



**IN THE MATTER OF AN APPEAL TO THE FIRST TIER TRIBUNAL
(INFORMATION RIGHTS)
UNDER SECTION 57 OF THE FREEDOM OF INFORMATION ACT 2000**

EA/2013/0249

B E T W E E N:-

ROTHERHAM METROPOLITAN BOROUGH COUNCIL

Appellant

-and-

THE INFORMATION COMMISSIONER

Respondent

CONSENT ORDER

BY CONSENT:

1. A requester sought details of the Appellant's IT health checks for the years 2011; 2012 and 2013. The requester later clarified that he would accept a schedule setting out (i) what tests were carried out; (ii) when those tests were carried out as well as summary information setting out (iii) the number of security issues found; (iv) the severity of those issues and (v) some broad indication as to which areas those issues related.
2. The Council claimed section 38 applied to the reports in their entirety. The Commissioner found that section 38 was not engaged.

3. Following further discussions between the Appellant and Respondent on appeal; the Appellant agreed to the disclosure of high level summary information.
4. Although the requester was not joined as a party to this appeal; the requester was provided with the above summaries. The parties have not received any response from the requester following disclosure of the summaries.
5. The Commissioner is satisfied that the disclosure of the high level summaries meet the terms of the Appellant's request as set out at 1(i) to (v) above.
6. Accordingly, the Appellant and Respondent agree to dispose of this appeal by consent.
7. There be no order as to costs.

Judge NJ Warren
Chamber President

20 May 2014