

Response to Request for Information

Reference FOI 002859
Date 12 October 2018

Food Allergy

Request:

Under the Freedom of Information Act 2000, Please tell me:

How many times have you had complaints after someone has had an allergic reaction to food or drink in a food or drink outlet in your area in:

- 2017-2018
- 2016-2017
- 2015-2016

For each instance please let us know:

- What reaction the person buying the food or drink had?
- Was it down to mislabelling or inadequate labelling?
- Was it down to contamination?
- What was the food or drink that was bought?
- What outlet it was bought from?
- The date it was bought?
- What was the ingredient missed off of/misrepresented on the food or drink's labelling?
- What action was taken by trading standards?
- Did the instance result in the death of the person who consumed food/drink?

Your request for information has now been considered and the City of Wolverhampton Council is not obliged to supply the information you requested for the reasons set out below.

Section 17 of the Freedom of Information Act 2000 requires City of Wolverhampton Council, when refusing to provide such information (because the information is exempt) to provide you, the applicant with a notice which:

- (a) states the fact,
- (b) specifies the exemption in question and
- (c) states (if that would not otherwise be apparent) why the exemption applies:

In relation to your particular request, the following exemption applies:

Section 12 - Exemption where cost of compliance exceeds appropriate limit

We can confirm that the Council holds information falling within the description specified in your request. However, Section 12 of the Freedom of Information Act 2000 allows a public authority to refuse a request if the cost of providing the information to the applicant would exceed the 'appropriate limit' as defined by the Freedom of Information.

The Regulations provide that the appropriate limit to be applied to requests received by local authorities is £450 (equivalent to 18 hours of work). In estimating the cost of complying with a request for information, an authority can only take into account any reasonable costs incurred in:

- (a) *Determining whether it holds the information,*
- (b) *Locating the information, or a document which may contain the information,*
- (c) *Retrieving the information, or a document which may contain the information,*
and
- (d) *Extracting the information from a document containing it.*

For the purposes of the estimate the costs of performing these activities should be estimated at a rate of £25 per hour.

The information appertaining to your request is not easily accessible and as such this information is not held as a distinct set able to be retrieved or reported on. The service receives in the region of 135 service requests per annum and in order to get the information would require a full scale look into all individual records. This would be a manual exercise and as such we believe that the aggregated time it would take to collate the information would be in excess of 18 hours (equivalent to a notional cost of £450).