

Mr O'Callaghan-Williamson
(request-743287-9a9f7a70@whatdotheyknow.com)

07 July 2021

Dear Mr O'Callaghan-Williamson,

Your request for Internal Review (IR) under the Freedom of Information Act (2000) - case number 1894637

We've investigated your IR request which H&F received on 10 May 2021 and passed to H&F's Information Management Team (IMT) on 10 May 2021. IMT is the central team within H&F that processes internal reviews for Freedom of Information Act 2000 (FOIA) requests.

Internal Review outcome

Your complaint is upheld on the basis that the information you requested has been printed and being delivered in hard copy format to your house. It could not be delivered in an electronic format due to the size of it.

The Council has printed off the information you have requested and delivered the information to your address on 07 July 2021.

On the following pages we have set out:

- details of your IR request
- the actions we took to investigate this matter
- who you should contact if you are unhappy with our internal review response

Yours sincerely,



Emmanuel Amponsah
Solicitor
Hammersmith and Fulham

NOTE: Please contact H&FInTouch@lbhf.gov.uk with all new requests for information, including personal information, or data protection complaints.

Veronica Barella
H&F Chief Digital Officer

Background to your IR request

- You sent a request for information (RFI) to H&F on 01 April 2021. The RFI requested:

Please provide under Freedom of Information law copies of all agenda, minutes and associated or related data on the following Resident Involvement Groups;

1. Housing Representatives Forum.
2. Investment group.

for the years 2017 to current date i.e. 1st April 2021. Some of this information was present on the councils website until recently and the Investment Group was subject to a previous request on the "whatdotheyknow.com" website here

https://www.whatdotheyknow.com/request/resident_investment_group#outgoing-677132.

This information should be in the public domain as it has a bearing on the tenancies of thousands of residents either in terms of decision making or spending of monies on their behalf.

- We responded on 05 May 2021 under FOIA:

This request is being handled under the Freedom of Information Act 2000. I can confirm that the information requested is held by Hammersmith and Fulham. Please find your response in the attached Word document.

- You submitted an IR request on 05 May 2021:

- Dear Hammersmith and Fulham Borough Council,

Please pass this on to the person who conducts Freedom of Information reviews.

I am writing to request an internal review of Hammersmith and Fulham Borough Council's handling of my FOI request 'Resident Involvement Meetings 2017/18, 2018/19, 2019/2020, 2020/21'.

The whole point of submitting a Freedom of Information Request is that the information requested is provided into the 'public domain'.

That the council deals with the various document formats it uses is not a matter nor a subject I have raised in satisfaction of this request and is irrelevant to it. As the requester I have asked for the documents and pdf will be fine for me. Your response was delivered in both pdf and MS. WORD formats both not a problem. Indeed, the example in your letter uses a .pdf document file contradicting the initial assertion.

The council regularly replies using MS. WORD and Excel file formats but typically pdf on this website.

The ICO is clear. <https://ico.org.uk/for-organisations/guide-to-freedom-of-information/receiving-a-request/> "In what format should we give the requester the information?"

Veronica Barella
H&F Chief Digital Officer

"There are a number of ways you could make information available, including by email, as a printed copy, on a disk, or by arranging for the requester to view the information. Normally, you should send the information by whatever means is most reasonable. For example, if the requester has made their request by email, and the information is an electronic document in a standard form, then it would be reasonable for you to reply by email and attach the information.

However, requesters have the right to specify their preferred means of communication, in their initial request. So you should check the original request for any preferences before sending out the information."

The response letter in the manner in which it was sent is not secure and editable. PDF has the benefit of being much more secure especially from artifice but I digress.

This fails the legal definition of "Freedom of information" as it requires me, the requestor to set up an account. Accept associated technologies i.e. cookies/IP address etc. Have that account approved then search for the data requested. Also, as I am not a member of the Housing Representatives Forum and/or Investment Group the response implies the data requested by me would not be available within this 'standalone, private' website.

This puts the council at variance with the ACT.

Therefore, I would appreciate full disclosure without further hindrance in a timely manner under the auspices of your Internal Review procedure.

A full history of my FOI request and all correspondence is available on the Internet at this address: https://www.whatdotheyknow.com/request/resident_involvement_meetings_20

Our investigation

We contacted the Resident Involvement & Service Improvement Department for their help in investigating your IR request, as they are responsible for the information in the borough and they would know where the requested information is held by the council.

We've set out extracts of the points you raised in your IR request in bold italics below, together with our response:

1. I would appreciate full disclosure without further hindrance in a timely manner under the auspices of your Internal Review procedure

H&F's IR response: The Council has printed off the information requested by you and delivered them off at your address on 07 July 2021.

Veronica Barella
H&F Chief Digital Officer

Why did H&F's Information Management Team investigate your internal review request?

H&F's Information Management Team (IMT) investigate complaints that are made to the council about how the council processes requests for information and complies with the Freedom of Information Act 2000 (FOIA) and Environmental Information Regulations 2004 (EIR).

This includes investigating complaints about:

- whether H&F holds the requested information
- whether H&F was correct to withhold the requested information

What can you do if you aren't happy with the council's response?

You can appeal to the Information Commissioner if you aren't happy with how H&F has handled your internal review request. There is no charge for making an appeal.

You can do this by:

Writing to the Information Commissioner's Office (ICO), Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Emailing casework@ico.org.uk

Visiting the ICO's website www.ico.org.uk/concerns/

The ICO are the UK's independent authority set up to uphold information rights in the public interest.

More information about the ICO is available on their website or by calling their helpline: 0303 123 1113.

Veronica Barella
H&F Chief Digital Officer