exemption in section 12.

It is clear from the file that the five requests were made within days of each other and all via the whatdotheyknow website. In addition, there are comments posted on the website which support the contention that your request is part of a concerted effort by several individuals to obtain this information. For that reason I am upholding Mr Johnson's decision.

I hope that you appreciate the reasons for my decision but if you wish to appeal against this decision you may contact:

Information Commissioner's Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire,
SK9 5AF.

Yours sincerely

A handwritten signature in black ink that reads "Amanda Kelly". The signature is written in a cursive style with a large, sweeping initial 'A' and a long horizontal line at the end.

Amanda Kelly
Director of Corporate and Legal Services