

FREEDOM OF INFORMATION ACT 2000

Thank you for your letter dated 11th December addressed to Anthony Cross. I have been passed your Freedom of Information request to respond to as the Council's Information Governance Manager. Your request for information has now been considered and the Council's response to your questions is shown below.

You asked what endeavours, if any, had Leicester City Council used to ensure that its employees and officers refrain from making adverse or derogatory comments, as required by Clause 8 of the COT 3 agreement. You also asked what steps Leicester City Council had taken to mitigate the effects of the adverse and derogatory comments that appeared on the Leicester Mercury web site, dated 22nd, 24th and 26th October 2012 by an officer of the City Council.

Please be advised that the information you requested is not held by Leicester City Council under the Freedom of Information Act. The Act covers all recorded information held by a public authority. There is no recorded information relevant to your request. The Act does not cover information that may be known by the Authority but is not recorded. We only have to provide information we already have in recorded form, and do not have to create new information or find the answer to a question from staff who may happen to know it. Therefore, this letter acts as a refusal notice under section 17.1 of the Freedom of Information Act 2000 because, in accordance with this section of the Act, this information is not held.

If you are dissatisfied with the handling of your request please write to:

**Information Governance Manager
Information and Customer Access
Leicester City Council
FREEPOST (LE985/33)
New Walk Centre
LEICESTER LE1 6ZG
e-mail: info-requests@leicester.gov.uk**

Your request for internal review should be submitted to the above address within 40 (forty) working days of receipt by you of this response. Any such request received after this time will only be considered at the Council's absolute discretion.

You can also complain to the Information Commissioner at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow SK9 5AF
Telephone: 01625 545 700
www.informationcommissioner.gov.uk

Please be aware that the Information Commissioner does not normally consider appeals or complaints until the internal appeals and complaints processes of the public authority which is answering the request have been exhausted. You are therefore advised to complain or appeal to the Information Governance Manager before contacting the Commissioner.