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Ganesh Sittampalam [[request-25022-e2cc00e5@whatdotheyknow.com](mailto:request-25022-e2cc00e5@whatdotheyknow.com)]

Dear Mr Sittampalam

**Freedom of Information Act 2000 – Section 50 Decision Notice**

I am writing with regard to the letter from the Information Commissioner's Office (ICO) dated 29 June 2011 to the Department for Transport (DfT) Information Rights Unit, enclosing a Decision Notice on your complaint concerning the decision by the DfT to withhold certain information relating to Delay/Repay.

In line with the ICO Decision Notice, I attach the withheld information as follows:

- advice to Ministers relating to the decision to introduce Delay/Repay;
- an internal paper prepared and discussed by officials in preparing that advice;
- data supplied by TOCs relating to claims, complaints and compensation;
- emails between the Department and TOCs directly relating to those data; and
- data on compensation payments supplied by the five Train Operating Companies (TOCs) operating the DfT's Delay/Repay policy (London Midland, CrossCountry, East Coast, East Midlands Trains and Southern) which had previously been released in aggregated form. The Department has not analysed the composition of the individual TOC figures. The figures are likely to include compensation paid by TOCs for non delay related matters under their Passenger's Charters and the associated administration costs as well as Delay/Repay compensation itself.

Yours sincerely



Peter Lepper