

Matthew Boulton

By email: request-330893-a591b548@whatdotheyknow.com

23 May 2016

Dear Mr Boulton

Ref: FoI 4 2016 17 – Appeals statistics

Thank you for your e-mail received at the PPF on 26 April. Your request has been considered as a request for information under the Freedom of Information Act 2000 ("FoIA"). A short summary of the FoIA and your rights is included in the Appendix.

You have asked:

Please could you confirm:

1.1) how many appeal cases were responded to by Experian for the PPF levy year 2015/16 under the informal or formal review process.

1.2) of the above in your answer to 1.1, how many of these appeals were rejected by Experian and the case was not pursued further.

1.3) of the above in your answer to 1.1, how many of these appeals were rejected by Experian, and the scheme was unsuccessful in overturning Experian's decision at stage two (PPF formal review), stage three (PPF reconsideration committee) or stage 4 (referral to the Pensions Ombudsman) of the PPF's review process.

1.4) of the above in your answer to 1.1, how many of these appeals were rejected by Experian, but the scheme was successful in overturning Experian's decision at stage two (formal review), stage three (reconsideration committee) or stage 4 (referral to the Pensions Ombudsman) of the PPF's formal review process. Where the scheme was successful, please could you set out at what stage Experian's decision was overturned.

For reference, the PPF's published appeals policy is set out from page 25 of the following document:

http://www.pensionprotectionfund.org.uk/DocumentLibrary/Documents/Levy_Guide_1516.pdf

In respect of your queries raised under the Freedom of Information Act, I set out my response below. All figures are correct as of 17 May 2016.

1.1 There were a total of 356 appeal cases responded to by Experian for the 2015/16 levy year.

1.2 Of these appeals Experian rejected 178. 125 were then not taken further.

- 1.3 53 appeals rejected by Experian were taken forward to stage two (PPF formal review).
19 were then rejected at stage two with no further action. A further 7 appeals are awaiting consideration at stage two.
7 were rejected at stage three (PPF Reconsideration Committee) and 1 further case is waiting consideration by the Reconsideration Committee.
Of the 7 appeals rejected by the Reconsideration Committee, 1 has appealed to stage 4 (the PPF Ombudsman). However this case is awaiting consideration.
- 1.4 Of the 53 appeals rejected by Experian and taken forward, 17 were accepted at stage two and two were accepted at stage three.

I have included a table on the next page which illustrates the flow of cases.

I hope that the information we have provided is of use. If you have any concerns about the way in which your information request has been treated, full details of our Freedom of Information procedures can be found at:

<http://www.pensionprotectionfund.org.uk/Pages/FreedomofInformation.aspx>

Appeals are heard by a member of the PPF's senior management team who has not been involved in considering the initial request for information and a response to an appeal will be provided within 20 business days of receipt.

If, following such an appeal, you are still not satisfied you have the right to appeal to the Information Commissioner under Section 50 of the FoIA 2000. There is no charge for making an appeal to the Information Commissioner. Generally, the Information Commissioner cannot make a decision unless you have exhausted the appeals procedure provided by a public body. The Information Commissioner can be contacted at:

The Information Commissioner's Office, Wycliffe House,
Water Lane, Wilmslow, Cheshire SK9 5AF.
Telephone: 01625 545745
Website: www.ico.gov.uk

Yours sincerely,



Simon Blackburn
Deputy Board Secretary

Table one Appeals to Experian and outcome of cases

Experian Appeals	PPF Formal Review	PPF Reconsideration Committee
<p>356 of which</p> <p>178 accepted</p> <p>178 rejected</p> <p>of which</p> <p>125 not taken further</p> <p>53 taken to Formal Review</p> <p>of which</p>	<p>7 waiting consideration</p> <p>17 accepted</p> <p>29 rejected</p> <p>of which</p> <p>19 not taken further</p> <p>10 taken to stage 3</p> <p>of which</p>	<p>1 waiting consideration</p> <p>2 accepted</p> <p>7 rejected</p> <p>of which</p> <p>6 outcome not yet known</p> <p>1 applied to PPFO, waiting consideration</p>

Appendix

The Freedom of Information Act 2000

The Freedom of Information Act 2000 came into force on 1 January 2005. It affects all public authorities and gives you a right (unless an exemption applies) to:

- be told if information is held; and
- be given that information.

The term 'public authority' includes most public organisations and Government Departments in England, Wales and Northern Ireland (Scotland have their own Act), and includes the Board of the Pension Protection Fund.

There are a number of situations when information which a public authority holds is exempt from this requirement. In particular, information is exempt if its disclosure (otherwise than under the FoIA) by the public authority holding it:

- is prohibited by or under any enactment
- is incompatible with any community obligation, or
- would constitute or be punishable as a contempt of court.

The duty to confirm or deny whether the public authority holds information does not arise in these circumstances.