

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

Appeal No. EA/2011/0008

BETWEEN:-

KAREN HEATH

Appellant

And

THE INFORMATION COMMISSIONER

Respondent

And

THE AUDIT COMMISSION

Second Respondent

Consent Order

UPON all parties accepting that the Appellant's request was seeking guidance provided by the Audit Commission to participants on how to interpret the output arising from the comparison of the full electoral register and council tax data as referred to in the statutory Code of Data Matching Practice.

AND UPON noting that

a) the Parties acknowledge that in decision notice FS50277167 issued by the Information Commissioner (the 'Decision Notice') the references to the Code of Data Matching Practice are incorrect as the Code is available to the public and does not contain the information requested by the Appellant;

b) the Second Respondent believes that the Decision Notice is inaccurate in its description of the statutory role of the Audit Commission at paragraph 2. It asserts that it is not correct to say that the Audit Commission 'has powers to collate and match varying data, of those claiming the discount, to indicate whether the claim is being made on a fraudulent basis'. It believes that a 'match' only indicates that there may be an inconsistency.

AND UPON the requested information having been provided to the Appellant following a renewed request made following a directions hearing in this appeal;

Pursuant to rule 37(1) of the Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009,

IT IS ORDERED BY CONSENT THAT:

1. The appeal is withdrawn.
2. There be no order for costs.

October 28 2011

Dated this day of October 2011

Signed:

Appellant

Signed:

For the Information Commissioner (the Respondent)

Signed:

For the Audit Commission (the Second Respondent)