



CHARITY COMMISSION
FOR ENGLAND AND WALES

Ali Ahmad – by email only: request-659855-849be2ec@whatdotheyknow.com

Charity Commission
PO Box 211
Bootle
L20 7YX

Your ref:
Our ref: C-520983

Date: 23 June 2020

Dear Ali Ahmad

Freedom of Information Review: THE CENTRAL GURDWARA (BRITISH ISLES) LONDON
KHALSA JATHA : 258324

Thank you for your email requesting an internal review of our decision reached in your recent request for information under the Freedom of Information Act 2000 (“the Act”) regarding the above charity.

I have taken forward your request for a review and can confirm I have had no involvement in the decisions reached in your original request for information.

Background

You emailed the Commission 19 April 2020 and asked the Commission:

“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 was responded to on 14 May and you were advised that we were unable to provide you with the information as it was considered the exemption at Section 12 of the Act was applicable to your request.

You were advised that Section 1(1) places no obligation on a public authority to comply with a request for information if the cost of complying with the requests exceeded the appropriate limits.

The appropriate limit for government departments is currently set at £600, representing the estimated cost of one person spending 24 hours (3.5 working days) to identify whether the information was held and where and retrieving and extracting that information.

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

It was estimated that it would take in excess of 24 hours to comply with your request and that consequently your request would not be processed further.

It was explained how we had estimated that your request would exceed the cost limits as it would take at least 93 hours to determine if the information was held for each of the (at minimum) 1,117 items held by the Commission which may be in scope of your request.

Under Section 16 of the Act you were advised that the information held in scope of your request dated from 2005 to the date of your request. If you refined your request, perhaps by reducing the timeframe for the information requested we may be able to look at your request again. This would however be treated as a new request and as such may be subject to further exemptions under the Act.

Decision Review

You emailed the Commission further to this 1 June 2020 requesting a review of the decisions reached in your case.

I have looked again at your original request and uphold our decision to apply the exemption at Section 12 of the Act to your request.

I find you were advised correctly that it would take at least 93 hours to examine the 1, 117 (minimum) items held by the Commission to determine whether the information is held; locate the information, or a document containing it; retrieve the information or document containing it; and extract the information from a document containing it.

In your request for a review you have stressed your concern that the Commission is not ensuring that charity funds are being appropriately used and we are hiding behind costs of providing details for FOI requests.

As you are aware the Commission is currently conducting a Statutory Inquiry into the charity. Please be assured that the Inquiry will be looking at all aspects of the charity's governance, including its financial management. Details of the scope of this Inquiry can be found [here](#)

In conclusion the review of your Freedom of Information request finds that the Section 12 exemption was properly applied to the information you requested 19 April 2020.

This concludes my consideration of your request for a review of our response to your original request for information.

Yours sincerely

Katherine O'Hare
Information Rights and Complaints Manager
Charity Commission

Next Steps

If you remain unhappy with our decision made under the Freedom of Information Act, you may apply directly to the Information Commissioner (ICO). The ICO can be contacted at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF (email: casework@ico.org.uk.)