



London Borough of Barnet,  
2 Bristol Avenue,  
Colindale,  
London NW9 4EW  
11 March 2020  
Our ref: 6091688

Thank you for your request received on 13 February 2020, for the following information:

**Please advise how many hours would be considered a cost-effective use of the Council's resources to reply to my questions. I would also appreciate being advised which officer(s) provided the answers given in the response (ref: 5746972) and their role/job title within the Local Authority.**

**I asked for an explanation of the outcomes listed as "not upheld", "partially upheld" & "upheld", in the context of Section 23 (Putting things right) of the Council's Corporate Complaints Policy. I had hoped that clarification of the terms would help me understand what the Council had done to "put things right" in the Planning complaint cases made in 2016/2017.**

**I am sure you will be familiar with Section 23 which sets out what the Council will do when a mistake is made. The terms "partially upheld" and "upheld" used in the Complaints list do not make it clear if the Council acknowledged that it made a mistake, if it apologised for making the mistake, if it explained why things went wrong, if it explained what would be done to prevent the same mistake happening again, what the Council would do to put the customer back in the position before the fault occurred, whether compensation was paid, or whether specific action was taken.**

We have processed this request under the Freedom of Information Act 2000.

## **Response**

The council holds the information requested and it is attached/ the answers to your questions are below

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Section 12 of the Freedom of Information Act allows public authorities to refuse to answer requests for information if the cost of complying would exceed the 'appropriate limit' prescribed in the Fees Regulations (SI 2004/3244). Under the Act there are provisions which allow public authorities the option of issuing a fees notice for additional time taken over and above the 18 hours, but the London Borough of Barnet policy is not to charge for requests so this option is not available.

Therefore the limit per request is 18 hours effort respectively, based on £25/hour.

The Regulations only allow some costs to be counted. Specifically, the costs it incurs in:

- (a) determining whether it holds the information,
- (b) locating the information, or a document which may contain the information,
- (c) retrieving the information, or a document which may contain the information, and
- (d) extracting the information from a document containing it.

and if those costs are attributable to the time people spend on those activities, they must be charged at £25/hr (whatever the staff time actually costs).

The Council is required to explain how it arrived at the calculation, and to give advice and assistance as to how the request might be narrowed down to bring the request under 18 hours.

If you are dissatisfied with the decision to apply an exemption for any reason you can request an internal review.

The Corporate Complaints Manager, George Tsangari, who supplied detailed assessment of the time it would take to determine, locate receive and extract the information from the complaints case management database (Lagan) and Richard Carter, Information Management Officer in the Information Management team of the Assurance Group in the London Borough of Barnet who provided advice on the application of Information rights legislation, together determined whether the exemption was engaged and responded to the request. Richard Carter drafted and sent the response to your information request (ref: 5746972).

## **Further information**

If you are interested in the data that the council holds you may wish to visit Open Barnet, the council's data portal. This brings together all our published datasets and other information of interest on one searchable database for anyone, anywhere to access. <http://open.barnet.gov.uk/>

## **Advice and Assistance : Direct Marketing**

If you are a company that intends to use the names and contact details of council officers (or other officers) provided in this response for direct marketing, you need to be registered with the Information Commissioner to process personal data for this purpose. You must also check that the individual (whom you wish to contact for direct marketing purposes) is not registered with one of the Preference Services to prevent Direct Marketing. If they are you must adhere to this preference.

You must also ensure you comply with the Privacy Electronic and Communications Regulations (PECR). For more information follow this Link [www.ico.org.uk](http://www.ico.org.uk)

**For the avoidance of doubt the provision of council (and other) officer names and contact details under FOI does not give consent to receive direct marketing via any media and expressly does not constitute a 'soft opt-in' under PECR.**

### **Your rights**

If you are unhappy with the way your request for information has been handled, you can request a review within the next 40 working days by writing to the Information Management Team at: [foi@barnet.gov.uk](mailto:foi@barnet.gov.uk). Or by post to Information Management Team (FOI) London Borough of Barnet, 2 Bristol Avenue, Colindale, NW9 4EW

If, having exhausted our review procedure, you remain dissatisfied with the handling of your request or complaint, you will have a right to appeal to the Information Commissioner at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF (telephone: 0303 123 1113; website [www.ico.org.uk](http://www.ico.org.uk)). There is no charge for making an appeal.