



**FIRST-TIER TRIBUNAL  
GENERAL REGULATORY CHAMBER  
Information Rights**

**Tribunal Reference:** EA/2012/0222  
**Appellant:** Steve Smith  
**Respondent:** The Information Commissioner  
**Judge:** NJ Warren

**DECISION NOTICE**

1. Mr Smith is anxious to obtain his son's GCSE results from about five years ago. This is the result he seeks from the Tribunal.
2. The Information Commissioner's Office (ICO) states that the decision notice under appeal deals only with the question of whether the Department for Education had responded to a request he made within the statutory time limit. Any challenge to the merits of the Department for Education's response must be made after first requesting an internal review.
3. Looking at the matter more widely, there are no grounds for supposing that the Department for Education holds the information which Mr Smith seeks.
4. Whether one takes a narrow view or a broad view, in my judgement, the appeal has no reasonable prospect of success and it would be no favour to Mr Smith to allow it to continue.
5. I therefore strike it out.

**(Signed on the original)**

**NJ Warren  
Chamber President**

**Dated 4 January 2013**