



CHARITY COMMISSION
FOR ENGLAND AND WALES

BY EMAIL ONLY

request-659855-
849be2ec@whatdotheyknow.com

Charity Commission
PO Box 211
Bootle
L20 7YX

T:

Your ref:
Our ref: C-518838

Date: 14th May 2020

Dear Mr Ahmad

Your Freedom of Information request response

Thank you for your letter received 19th April 2020 in which you requested the following information.

“Have the past and present trustees of the Central Gurdwara been investigated to check whether they have been gifted vehicles by the Virdee Foundation?”

Your request for information has been processed under the provisions of the Freedom of Information Act 2000 (FOIA).

We are unable to provide you with information relevant to your request as it is considered that the exemption at Section 12(1) of the Act applies. Section 12(1) states:

“Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.”

The cost of compliance for central government departments, including the Commission, is set at £600. This represents the estimated cost of one person spending 24 hours (or 3.5 working days) in identifying whether the Commission holds the information, and locating, retrieving and extracting that information.

We estimate that it will take in excess of 24 hours to comply with your request and therefore your request will not be processed further.

In calculating the cost of compliance, we have estimated that it will take at least 93 hours to:

On track to meet your deadline?

Visit www.gov.uk/charity-commission for help
on filing your annual return and accounts

t: 0300 066 9197 (General
enquiries)

w: www.gov.uk/charity-commission

- determine whether the information is held;
- locate the information, or a document containing it;
- retrieve the information, or a document containing it; and
- extract the information from a document containing it.

for each of the (at minimum) 1,117 items held by the Commission in scope of your request, spending an average of five minutes on each document.

Section 16 FOIA – duty to provide advice and assistance

Public authorities have a duty to provide advice and assistance to individuals making requests for information under FOIA under s16 of the Act. S16 states:

“(1) It shall be the duty of a public authority to provide advice and assistance, so far as it would be reasonable to expect the authority to do so, to persons who propose to make, or have made, requests for information to it.

(2) Any public authority which, in relation to the provision of advice or assistance in any case, conforms with the code of practice under section 45 is to be taken to comply with the duty imposed by subsection (1) in relation to that case.”

The information held by the Commission in scope of your request dates from 2005 to the date of your request. If you were to refine your request by reducing the timescale, for example by requesting information between two dates you consider when we are likely to hold such information to reduce the request under the time limit, we may be able to look at your request again. Please note that any revised request we receive will be treated as a new request.

Please also note however, I cannot guarantee that future requests might not engage other exemptions from FOIA such as s31(1)(g) Law Enforcement or s40(2) Third Party Personal Data.

Yours sincerely

Ms Jan Provost (Information Rights and Complaints Manager)

If you think our decision is wrong, you can ask for it to be reviewed. Such requests should be submitted within two months of the date of our response and should be addressed to the Charity Commission at PO Box 211, Bootle, L20 7YX (email: RIGA@charitycommission.gov.uk). More information about our Freedom of Information Act review service can be found on the following link to our website:

<https://www.gov.uk/government/organisations/charity-commission/about/complaints-procedure>.

If you are not satisfied with the internal review, you can appeal to the Information Commissioner. Generally, the ICO cannot make a decision unless you have exhausted our review procedure. The ICO can be contacted at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF (email: casework@ico.org.uk).