

Department for Communities and Local
Government
Fry Building
2 Marsham Street
London
SW1P 4DF

Telephone: 030 3444 0000

Ms Ivana Taylor
via e-mail

Date: **8 August 2016**

Dear Ms Taylor

Internal review under the Freedom of Information Act 2000 - 2481448

Thank you for your request for a review received on 12 July 2016. I am the review officer appointed to undertake the internal review and I am writing to provide a response. I had no involvement in the original response to your request.

Background

On 14 June 2016 you wrote to the Department requesting:

...all the information your department holds on the bankruptcy policy that councils are required to have for their staff to refer to prior to applying for a bankruptcy petition, and whether it is considered to be maladministration not to have a policy in place

On 11 July 2016 my colleague Ashwin Jolly wrote to you advising you that the information you had requested was not held by the Department.

Request for review

On 12 July, you contacted the Department, requesting an internal review, writing:

How is it possible that the DCLG do not hold any information when you are the government department with policy responsibility for council tax matters and are entrusted to keep them in check ?

Or are you saying that they can make it up as they go along and do not have to follow the same procedures and rules including having a debt recovery policy for bankruptcy etc . Are the people really at the mercy of rogue council's ?

Appeal Officer's response

Section 1(1) of FOIA grants a general right of access to information held by public authorities. Any person making a request for information to a public authority is entitled—

- a) To be informed in writing by the public authority whether it holds information of the description specified in the request, and
- b) If that is the case, to have that information communicated to him.

On 11 July, Mr Jolly advised you that the information you had requested was not held by the Department. This response clearly met the requirements of s.1(1)(a) of FOIA.

Conclusion

Having reviewed this case, I have concluded that the Department met its obligations under the terms of FOIA and that you have received all that you are entitled to under that legislation, namely confirmation that the requested information is not held by the Department. Bankruptcy policy is the responsibility of the Department for Business, Innovation, and Skills, and they may hold the information you have requested. They can be contacted as below:

business.innovation.skills@hmail.gov.uk

If you are unhappy with the outcome of this internal review, you can ask the independent Information Commissioner to investigate. The Information Commissioner can be contacted at email address complaints@ico.org.uk or use their online form at ico.org.uk/concerns or call them on 0303 123 1113.

Yours sincerely

¹⁰
Ben Heathcote
Lead FOI Business Partner - Finance and Corporate Services

Department for Communities and Local Government
Fry Building,
2 Marsham Street,
London,
SW1P 4DF

Email: business.innovation.skills@hmail.gov.uk