



**FIRST-TIER TRIBUNAL
GENERAL REGULATORY CHAMBER**

Appellant: J.R. Nicholson	Tribunal Ref: EA/2014/0049
First Respondent: Information Commissioner	
Second Respondent: Council for the Curriculum Examinations & Assessment	

DECISION NOTICE

1. By consent, this decision notice replaces the one issued by the Information Commissioner on 4 February 2014 (FS50491929).
2. The Tribunal is led to understand that the parties have agreed terms in writing and the First Respondent hereto also agrees to the terms. See attached the terms signed by the parties.

Signed:	Brian Kennedy Q.C.	Date:	15 September 2014
	Judge		

**IN THE MATTER OF AN APPEAL TO THE FIRST TIER TRIBUNAL
(INFORMATION RIGHTS)**

UNDER SECTION 57 OF THE FREEDOM OF INFORMATION ACT 2000

EA/2014/0049

BETWEEN:-

JAMES NICHOLSON

Appellant

-And-

THE INFORMATION COMMISSIONER

First Respondent

-And-

THE COUNCIL FOR

THE CURRICULUM, EXAMINATIONS & ASSESSMENT

Second Respondent

In order that appeal EA/2014/0049 be disposed of, the appellant and second respondent agree that the First Tier Tribunal may make an order including the following terms:

That the CCEA will provide the appellant with a signed letter from the Lead Systems Engineer of the CCEA ICT Department confirming that:

- all email stored in the inbox / outbox of [REDACTED], and info@ccea.org.uk as at the last operational day of May, June, July, August and September 2012 (inclusive) has been recovered and made available to the CCEA Information Officer;
- that all email stored in the inbox / outbox of Martin Quinn as at the last operational day of June, July, August and September 2012 (inclusive) has been recovered and made available to the CCEA Information Officer; and
- that all email stored in the inbox / outbox of Gavin Boyd as at the last operational day of June and July 2012 (inclusive) has been recovered and made available to the CCEA Information Officer.

That the CCEA Information Officer will conduct searches based upon the recovered information referred to above for information held at the date of the appellant's request and falling within the following categories of information:

1. the eleven (11) entries made under the heading *Nature of comment* contained on the Comments Log at pages 74-77 of the Open Bundle;
2. any responses to the senders of the 11 entries referred to at 1 above; and
3. any email forwarding (which includes an email conveying the information without use of the 'Forward' function) the 11 entries referred to at 1 above.

That the CCEA Information Officer will also conduct searches based upon the recovered information referred to above for information held at the date of the appellant's request and falling within the following category of information:

4. Communications relating to comments from the appellant submitted by email as follows:

24 May 2012	To Nuala Branniff (copied to [REDACTED] (M1);
2 June 2012	To Martin Quinn (C1 and C4);
12 June 2012	To Martin Quinn (3 emails: GCSE / Additional Maths / A-Level (S1);
26 June 2012	To Martin Quinn (M4 and S2);
27 June 2012	To Gavin Boyd

On conclusion of the searches referred to above, and no later than 31 October 2014, the CCEA Interim Director of Business Assurance and ICT will provide the appellant with a signed letter confirming or denying the existence of information held at the date of the appellant's request falling within the categories of information set out above, together with all information falling to be disclosed as a result of those searches,

SIGNED: _____
On behalf of the appellant

SIGNED: _____
On behalf of the
first respondent
Information Commissioner

SIGNED: _____
On behalf of the second respondent CCEA

DATED this 27th day of August 2014