



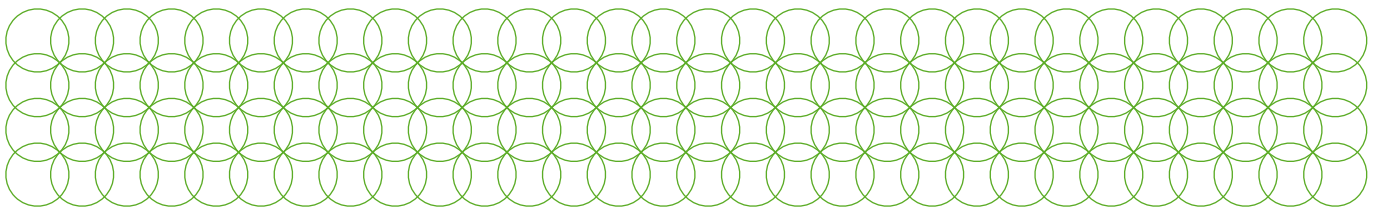
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# Freedom of Information Act 2000

Third **Annual Report** on the operation of the  
FOI Act in Central Government 2007

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June 2008







Ministry of  
**JUSTICE**

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FOI Act in Central Government 2007

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This publication is also available on the Ministry of Justice website at  
[www.justice.gov.uk](http://www.justice.gov.uk)



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## Foreword



Freedom of Information has entered its fourth successful year. This landmark piece of legislation continues to deliver real benefits for people. Central government bodies received nearly 33,000

requests for information in 2007. The volume and diversity of the information requested, mainly from private individuals, reflects the issues that affect people's lives, and is evidence that genuine access to information matters to those who use public services.

The flow of information between the government and people is fundamental to a vigorous and robust democracy. Information empowers people. It helps people to understand how and why policy is made and how public money is spent. This is key to the ongoing evolution of a more approachable, transparent and accountable Government that engages with those it serves. At the same time, there is information which in the public interest should not be released, and this is reflected in the structure of the Act, with some absolute exemptions and many qualified exemptions to release.

2007 was an eventful year for Freedom of Information. The Government announced that the fees regime would remain unchanged, and that we would consult on extending the Act to cover not just public authorities but those organisations carrying out functions of a public nature too. Increased openness in relation to historical records is also being considered by an independent review chaired by Paul Dacre, Editor-in-Chief, Associated Newspapers.

Looking further into the future, the Ministry of Justice is starting a programme of work to improve how Freedom of Information is delivered right across the public sector. This will complement the already excellent work being done in the vast majority of public authorities on enabling straightforward and speedy access to government information.

Freedom of Information is an intrinsic part of the landscape of government, a key facet of the relationship between citizen and state. More information about the decisions taken in the name of the public and the work done on your behalf is available than ever before. The Prime Minister said in his speech on Liberty last October that, "Freedom of Information can be inconvenient, at times frustrating and indeed embarrassing for governments. But Freedom of Information is the right course because government belongs to the people, not the politicians." This is the right course, and a course upon which we will remain set. 2007 has been a year of positive achievements, and I have every faith 2008 will prove to be the same.

A handwritten signature in black ink, appearing to read 'Jack Straw', written in a cursive style.

**Rt Hon Jack Straw MP**  
Lord Chancellor and  
Secretary of State for Justice

## Executive Summary

The Freedom of Information Act 2000 (the Act) came into force on 1 January 2005. The Act makes provision for the disclosure of information held by public authorities and aims to enable greater transparency, accountability and engagement, which are key components of the Prime Minister's Parliamentary statement of July 2007 on Constitutional Reform, and a significant part of the focus of his speech on Liberty in October 2007.

The Act applies to over 100,000 public authorities. These include central government departments, local authorities, schools, colleges and universities, the health service, the police and a range of other public bodies.

This report provides information and statistics about the handling of all 'non-routine' information requests received by central government in 2007.

The report comprises three parts:

The **first part** sets out central government's performance in handling requests for information under the Freedom of Information Act. Key findings include:

- In 2007, monitored central government bodies received a total of 32,978 non-routine FOI and EIR requests in 2007 – a 2% reduction on the number received in 2006. The EIRS are Environmental Information Regulations. They give certain rights of access to environmental information. More on EIRS can be found on Defra's website: <http://www.defra.gov.uk/corporate/opengov/eir/index.htm>
- The number of requests received averaged just over 8,000 per quarter. Requests were almost evenly split between Departments of State and other monitored bodies.

- The total percentage of requests that received a substantive response inside the 20 working-day limit was 84%, while 7% of requests were subject to a Public Interest Test extension.
- The proportion of resolvable requests that were granted in full in 2007 was 63%. The proportion of resolvable requests that were fully withheld was 20%.
- Of the 32,978 requests received, 4% were subject to a fee being levied. Of these, over 99% were in relation to requests received by The National Archives. The average value of paid fees was £57.
- One or more exemptions were applied to 6,715 requests in 2007. The most commonly applied exemptions were under sections 30 ("investigations and proceedings conducted by public authorities"), 40 ("relating to personal information"), and 41 ("information provided in confidence"), however, the profile of exemption usage differed between Departments of State and other monitored bodies.
- A total of 857 Internal Reviews were requested across all monitored bodies in relation to information requests received in 2007, on the grounds that some or all of the requested information was withheld.
- There were 222 appeals made to the Information Commissioner's Office (ICO) relating to the refusal of information requests by monitored bodies in 2007 – a reduction on the 384 made in 2006.

The **second part** of the report documents key trends in Freedom of Information; developments specific to the legislative framework governing the Act, with a focus on case law; publications and outreach work, with

a focus on workshops and seminars held, as well as responses published and consultations launched in 2007; and the outlook for Freedom of Information in 2008.

The **third part** of the report is comprised of eleven performance tables. These examine the volume of requests; response timeliness; request outcomes; exemptions and exceptions applied to requests; Internal Review outcomes; the duration of Internal Reviews; ICO appeal outcomes; the duration of Public Interest Test extensions; summary statistics for the period 2005-2007; and the volume of referrals to the Clearing House.

**Annex A** contains a definition of the scope of the statistics in the report. A full list of the bodies monitored by the Ministry of Justice can be found at **Annex B**.

Terms specific to the Freedom of Information Act are explained in the footnotes to the Performance Tables.

The Ministry of Justice produces quarterly bulletins containing data on how requests are handled. These bulletins can be found on the Ministry of Justice website: <http://www.justice.gov.uk/publications/freedomofinformationquarterly.htm>

## Central Government performance in figures

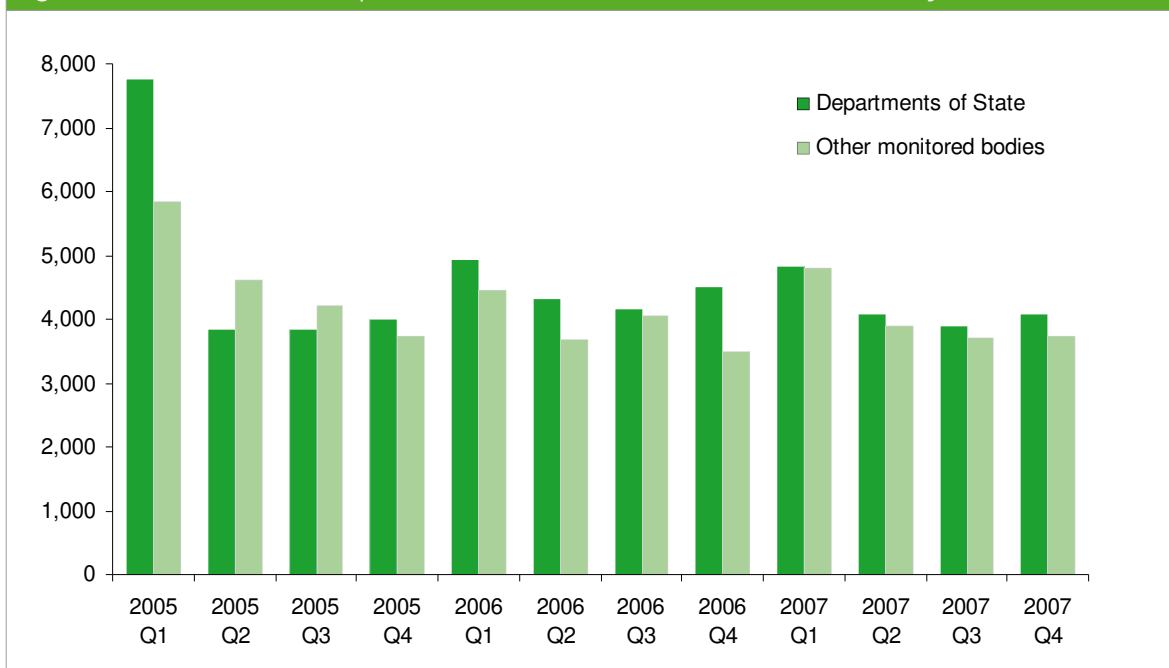
### Volume of FOI requests

Monitored central government bodies received a total of 32,978 “non-routine” FOI and EIR requests during 2007, the third year of the Act’s operation. This is 2% fewer than the 33,688 requests received in 2006.

Departments of State received 16,903 of these requests, a reduction of 6% compared to 2006. Other monitored bodies received the remaining 16,075 requests, which was 2% more than they received in the previous year.

Figure 1 shows the trends in the number of FOI/EIR requests received by Departments of State and other monitored bodies since the Act’s introduction in 2005. There was a marked initial peak in requests in the first quarter of 2005, immediately following the Act’s implementation. Since then, the number of requests received has remained relatively stable at around 8,000 per quarter. There were noticeable “jumps” in the first quarters of 2006 and 2007, which suggests that there might be a seasonal pattern to information requests, although there is insufficient data available currently to be definitive on this point.

Figure 1: Number of FOI/EIR requests received since the Act’s introduction in January 2005



## Response Timeliness

Both the FOI Act and EIRs require public bodies to respond to written requests for information within 20 working days of receipt (30 days for The National Archives), with limited exemptions and exceptions such as to allow additional time for the consideration of public interest. During 2007, 91% of requests were answered "in time", in that they either received an answer within the standard 20-day deadline or were subject to a permitted deadline extension. The total percentage of requests that received a substantive response inside the 20 working-day limit was 84%, while 7% of requests were subject to a Public Interest Test extension.

These are identical to the corresponding figures for 2006, showing that the performance of monitored bodies in providing timely responses to FOI / EIR requests has remained at a consistent level over the past two years.

The proportion of requests answered within the 20-day limit was 79% for Departments of State, compared with 90% for other monitored bodies. However, Departments of State were more than twice as likely to use the permitted extension of the 20-day deadline to allow for consideration of the balance of the public interest. As a result, the proportion of

requests answered "in time" in 2007 was more closely matched, at 89% for Departments of State and 93% for other monitored bodies. Table A shows that timeliness was consistently at these levels throughout the year.

## Outcomes of requests

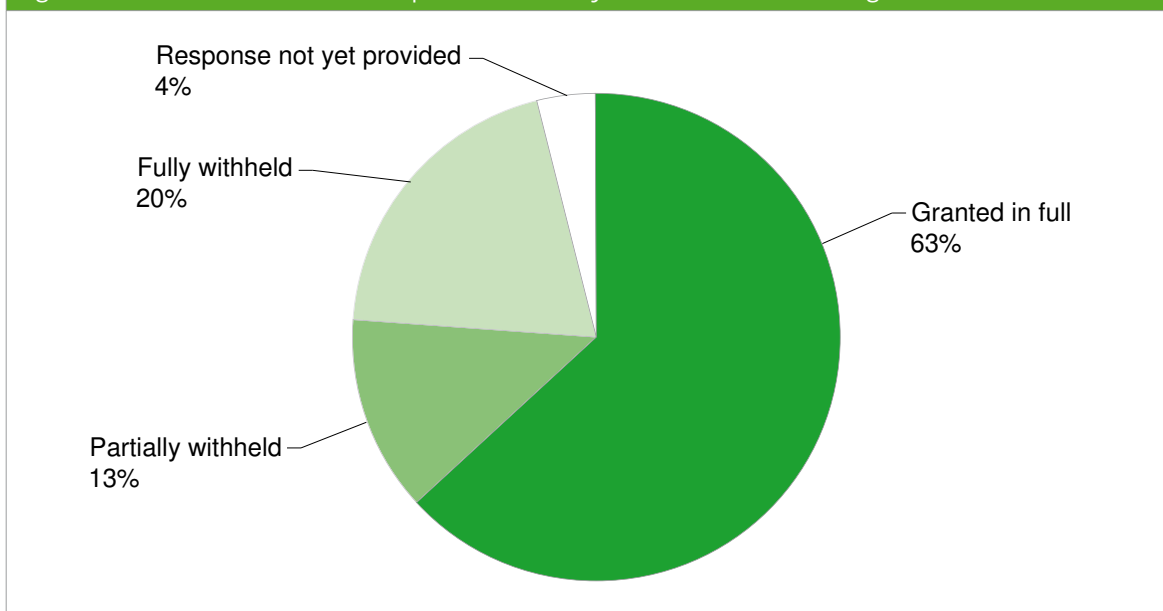
Of the 32,978 requests received by monitored bodies during 2007, at the end of the year, a total of 373 requests were on hold or had lapsed because a fee had been charged but not paid. If lapsed and on hold requests are discounted because the obligation to respond does not apply, there were 32,605 requests received during 2007 where a formal response was needed. 97% of these requests had received a response at the time of monitoring.

There were 5,332 requests in 2007 which sought information that was not held by the Government department in question, and 2,452 requests which were responded to with requests for clarification ('advice and assistance') because the body handling the request needed further information in order to identify the information being sought. As a result, the remaining 24,821 requests were assumed to be "resolvable", in that it was possible to give a substantive decision on whether to release the information being sought.

Table A: Quarterly response timeliness performance for FOI/EIR requests received by monitored bodies

		Q1 2007	Q2 2007	Q3 2007	Q4 2007
Departments of State	Response within 20 working days	79%	79%	81%	78%
	Response 'in time'	89%	88%	91%	88%
Other monitored bodies	Response within 20 working days	90%	90%	89%	89%
	Response 'in time'	94%	94%	92%	93%
All monitored bodies	Response within 20 working days	84%	84%	85%	83%
	Response 'in time'	91%	91%	92%	90%

Figure 2: Outcomes of resolvable requests received by monitored bodies during 2007



Of the “resolvable” requests received during the year, 63% were granted in full, 13% were withheld in part and 20% were withheld in full. The remaining 4% of “resolvable” requests had not yet received a substantive response at the time of monitoring.

Table B shows the quarterly proportion of “resolvable” requests which were granted in full by Departments of State and other monitored bodies during the year. Following the Act’s introduction in January 2005, the percentage of resolvable requests in response to which all information was released in full has consistently remained around 60%.

Table B: Proportions of ‘resolvable’ requests granted in full by monitored bodies

	Q1 2007	Q2 2007	Q3 2007	Q4 2007
Departments of State	58%	59%	57%	60%
Other monitored bodies	68%	63%	58%	60%
All monitored bodies	63%	61%	58%	60%

Note: These quarterly figures do not fully reflect the proportion of requests that were granted over the course of the whole year. This is because the quarterly request outcome figures do not count those requests which were still being processed at the time of data collection, but which were later responded to in time for inclusion in the annual figures.

## Use of fees

The FOI Act makes provision (at Section 9) for public authorities to charge a fee for providing information requested under the Act. Authorities can charge a fee both for those requests that would cost more than the 'appropriate limit' to handle and for certain disbursements that are incurred when handling a request. Full guidance on fees and what public authorities are permitted to charge for can be located on the MOJ website at <http://www.justice.gov.uk/guidance/guidancefoi.htm>

Of the 32,978 requests received by monitored bodies during the year, 1,247 (4%) were subject to a fee being levied by the authority providing the information. For 874 of these requests (70%), the fee had been paid and the request processed, while a further 43 requests (3%) were "on hold" awaiting fee payment. The remaining 330 requests (26%) were deemed to have "lapsed" because the fee was not paid within the required deadline.

The total fees received by monitored bodies for answering FOI / EIR requests during 2007 was £49,919, and the average value of paid fees was £57.

The only monitored body to charge fees for FOI / EIR work as a matter of routine is The National Archives (TNA), which charges for carrying out research into documents. The fees that TNA charged accounted for over 99% of all fee charged requests in 2007, and over 98% of all fee monies received. TNA operates a separate fees regime, for the purposes of research, under section 19 of the FOI Act. Without a separate fees regime there would be a danger that users of TNA would exploit the FOI Act to require TNA to undertake extensive research in a manner that would impede its ability to function. Apart from TNA, it was extremely rare for monitored bodies to charge fees for responding to FOI requests. There were only six such requests in total during 2007 across all the other monitored bodies, meaning that less than one request

in a thousand incurred a fee if The National Archives' requests are excluded.

## Use of exemptions and exceptions

Under the FOI Act, a public authority can only refuse to provide requested information that it holds if:

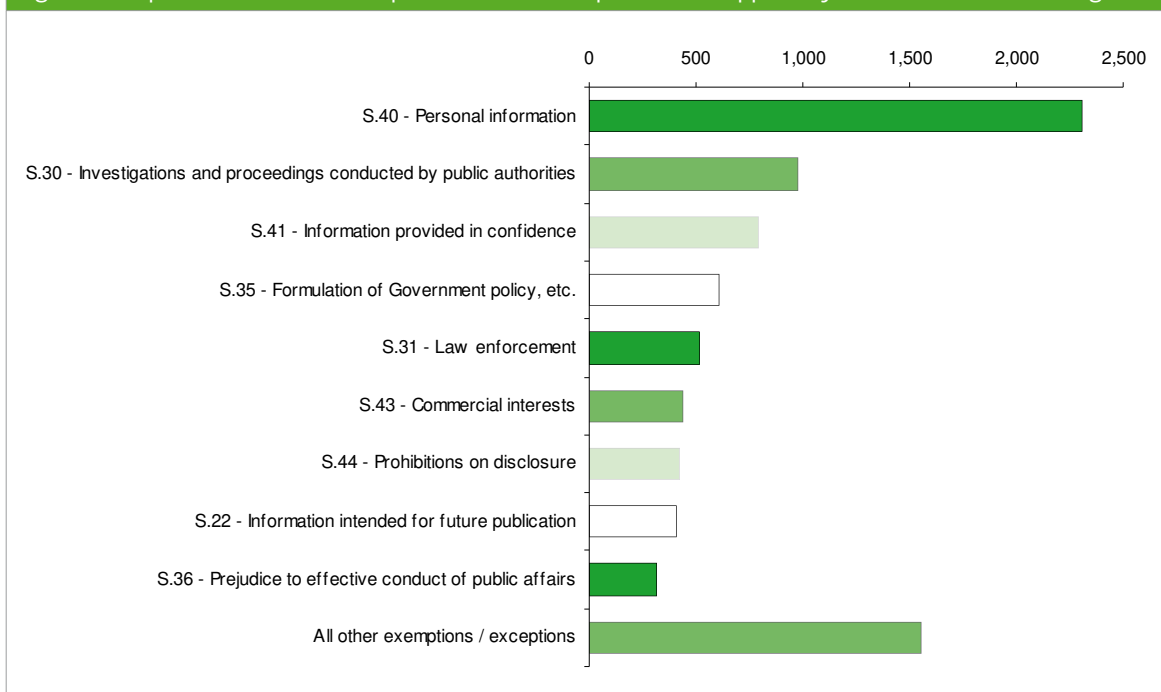
- The request is considered vexatious or repeated;
- The cost of compliance would exceed the "appropriate limit";
- A fee charged under the provisions of section 13 of the Act is not paid;
- The information falls in one or more of the categories of exempt information ("exemptions") listed in Part II of the Act.

In relation to the final point, there are similar arrangements that apply to certain types of information under the EIRs. These list a number of "exceptions to the duty to disclose environmental information" in Part 3 of the Regulations.

One or more of these exemptions or exceptions was applied to a total of 6,715 requests across all monitored bodies during 2007. The most commonly applied exemptions or exceptions were those listed at section 40 of the FOI Act ("relating to personal information"), which was applied to 2,307 requests, section 30 ("investigations and proceedings conducted by public authorities"), which was applied to 977 requests, and section 41 ("information provided in confidence") which was applied to 796 requests). Figure 3 illustrates the profile of exemption and exception usage across all monitored bodies during 2007.

The profile of exemption usage differed between Departments of State and other monitored bodies, and reflects the different functions that these bodies perform.

Figure 3: Requests where FOI exemptions and EIR exceptions were applied by monitored bodies during 2007



Departments of State were more likely than other monitored bodies to have applied section 35 (“formulation of government policy”), section 36 (“prejudice to effective conduct of public affairs”) and section 23 (“information supplied by, or relating to, bodies dealing with security matters”). Similar trends have been seen in previous years, and these reflect the role of Departments of State at the centre of government policy-making.

Other monitored bodies were more likely than Departments of State to use the following exemptions to the requirement to release information: section 30 (“investigations and proceedings conducted by public authorities”) and section 44 (“prohibitions on disclosure”). This reflects the roles of the other monitored bodies, either as regulators or as administrative bodies whose roles and functions are prescribed in legislation.

### Duration of public interest test extensions

Under some exemptions of the FOI Act, defined as ‘qualified exemptions’, a public authority receiving an information request is required to consider whether or not the public interest in disclosing the information outweighs the public interest in withholding it. The assessment of the balance of the public interest is a complex matter. The starting point is considering if there is a general public interest in disclosure. However, the right to know must be balanced against the need to enable effective government. Therefore, for each qualified exemption, there may be particular public interest considerations in favour of refusing the request.

Under the Act, a public authority is permitted to extend the 20-day time limit for responding to requests, in order to make these considerations.

Of the 1,776 requests received by monitored bodies in 2007 where a statutory extension was applied to the response deadline for which data are available, 1,456 had been

processed in full by the time of monitoring. Of these, 48% completed the public interest test consideration in twenty working days or less, while 26% took longer than 40 working days to complete. These percentages are very similar to the comparable figures for 2006. Some monitored bodies were not able to provide information on the duration of deadline extensions. The above statistics may, therefore, not be reflective of the situation across all monitored bodies.

### Internal Reviews

Applicants are able to ask a public authority for an Internal Review if they are not content with the public authority's initial decision on whether or not to release requested information; or if their application was not dealt with within twenty working days; or if they felt that an exemption was wrongly applied or a fee wrongly charged. This process should be a fair and thorough review of the initial decision.

Across all monitored bodies, a total of 857 Internal Reviews were reported as having been requested in relation to information requests received during 2007 on the grounds that some or all of the requested information was originally withheld. This is slightly lower than the number in the previous year (1,085). The outcomes of 654 of these Internal Reviews were known at the time of monitoring. The initial handling of the request under review was upheld fully in 74% of these cases, and upheld partially in a further 15% of cases. In the remaining 11%, the requester's complaint was upheld and the initial handling of the request was overturned at the Internal Review stage.

Departments of State were more likely to receive Internal Reviews than other monitored bodies. Departments of State received 39 Internal Reviews per 1,000 information requests received during 2007, compared to 12 Internal Reviews per 1,000 requests among other monitored bodies. The proportion of

Internal Reviews where the initial request handling was upheld in full was the same for both Departments of State and the other monitored bodies (74%).

The Code of Practice issued under Section 45 of the FOI Act states that Internal Review procedures should "encourage a prompt determination of the complaint". Simple reviews should aim to be dealt within twenty working days of receiving the complaint. Complex reviews, particularly where it is necessary to reconsider the public interest test, should aim to be dealt with within six weeks of receipt of the complaint.

In 2007, statistics were collected for the first time on the duration of Internal Reviews. Most monitored bodies were able to provide this information, but not all. This information is available for 821 of the 857 Internal Reviews. Of the 821 Internal Reviews for which data are available, 620 had been completed by the time the statistics were collected. 37% of these Internal Reviews took 20 working days or less, and a further 30% took between 21 and 40 working days, while 19% took longer than 60 working days.

### Appeals to the Information Commissioner's Office (ICO)

If a requester has obtained an Internal Review of a public authority's response to a FOI request, but is still not satisfied with the outcome, he or she is able to make a formal appeal to the ICO. The ICO is the independent regulator of public authorities in their handling of information requests. Full details of the role of the ICO and how to make an appeal can be found on its website at: [www.ico.gov.uk](http://www.ico.gov.uk).

Formal complaints to the ICO often relate to complex and difficult issues and are not subject to any statutory time limit. Data has been collected on appeals where some or all of the information requested has been withheld from the applicant, but not for those

relating to purely procedural matters, and where the relevant body has been notified of the appeal by the ICO. They may, therefore, be different to the ICO's own figures on FOI appeals casework.

During 2007, there were 222 appeals to the ICO relating to the refusal of information requests by monitored bodies in 2007, a decrease compared to the 384 in 2006. Only 65 of these appeals had been completed at the time of monitoring. Of these, the public authority's initial handling of the request was fully upheld in 62% of cases, and was partially upheld in a further 23%. In the remaining 15% of cases, the applicant's complaint was upheld.

Of the 222 appeals to the ICO related to information requests, 186 were received by Departments of State, suggesting that Departments of State are markedly more likely than other monitored bodies to have information requests appealed. There was a similar finding in relation to Internal Reviews. The number of completed ICO appeals was too few to allow a meaningful comparison to be made between the appeal outcomes for Departments of State and other monitored bodies.

## Freedom of Information: A year in review

### Introduction

Over the past twelve months, Information Rights have maintained their position at the centre of public life. In October 2007, the Prime Minister re-affirmed the essential link between liberty, democracy, and public access to information. In addition to reiterating the Government's commitment to increased openness, he confirmed that the existing fees regulations would not be amended and announced that a review of the 30-year-rule would be carried out to determine whether records could be made available for public inspection sooner<sup>1</sup>.

The Ministry of Justice leads the Government's work in this area. Created in May 2007, it subsumed the Freedom of Information responsibilities of the Department of Constitutional Affairs. We continue to provide central government and the wider public sector with guidance on compliance with the Act, promote best practice in all aspects of Freedom of Information, and provide visible leadership in Information Rights. This chapter provides a brief summary of the Ministry's achievements during the course of 2007.

### Key trends in Government

Public interest in official information remains strong. The number of requests received by the public sector has remained broadly steady. Approximately 38,000 requests to monitored bodies were made in 2005, almost 34,000 were made in 2006, and approximately 33,000 were made in 2007. There is no indication that Freedom of Information will become less popular in 2008. Government is largely meeting demand - monitored bodies replied to 91% of requests 'in time', and 84% were answered within twenty days.

Additionally, central government has developed considerable expertise in handling requests for information. We have changed procedural arrangements to reflect this fact, producing new guidance for practitioners and altering the arrangements that govern the work of the Central Clearing House.

The revised guidance is comprehensive in scope and should support the effective handling of all but the most complex requests. It is available at <http://www.justice.gov.uk/guidance/guidancefoi.htm> and offers advice on procedure and exemptions; responses to particular types of request; and best practice in proactive release. In the interim, the Clearing House has reviewed its ways of working. It now focuses its attention on those cases which require careful and consistent handling across government.

The increase in the amount of litigation before the Information Tribunal and the higher courts - a natural consequence of cases working their way through the appeals process - has been an important factor in these changes. Greater departmental autonomy - to reflect the experience and expertise in FOI in departments - was a necessary corollary of the increasing demands of appeals in the Information Tribunal and the higher courts.

Having worked closely with departments to address their capacity and capabilities to respond to requests, the programme resulted in a 50% reduction in the number of referrals to the Clearing House. Details of the new arrangements can be found at: <http://www.justice.gov.uk/guidance/foi-procedural-referring.htm>

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<sup>1</sup> The full speech can be found at <http://www.number-10.gov.uk/output/page13630.asp>

## The legislative framework

In October, we published a consultation document on the extension of the Act's coverage. Section 5 of the Act enables the Government to increase the remit of FOI to cover organisations carrying out functions of a public nature, and to contractors providing services that are a function of a public authority. The Ministry will continue to assess whether the scope of the Act needs to be expanded and will complete its consultation on designating additional bodies under the Act, the papers of which can be found at: <http://www.justice.gov.uk/docs/cp2707.pdf> and <http://www.justice.gov.uk/docs/cp2707-questions.doc>

The Information Tribunal has initiated the development of a significant body of case law during 2007. Although not setting any binding precedents, the decisions are useful indicators of trends in information jurisprudence and indicate the future interpretation of the Act.

A number of decisions have been made at the appeal stage, (including by the High Court) across the whole scope of the Act. The Information Tribunal has agreed that there is considerable public interest in ensuring the effective conduct of diplomatic affairs in the protection of personal data and the confidentiality of individuals (for example, medical records of the deceased). It has considered the privilege attached to legal advice to be of the utmost importance. Procedurally, the Tribunal has agreed with the Government that the appropriateness of a search will depend on what search tools are available. Likewise, it has accepted that authorities are not obliged to search up to the cost limit in the hope of finding information when their estimate has been reasonable and made in good faith.

In all cases, however, it has found that it is essential for public authorities to ensure that they provide appropriate advice and assistance to requestors. We continue to believe that such reasonable assistance is a fundamental component of the Freedom of Information regime.

## Publications and Outreach

The Ministry is committed to ensuring excellent delivery of Information Rights, and we realise that engagement with requestors, practitioners, and the public is essential to achieving that aim. In 2007, we worked to ensure we communicated with everyone involved in FOI.

We published a number of documents in 2007: In October, a summary of responses from the public to the consultation on amendments to FOI fees regulations that had been issued in December 2006 was published. (The consultation papers can be found on the Ministry of Justice website: <http://www.justice.gov.uk/publications/cp2806.htm> <http://www.justice.gov.uk/docs/sp2806-condoc.pdf>)

The Prime Minister announced in October 2007 that the government would not be making any amendments to the fees regime, but would instead deliver a programme of work to encourage more efficient use of the Act via its existing provisions. Working with departments across Government, these measures include supporting the ICO's Charter for Responsible Freedom of Information Requests; producing clearer guidance on existing fees regulations for public authorities and working with The National Archives to revise the records management code of practice under section 46 of the Act.

In October 2007, we published the government's response to the Constitutional Affairs Select Committee's report on the government's proposals for the reform of Freedom of Information. This response commented on the report's conclusions and recommendations on the proposed changes to fees regulations; the application of the Act to Parliament; the ICO's guidance on dealing with requests for MPs' correspondence and the ICO's funding and accountability. This report entitled *Government's response to the CASC report 'Freedom of Information: Government's proposals for reform'* can be found on our website at: <http://www.justice.gov.uk/publications/response-to-casc.htm>

The Ministry of Justice supplements its publications with regular meetings and events for central government FOI practitioners. We will continue to organise these in 2008, having already hosted seminars for Information Managers, and an Information Rights Practitioner Conference.

Similarly, the Ministry conducted a series of workshops across the public sector on the proposed amendments to fees regulations in 2007. In May 2007, the ICO and the Ministry of Justice hosted a workshop on section 14 of the Act (vexatious or repeated requests). Following the constructive discussions held, the ICO updated their supplementary guidance on section 14. This guidance is available at [http://www.ico.gov.uk/upload/documents/library/freedom\\_of\\_information/detailed\\_specialist\\_guides/awareness\\_guidance\\_22\\_vexatious\\_and\\_repeated\\_requests\\_final.pdf](http://www.ico.gov.uk/upload/documents/library/freedom_of_information/detailed_specialist_guides/awareness_guidance_22_vexatious_and_repeated_requests_final.pdf).

The Information Rights User Group continued to meet during 2007. The Group acts as a sounding board on how information rights legislation is working in practice. Its membership is drawn from parliament, the media, lobbyists, academics, private sector suppliers and information lawyers. There is also representation from the police, education, health and local government sectors. Michael Wills, Minister of State, chairs the Group, and the Information Commissioner, Richard Thomas, attends as an observer. Minutes of the Group's meetings can be found at <http://www.foi.gov.uk/yourRights/governmentFOIpolicy.htm#minutes>.

Additionally, four sector panels in the criminal justice, education, fire, local authority and health sectors were established in 2005 to foster closer links between central government and the wider public sector on Information Rights issues. These panels continue to provide the government with information about the operation of the FOI Act outside central government. They also provide a mechanism for the Ministry of

Justice to consult these sectors on Information Rights policy development and for authorities within sectors to share best practice.

Since September 2006, officials from all public authorities have been able to embark on a postgraduate Information Rights qualification - a course developed jointly by the former Department for Constitutional Affairs and the University of Northumbria. A significant number of students have continued on from the certificate programme and are enrolled in the diploma programme, and thirty nine students are set to graduate with a LL.M in Information Rights Law and Practice in August 2008. Northumbria University is now recruiting for the start of its fifth programme that commences in February 2009. Further information on the course can be obtained from Northumbria University by emailing [nb.admissions@northumbria.ac.uk](mailto:nb.admissions@northumbria.ac.uk) or by visiting the University's website at <http://northumbria.ac.uk/?view=CourseDetail&code=DTDIRL6>

## Outlook

Government is now in a strong position to take forward its commitment to better Freedom of Information. Three years of FOI practice have laid a solid foundation upon which to build further development of access rights. The Ministry aims to embed yet further the culture of openness and transparency in government.

Over the next twelve months, we can expect to see yet more cases reaching the Tribunal and the higher courts as requests progress through the system. A firmer body of caselaw is likely to be established, and the boundaries of the Act will gain further clarity.

In the meantime, we can celebrate the continued success of the Freedom of Information regime and its role at the heart of British democracy.

## Performance tables

- Table 1** Number of non-routine information requests received by monitored bodies during 2007, and their status at the time of end-of-year monitoring
- Table 2** Timeliness of response to non-routine information requests received by monitored bodies during 2007 (based on aggregated quarterly data)
- Table 3** Initial outcomes of non-routine information requests received by monitored bodies during 2007
- Table 4** Statutory reasons given by monitored bodies for fully withholding non-routine information requested during 2007
- Table 5** Exemptions (FOI) and exemptions (EIRs) applied by monitored bodies when withholding non-routine information requested during 2007
- Table 6** Outcomes of Internal Reviews of non-routine information requests received by monitored bodies during 2007, where the requested information was initially withheld
- Table 7** Duration of completed Internal Reviews of non-routine information requests received by monitored bodies during 2007, where the requested information was initially withheld
- Table 8** Outcomes of appeals to the Information Commissioner's Office (ICO) about the handling of non-routine information requests received by monitored bodies during 2007
- Table 9** Duration of deadline extensions to allow for the consideration of the Public Interest which were applied to non-routine information requests received by monitored bodies during 2007
- Table 10** Summary statistics: 2005 to 2007
- Table 11** Monthly number of referrals made to the Clearing House by its customer bodies in 2007

The Ministry of Justice also publishes quarterly FOI monitoring reports giving detailed quarter-by-quarter statistics on caseload, timeliness and outcomes for all monitored bodies. These are available from the Ministry of Justice website at:

<http://www.justice.gov.uk/publications/freedomofinformationquarterly.htm>.

**TABLE 1: Number of non-routine information requests received by monitored bodies during 2007, and their status at the time of end-of-year monitoring<sup>1</sup>**

Government body	Total requests received	Request status at time of monitoring <sup>1</sup>			Number handled under EIRs <sup>3</sup>
		Processed	"On hold" or lapsed <sup>2</sup>	Still being processed	
<b>TOTAL for all monitored bodies</b>	<b>32,978</b>	<b>31,663</b>	<b>373</b>	<b>942</b>	<b>550</b>
<b>TOTAL for Departments of State only</b>	<b>16,903</b>	<b>16,307</b>	<b>2</b>	<b>594</b>	<b>331</b>
<b>TOTAL for other monitored bodies</b>	<b>16,075</b>	<b>15,356</b>	<b>371</b>	<b>348</b>	<b>219</b>
<i>Departments of State</i>					
Attorney General's Office	76	75	0	1	0
Cabinet Office	641	626	0	15	0
Communities and Local Government	556	539	1	16	114
Department for Business, Enterprise and Regulatory Reform <sup>4</sup>	512	473	0	39	4
Department for Children, Schools and Families <sup>4</sup>	502	497	0	5	0
Department for Culture, Media and Sport #	373	362	0	11	0
Department for Environment, Food and Rural Affairs	404	397	0	7	117
Department for Innovation, Universities and Skills	31	29	0	2	0
Department for International Development	190	179	0	11	1
Department for Transport #	1,878	1,825	0	53	71
Department for Work and Pensions #	1,259	1,240	0	19	5
Department of Health	1,286	1,270	0	16	0
Deputy Prime Minister's Office <sup>5</sup>	3	3	0	0	0
Export Credits Guarantee Department	53	46	0	7	11
Foreign and Commonwealth Office	1,027	1,009	0	18	3
HM Treasury	1,092	1,009	0	83	0
Home Office	2,281	2,217	0	64	2
Ministry of Defence #	3,026	2,892	0	134	3
Ministry of Justice <sup>6</sup> #	1,427	1,339	0	88	0
Northern Ireland Office	166	162	1	3	0
Privy Council Office <sup>5</sup>	3	3	0	0	0
Scotland Office	75	75	0	0	0
Wales Office	42	40	0	2	0

TABLE 1: (continued)

Government body	Total requests received	Request status at time of monitoring <sup>1</sup>			Number handled under EIRs <sup>3</sup>
		Processed	"On hold" or lapsed <sup>2</sup>	Still being processed	
<i>Other bodies included in monitoring</i>					
Central Office of Information	42	42	0	0	0
Charity Commission	389	383	0	6	0
Crown Prosecution Service	406	404	0	2	0
Debt Management Office	246	246	0	0	0
Food Standards Agency	116	116	0	0	15
Health and Safety Executive	5,899	5,699	3	197	54
HM Land Registry	68	68	0	0	0
HM Revenue and Customs	1,154	1,061	0	93	0
National Archives	5,405	4,990	368	47	15
National Savings and Investments	104	104	0	0	1
Office for National Statistics	151	151	0	0	0
Office for Standards in Education	806	804	0	2	0
Office of Fair Trading	325	325	0	0	0
Office of Gas and Electricity Markets (OFGEM)	157	157	0	0	0
Office of Rail Regulation	201	201	0	0	0
Ordnance Survey	121	121	0	0	3
Royal Mint	11	11	0	0	0
Rural Payments Agency	154	153	0	1	128
Serious Fraud Office	46	46	0	0	0
Treasury Solicitor's Department	219	219	0	0	0
Water Services Regulation Authority (OFWAT)	55	55	0	0	3

**Notes**

Please see the Notes on the Tables section for important information about consistency between tables in this report.

# - Figures supplied by these departments of state count non-routine information requests received by one or more of their agencies, as well as those received by the departments themselves. Annex B gives full details.

1 - Monitoring returns were submitted to the Ministry of Justice (MoJ) during February 2008.

"2 - Requests "on hold" are those where a fee has been charged but no payment has been received at the time of monitoring. These requests are effectively suspended since public authorities are not obliged to respond until payment has been made. Where a fee is charged and the deadline for payment expires, the request is deemed to have "lapsed" as no further action is required from the public authority."

3 - The amended Environmental Information Regulations 2004 (EIRs) came into force on 1 January 2005 to coincide with the FOI Act.

4 - In this and other tables, the figures for the Department for Business, Enterprise and Regulatory Reform include requests received by the Department of Trade and Industry up to 27 June 2007. The figures for the Department for Children, Schools and Families include requests received by the Department for Education and Skills up to 27 June. Please see Annex B for more information.

5 - On 2 April 2007, the functions of the Privy Council Office were transferred to the Cabinet Office and the Department for Constitutional Affairs (now the MoJ). The Deputy Prime Minister's Office was abolished on 28 June 2007. In this and other tables, the figures shown relate to requests received by these departments prior to these dates.

6 - In this and other tables, requests received by the Department for Constitutional Affairs prior to 9 May 2007, and requests received by the MoJ since that date, are counted under MoJ. Please see Annex B for more information.

**TABLE 2: Timeliness of response to non-routine information requests received by monitored bodies during 2007 (based on aggregated quarterly data)**

Government body	Total requests received (excluding on-hold and lapsed <sup>1</sup> )	Timeliness of Response			Percentage of requests meeting 20-day deadline	Percentage of requests "in time" (i.e. meeting deadline or with permitted extension)
		20-day deadline met	Permitted extension <sup>2</sup> to 20-day deadline	Late response (i.e. 20-day deadline missed)		
<b>TOTAL for all monitored bodies</b>	<b>32,644</b>	<b>27,489</b>	<b>2,228</b>	<b>2,927</b>	<b>84%</b>	<b>91%</b>
<b>TOTAL for Departments of State only</b>	<b>16,881</b>	<b>13,378</b>	<b>1,666</b>	<b>1,837</b>	<b>79%</b>	<b>89%</b>
<b>TOTAL for other monitored bodies</b>	<b>15,763</b>	<b>14,111</b>	<b>562</b>	<b>1,090</b>	<b>90%</b>	<b>93%</b>
<i>Departments of State</i>						
Attorney General's Office	68	47	11	10	69%	85%
Cabinet Office	638	537	79	22	84%	97%
Communities and Local Government	545	426	51	68	78%	88%
Department for Business, Enterprise and Regulatory Reform	514	341	130	43	66%	92%
Department for Children, Schools and Families	502	443	17	42	88%	92%
Department for Culture, Media and Sport #	373	251	29	93	67%	75%
Department for Environment, Food and Rural Affairs	392	273	68	51	70%	87%
Department for Innovation, Universities and Skills	31	20	6	5	65%	84%
Department for International Development	190	110	36	44	58%	77%
Department for Transport #	1,878	1,597	99	182	85%	90%
Department for Work and Pensions #	1,259	1,065	36	158	85%	87%
Department of Health	1,289	1,113	63	113	86%	91%
Deputy Prime Minister's Office	3	3	0	0	*	*
Export Credits Guarantee Department	50	16	6	28	32%	44%
Foreign and Commonwealth Office	1,027	851	153	23	83%	98%
HM Treasury	1,092	876	163	53	80%	95%
Home Office	2,269	1,663	308	298	73%	87%
Ministry of Defence #	3,026	2,473	147	406	82%	87%
Ministry of Justice #	1,445	1,046	238	161	72%	89%
Northern Ireland Office	165	128	19	18	78%	89%
Privy Council Office	3	2	0	1	*	*
Scotland Office	75	55	7	13	73%	83%
Wales Office	47	42	0	5	89%	89%

TABLE 2: (continued)

Government body	Total requests received (excluding on-hold and lapsed <sup>1</sup> )	Timeliness of Response			Percentage of requests meeting 20-day deadline	Percentage of requests "in time" (i.e. meeting deadline or with permitted extension)
		20-day deadline met	Permitted extension <sup>2</sup> to 20-day deadline	Late response (i.e. 20-day deadline missed)		
<b>Other bodies included in monitoring</b>						
Central Office of Information	42	41	1	0	98%	100%
Charity Commission	389	376	4	9	97%	98%
Crown Prosecution Service	406	398	7	1	98%	100%
Debt Management Office	246	246	0	0	100%	100%
Food Standards Agency	116	91	24	1	78%	99%
Health and Safety Executive	5,897	5,184	126	587	88%	90%
HM Land Registry	68	64	2	2	94%	97%
HM Revenue and Customs	1,211	923	33	255	76%	79%
National Archives <sup>^</sup>	5,037	4,648	284	105	92%	98%
National Savings and Investments	104	101	1	2	97%	98%
Office for National Statistics	148	134	0	14	91%	91%
Office for Standards in Education	806	764	3	39	95%	95%
Office of Fair Trading	325	305	0	20	94%	94%
Office of Gas and Electricity Markets (OFGEM)	157	141	8	8	90%	95%
Office of Rail Regulation	201	172	25	4	86%	98%
Ordnance Survey	121	99	8	14	82%	88%
Royal Mint	11	10	0	1	*	*
Rural Payments Agency	154	107	23	24	69%	84%
Serious Fraud Office	50	40	9	1	80%	98%
Treasury Solicitor's Department	219	217	0	2	99%	99%
Water Services Regulation Authority (OFWAT)	55	50	4	1	91%	98%

## Notes

Please see the Notes on the Tables section for important information about consistency between tables in this report.

\* - These percentages are not shown because the number of qualifying requests is 20 or fewer.

# - Figures supplied by these departments of state count non-routine information requests received by one or more of their agencies, as well as those received by the departments themselves. Annex B gives full details.

<sup>^</sup> - Although the standard statutory deadline for responding to an information request is 20 working days, a 30-day deadline applies where requests relate wholly or partly to archived information. The National Archives' timeliness figures are therefore reported on this basis.

1 - Requests "on hold" or "lapsed" are those where a fee has been charged but no payment has been received. These requests are effectively suspended since public authorities are not obliged to respond until payment has been made. They are therefore excluded from the calculation of timeliness measures.

<sup>2</sup> - "Permitted extensions" include:

Requests where the 20-day deadline for response under the Freedom of Information Act is extended to allow for consideration of the balance of the public interest.

Requests where the 20-day deadline for response under the Environmental Information Regulations is extended because of the complexity or volume of the request."

TABLE 3: Initial outcomes of non-routine information requests received by monitored bodies during 2007

Government body	Total requests received (excluding on-hold and lapsed <sup>1</sup> )	Requests where advice and assistance <sup>2</sup> provided	Requests where information not held	Total "resolvable" requests	Initial outcome of request				Percentage of resolvable requests granted in full	Percentage of resolvable requests withheld in full
					Granted in full	Partially withheld	Fully withheld <sup>4</sup>	Response not yet provided <sup>5</sup>		
<b>TOTAL for all monitored bodies</b>	<b>32,605</b>	<b>2,452</b>	<b>3,332</b>	<b>24,821</b>	<b>15,644</b>	<b>5,233</b>	<b>5,002</b>	<b>942</b>	<b>63%</b>	<b>20%</b>
<b>TOTAL for Departments of State only</b>	<b>16,901</b>	<b>1,266</b>	<b>2,786</b>	<b>12,849</b>	<b>7,951</b>	<b>1,440</b>	<b>2,864</b>	<b>594</b>	<b>62%</b>	<b>22%</b>
<b>TOTAL for other monitored bodies</b>	<b>15,704</b>	<b>1,186</b>	<b>2,546</b>	<b>11,972</b>	<b>7,693</b>	<b>1,793</b>	<b>2,138</b>	<b>348</b>	<b>64%</b>	<b>18%</b>
<b>Departments of State</b>										
Attorney General's Office	76	0	23	53	12	12	28	1	23%	53%
Cabinet Office	641	60	174	407	145	43	204	15	36%	50%
Communities and Local Government	555	0	116	439	300	91	32	16	68%	7%
Department for Business, Enterprise and Regulatory Reform	512	16	100	396	175	71	111	39	44%	28%
Department for Children, Schools and Families	502	40	105	357	245	38	69	5	69%	19%
Department for Culture, Media and Sport #	373	47	51	275	155	46	63	11	56%	23%
Department for Environment, Food and Rural Affairs	404	46	40	318	209	37	65	7	66%	20%
Department for Innovation, Universities and Skills	31	3	4	24	16	3	3	2	67%	13%
Department for International Development	190	0	29	161	96	25	29	11	60%	18%
Department for Transport #	1,878	30	205	1,643	1,204	112	274	53	73%	17%
Department for Work and Pensions #	1,259	21	51	1,187	1,027	64	77	19	87%	6%
Department of Health	1,286	43	254	989	645	175	153	16	65%	15%
Deputy Prime Minister's Office	3	0	0	3	3	0	0	0	*	*
Export Credits Guarantee Department	53	1	2	50	23	7	13	7	46%	26%
Foreign and Commonwealth Office	1,027	76	168	783	234	178	353	18	30%	45%
HM Treasury	1,092	226	346	520	171	33	233	83	33%	45%
Home Office	2,281	324	412	1,545	827	175	479	64	54%	31%
Ministry of Defence #	3,026	92	316	2,618	1,921	224	339	134	73%	13%
Ministry of Justice #	1,427	230	295	902	432	85	297	88	48%	33%
Northern Ireland Office	165	0	65	100	50	17	30	3	50%	30%
Privy Council Office	3	0	1	2	2	0	0	0	*	*
Scotland Office	75	2	19	54	41	2	11	0	76%	20%
Wales Office	42	9	10	23	18	2	1	2	78%	4%

TABLE 3: (continued)

Government body	Total requests received (excluding on-hold and lapsed <sup>1</sup> )	Requests where advice and assistance <sup>2</sup> provided	Requests where information not held	Total "resolvable" requests	Initial outcome of request				Percentage of resolvable requests granted in full	Percentage of resolvable requests withheld in full
					Granted in full	Partially withheld	Fully withheld <sup>4</sup>	Response not yet provided <sup>5</sup>		
<i>Other bodies included in monitoring</i>										
Central Office of Information	42	1	11	30	25	2	3	0	83%	10%
Charity Commission	389	23	41	325	181	79	59	6	56%	18%
Crown Prosecution Service	406	71	131	204	79	35	88	2	39%	43%
Debt Management Office	246	0	5	241	241	0	0	0	100%	0%
Food Standards Agency	116	0	22	94	39	36	19	0	41%	20%
Health and Safety Executive	5,896	120	1,379	4,397	2,179	1,038	983	197	50%	22%
HM Land Registry	68	0	2	66	64	1	1	0	97%	2%
HM Revenue and Customs	1,154	30	148	976	560	66	257	93	57%	26%
National Archives ^	5,037	736	532	3,769	3,275	190	257	47	87%	7%
National Savings and Investments	104	1	17	86	77	1	8	0	90%	9%
Office for National Statistics	151	3	26	122	48	20	54	0	39%	44%
Office for Standards in Education	806	0	87	719	298	191	228	2	41%	32%
Office of Fair Trading	325	66	31	228	96	31	101	0	42%	44%
Office of Gas and Electricity Markets (OFGEM)	157	31	26	100	61	27	12	0	61%	12%
Office of Rail Regulation	201	21	23	157	127	18	12	0	81%	8%
Ordnance Survey	121	6	10	105	79	18	8	0	75%	8%
Royal Mint	11	0	0	11	9	2	0	0	*	*
Rural Payments Agency	154	39	14	101	59	15	26	1	58%	26%
Serious Fraud Office	46	3	8	35	13	12	10	0	37%	29%
Treasury Solicitor's Department	219	32	24	163	156	1	6	0	96%	4%
Water Services Regulation Authority (OFWAT)	55	3	9	43	27	10	6	0	63%	14%

## Notes

Please see the Notes on the Tables section for important information about consistency between tables in this report.

\* - These percentages are not shown because the number of qualifying requests is 20 or fewer.

# - Figures supplied by these departments of state count non-routine information requests received by one or more of their agencies, as well as those received by the departments themselves. Annex B gives full details.

1 - Requests "on hold" or "lapsed" are those where a fee has been charged but no payment has been received. These requests are effectively suspended since public authorities are not obliged to respond until payment has been made.

2 - "Advice and Assistance" would be provided to a requester when the government body "reasonably requires further information in order to identify and locate the information requested". See section 1(3) of the Freedom of Information Act for further details.

3 - "Resolvable requests" are all those where it is possible to make a substantive decision on whether to release the requested information. They exclude requests which are lapsed or "on-hold", where the information was not held, and where it was necessary to provide advice and assistance (see note above) since in each of these cases it would not have been possible to resolve the request in the form it was asked.

4 - "Fully withheld" requests include those which were refused because it was estimated that the cost of complying with the request would exceed the appropriate limit.

5 - This table counts as "resolvable" all requests where a response has not yet been provided. This assumption is likely to be generally true but may be incorrect in a small number of cases. It should also be noted that requests where a response has not yet been provided are more likely to involve considerations which are complex and finely balanced. As a result, it cannot be assumed that these requests will be granted and refused in the same proportions as "resolvable" requests in general.

TABLE 4: Statutory reasons given by monitored bodies for fully withholding non-routine information requested during 2007

Government body	Total "resolvable" requests <sup>1</sup>	Total requests where information was fully withheld	Reason for fully withholding information			
			Vexatious FoI request <sup>2</sup>	Repeated FoI request <sup>2</sup>	Cost of response would exceed cost limit <sup>3</sup>	Information is exempt/excepted <sup>4</sup>
<b>TOTAL for all monitored bodies</b>	<b>24,821</b>	<b>5,002</b>	<b>51</b>	<b>71</b>	<b>1,389</b>	<b>3,482</b>
<b>TOTAL for Departments of State only</b>	<b>12,849</b>	<b>2,864</b>	<b>40</b>	<b>57</b>	<b>1,294</b>	<b>1,473</b>
<b>TOTAL for other monitored bodies</b>	<b>11,972</b>	<b>2,138</b>	<b>11</b>	<b>14</b>	<b>104</b>	<b>2,009</b>
<i>Departments of State</i>						
Attorney General's Office	53	28	1	1	7	19
Cabinet Office	407	204	9	2	71	122
Communities and Local Government	439	32	0	0	2	30
Department for Business, Enterprise and Regulatory Reform	396	111	0	0	63	48
Department for Children, Schools and Families	357	69	0	0	36	33
Department for Culture, Media and Sport #	275	63	0	1	31	31
Department for Environment, Food and Rural Affairs	318	65	0	0	0	65
Department for Innovation, Universities and Skills	24	3	0	0	1	2
Department for International Development	161	29	0	0	15	14
Department for Transport #	1,643	274	5	4	130	135
Department for Work and Pensions #	1,187	77	1	3	13	60
Department of Health	989	153	0	14	37	102
Deputy Prime Minister's Office	3	0	0	0	0	0
Export Credits Guarantee Department	50	13	0	0	9	4
Foreign and Commonwealth Office	783	353	7	7	215	124
HM Treasury	520	233	1	7	120	105
Home Office	1,545	479	8	10	240	221
Ministry of Defence #	2,618	339	0	0	140	199
Ministry of Justice #	902	297	8	8	161	120
Northern Ireland Office	100	30	0	0	0	30
Privy Council Office	2	0	0	0	0	0
Scotland Office	54	11	0	0	3	8
Wales Office	23	1	0	0	0	1

TABLE 4: (continued)

Government body	Total "resolvable" requests <sup>1</sup>	Total requests where information was fully withheld	Reason for fully withholding information			
			Vexatious FoI request <sup>2</sup>	Repeated FoI request <sup>2</sup>	Cost of response would exceed cost limit <sup>3</sup>	Information is exempt/excepted <sup>4</sup>
<i>Other bodies included in monitoring</i>						
Central Office of Information	30	3	0	0	0	3
Charity Commission	325	59	0	2	2	55
Crown Prosecution Service	204	88	2	4	7	75
Debt Management Office	241	0	0	0	0	0
Food Standards Agency	94	19	0	0	9	10
Health and Safety Executive	4,397	983	0	4	8	971
HM Land Registry	66	1	0	1	0	0
HM Revenue and Customs	976	257	1	0	45	211
National Archives ^	3,769	257	0	0	0	257
National Savings and Investments	86	8	0	0	7	1
Office for National Statistics	122	54	1	0	2	51
Office for Standards in Education	719	228	3	0	4	221
Office of Fair Trading	228	101	0	0	4	97
Office of Gas and Electricity Markets (OFGEM)	100	12	2	0	8	2
Office of Rail Regulation	157	12	0	1	3	8
Ordnance Survey	105	8	0	1	0	7
Royal Mint	11	0	0	0	0	0
Rural Payments Agency	101	26	0	1	0	25
Serious Fraud Office	35	10	0	0	5	5
Treasury Solicitor's Department	163	6	2	0	0	4
Water Services Regulation Authority (OFWAT)	43	6	0	0	0	6

## Notes

# - Figures supplied by these departments of state count non-routine information requests received by one or more of their agencies, as well as those received by the departments themselves. Annex B gives full details.

Note that these statistics only relate to cases where the requested information was **fully withheld**. Corresponding information on partially-withheld cases is not available.

1 - "Resolvable requests" are all those where it would have been possible to provide a substantive response. They exclude requests which are lapsed or "on-hold", where the information was not held, and where it was necessary to provide advice and assistance (see note above) since in each of these cases it would not have been possible to resolve the request in the form it was asked.

2 - Where a request for information is vexatious or repeated, public authorities are not obliged to release the information being sought. See Section 14 of the FOI Act.

3 - Section 12 of the FOI Act states that public authorities are not obliged to release information where the cost of complying with the request would exceed the appropriate limit. This limit is set in secondary legislation at £600 for central government departments.

4 - In these cases, the requested information was deemed to fall in one or more of the categories of exempt information ("exemptions") listed in Part II of the FOI Act, or under one of the corresponding "exceptions to the duty to disclose environmental information" in Part 3 of the EIRs.

TABLE 5: Exemptions (FOI) and exceptions (EIRs) applied by monitored bodies when withholding non-routine information requested during 2007

Government body	Exemptions listed in Part 2 of the FOI Act																				All EIR exemptions				
	Total requests where one or more exemptions/exceptions were applied'	S.22 - Information intended for future publication	S.23 - Information supplied by, or relating to, bodies dealing with security matters	S.24 - National security	S.26 - Defence	S.27 - International relations	S.28 - Relations within the United Kingdom	S.29 - The economy	S.30 - Investigations and proceedings conducted by public authorities	S.31 - Law enforcement	S.32 - Court records, etc.	S.33 - Audit functions	S.34 - Parliamentary privilege	S.35 - Formulation of Government policy, etc	S.36 - Prejudice to effective conduct of public affairs	S.37 - Communications with Her Majesty, etc. and Honours	S.38 - Health and Safety	S.39 - Environmental information	S.40 - Personal information	S.41 - Information provided in confidence		S.42 - Legal professional privilege	S.43 - Commercial interests	S.44 - Prohibitions on disclosure	
<b>TOTAL for all monitored bodies</b>	<b>6,715</b>	<b>406</b>	<b>149</b>	<b>131</b>	<b>71</b>	<b>300</b>	<b>9</b>	<b>21</b>	<b>977</b>	<b>514</b>	<b>141</b>	<b>53</b>	<b>0</b>	<b>607</b>	<b>313</b>	<b>46</b>	<b>152</b>		<b>2,307</b>	<b>796</b>	<b>250</b>	<b>441</b>	<b>422</b>	<b>232</b>	
<b>TOTAL for Departments of State only</b>	<b>2,913</b>	<b>317</b>	<b>142</b>	<b>122</b>	<b>69</b>	<b>230</b>	<b>9</b>	<b>20</b>	<b>42</b>	<b>207</b>	<b>62</b>	<b>7</b>	<b>0</b>	<b>572</b>	<b>290</b>	<b>36</b>	<b>83</b>		<b>695</b>	<b>232</b>	<b>133</b>	<b>342</b>	<b>73</b>	<b>167</b>	
<b>TOTAL for other monitored bodies</b>	<b>3,802</b>	<b>89</b>	<b>7</b>	<b>9</b>	<b>2</b>	<b>70</b>	<b>0</b>	<b>1</b>	<b>935</b>	<b>307</b>	<b>79</b>	<b>46</b>	<b>0</b>	<b>35</b>	<b>23</b>	<b>10</b>	<b>69</b>		<b>1,612</b>	<b>564</b>	<b>117</b>	<b>99</b>	<b>349</b>	<b>65</b>	
<b>Departments of State</b>																									
Attorney General's Office	31	4	6	5	0	4	0	0	0	7	0	0	0	12	6	0	0		6	4	8	0	0	0	0
Cabinet Office	165	23	27	26	4	22	0	0	0	4	0	2	0	49	10	27	2		32	19	5	9	0	0	0
Communities and Local Government	121	13	1	2	0	2	0	0	1	2	4	0	0	35	12	0	0		14	3	6	20	0	42	0
Department for Business, Enterprise and Regulatory Reform	119	16	2	2	0	7	0	0	0	3	0	0	0	35	38	0	0		19	27	15	24	3	44	0
Department for Children, Schools and Families	71	8	0	0	0	0	0	0	0	1	0	0	0	27	19	0	0		10	3	6	13	0	0	0
Department for Culture, Media and Sport #	77	13	1	1	0	6	1	0	0	0	0	0	0	26	12	1	0		13	16	3	16	0	0	0
Department for Environment, Food and Rural Affairs	102	14	1	2	0	5	0	0	15	6	0	0	0	8	6	0	1		11	19	4	5	0	38	0
Department for Innovation, Universities and Skills	5	1	0	0	0	1	0	0	0	0	0	0	0	3	1	0	0		1	1	0	2	0	0	0
Department for International Development	39	5	2	3	0	15	0	0	0	3	0	0	0	6	1	0	2		12	3	1	6	0	3	0
Department for Transport #	247	19	1	13	1	0	0	2	8	31	1	0	0	18	15	0	1		40	25	9	35	12	34	0
Department for Work and Pensions #	124	15	1	0	0	0	1	0	0	0	0	0	0	8	7	0	2		72	8	2	23	0	0	0
Department of Health	277	28	1	3	0	0	0	0	1	3	0	1	0	74	29	2	2		46	25	5	59	5	0	0
Deputy Prime Minister's Office	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		0	0	0	0	0	0	0
Export Credits Guarantee Department	11	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0		1	0	0	4	2	4	0
Foreign and Commonwealth Office	302	17	53	17	4	119	1	0	0	12	2	1	0	72	26	3	15		73	21	18	13	4	0	0
HM Treasury	138	9	0	1	0	13	0	14	0	3	0	3	0	83	8	0	0		11	5	11	17	1	0	0
Home Office	396	76	32	25	0	18	2	4	2	91	2	0	0	42	43	2	19		106	15	21	44	5	2	0
Ministry of Defence #	423	37	14	22	60	13	1	0	14	9	2	0	0	34	28	0	25		152	34	9	31	37	0	0
Ministry of Justice #	205	17	0	0	0	4	1	0	1	26	51	0	0	22	12	1	6		55	3	5	16	2	0	0
Northern Ireland Office	47	2	0	0	0	1	1	0	0	6	0	0	0	6	12	0	8		20	1	4	5	2	0	0
Privy Council Office	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		0	0	0	0	0	0	0
Scotland Office	10	0	0	0	0	0	1	0	0	0	0	0	0	8	5	0	0		1	0	1	0	0	0	0
Wales Office	3	0	0	0	0	0	0	0	0	0	0	0	0	3	0	0	0		0	0	0	0	0	0	0

See EIR exemptions - final column

TABLE 5: (continued)

Government body	Exemptions listed in Part 2 of the FoI Act																			All EIR exemptions				
	Total requests where one or more exemptions /exceptions were applied <sup>1</sup>	S.22 - Information intended for future publication	S.23 - Information supplied by, or relating to, bodies dealing with security matters	S.24 - National security	S.26 - Defence	S.27 - International relations	S.28 - Relations within the United Kingdom	S.29 - The economy	S.30 - Investigations and proceedings conducted by public authorities	S.31 - Law enforcement	S.32 - Court records, etc.	S.33 - Audit functions	S.34 - Parliamentary privilege	S.35 - Formulation of Government policy, etc	S.36 - Prejudice to effective conduct of public affairs	S.37 - Communications with Her Majesty, etc. and Honours	S.38 - Health and Safety	S.39 - Environmental information	S.40 - Personal information		S.41 - Information provided in confidence	S.42 - Legal professional privilege	S.43 - Commercial interests	S.44 - Prohibitions on disclosure
<i>Other bodies included in monitoring</i>																								
Central Office of Information	5	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4	0	0
Charity Commission	134	1	0	0	0	1	0	0	0	51	5	0	0	0	1	0	0	58	52	11	3	0	0	0
Crown Prosecution Service	110	4	0	0	0	1	0	0	69	2	0	0	0	1	1	0	3	62	12	19	2	4	0	0
Debt Management Office	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Food Standards Agency	46	5	0	0	0	3	0	0	8	2	0	0	0	4	5	0	7	20	2	3	16	1	32	0
Health and Safety Executive	2,009	1	0	0	1	0	0	0	807	90	54	0	0	0	2	0	1	929	257	36	8	5	0	0
HM Land Registry	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0
HM Revenue and Customs	277	17	5	1	0	1	0	1	6	89	1	1	0	18	1	0	1	32	23	8	16	147	0	0
National Archives	447	0	2	8	1	63	0	0	0	23	15	0	0	6	2	10	40	217	37	18	5	0	0	0
National Savings and Investments	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0
Office for National Statistics	71	49	0	0	0	0	0	0	0	0	0	0	0	5	3	0	0	14	14	0	2	51	0	0
Office for Standards in Education	412	3	0	0	0	0	0	0	28	28	1	45	0	0	0	0	17	254	152	0	1	7	0	0
Office of Fair Trading	128	1	0	0	0	0	0	0	3	20	2	0	0	0	3	0	0	6	7	9	6	103	0	0
Office of Gas and Electricity Markets (OFGEM)	29	1	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1	3	4	10	10	0	0
Office of Rail Regulation	26	0	0	0	0	0	0	0	6	0	0	0	0	0	1	0	0	4	0	0	5	10	0	0
Ordnance Survey	25	3	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	7	3	2	11	0	0	0
Royal Mint	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0
Rural Payments Agency	40	1	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	3	0	0	4	0	33	0
Serious Fraud Office	17	1	0	0	0	1	0	0	7	2	0	0	0	0	3	0	0	1	1	4	0	0	0	0
Treasury Solicitor's Department	5	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	3	1	0	0	0	0	0
Water Services Regulation Authority (OFWAT)	16	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3	2	11	0	0

## Notes

# - Figures supplied by these departments of state count non-routine information requests received by one or more of their agencies, as well as those received by the departments themselves. Annex B gives full details.

1 - A single request can be subject to more than one exemption. Therefore, the total number of individual exemptions used may be greater than the number of requests to which exemptions were applied.

**TABLE 6: Outcomes of Internal Reviews<sup>1</sup> of non-routine information requests by monitored bodies during 2007, where the requested information was initially withheld**

Government body	Total Internal reviews	Internal Reviews with known outcome (at time of end-of-year monitoring)	Of Internal Reviews with known outcome, number where initial handling of request was:			Percentage of Internal Reviews where initial handling was upheld in full
			Upheld in full	Upheld in part	Overturned	
<b>TOTAL for all monitored bodies</b>	<b>857</b>	<b>654</b>	<b>484</b>	<b>95</b>	<b>75</b>	<b>74%</b>
<b>TOTAL for Departments of State only</b>	<b>659</b>	<b>475</b>	<b>351</b>	<b>71</b>	<b>53</b>	<b>74%</b>
<b>TOTAL for other monitored bodies</b>	<b>198</b>	<b>179</b>	<b>133</b>	<b>24</b>	<b>22</b>	<b>74%</b>
<i>Departments of State</i>						
Attorney General's Office	4	4	4	0	0	*
Cabinet Office	75	60	52	5	3	87%
Communities and Local Government	31	6	2	2	2	*
Department for Business, Enterprise and Regulatory Reform	33	21	17	3	1	81%
Department for Children, Schools and Families	8	8	5	2	1	*
Department for Culture, Media and Sport #	20	17	8	8	1	*
Department for Environment, Food and Rural Affairs	11	10	5	2	3	*
Department for Innovation, Universities and Skills	1	0	0	0	0	*
Department for International Development	5	3	3	0	0	*
Department for Transport #	36	34	26	1	7	76%
Department for Work and Pensions #	41	39	30	6	3	77%
Department of Health	54	40	31	3	6	78%
Deputy Prime Minister's Office	0	0	0	0	0	*
Export Credits Guarantee Department	8	2	1	0	1	*
Foreign and Commonwealth Office	43	38	28	8	2	74%
HM Treasury	37	18	15	3	0	*
Home Office	99	76	59	7	10	78%
Ministry of Defence #	88	45	23	15	7	51%
Ministry of Justice #	54	47	40	4	3	85%
Northern Ireland Office	11	7	2	2	3	*
Privy Council Office	0	0	0	0	0	*
Scotland Office	0	0	0	0	0	*
Wales Office	0	0	0	0	0	*

TABLE 6: (continued)

Government body	Total Internal reviews	Internal Reviews with known outcome (at time of end-of-year monitoring)	Of Internal Reviews with known outcome, number where initial handling of request was:			Percentage of Internal Reviews where initial handling was upheld in full
			Upheld in full	Upheld in part	Overtured	
<i>Other bodies included in monitoring</i>						
Central Office of Information	2	2	1	1	0	*
Charity Commission	11	11	8	1	2	*
Crown Prosecution Service	28	23	19	4	0	83%
Debt Management Office	0	0	0	0	0	*
Food Standards Agency	7	6	2	1	3	*
Health and Safety Executive	36	34	26	7	1	76%
HM Land Registry	0	0	0	0	0	*
HM Revenue and Customs	39	33	25	4	4	76%
National Archives	16	15	8	4	3	*
National Savings and Investments	1	1	1	0	0	*
Office for National Statistics	11	8	6	0	2	*
Office for Standards in Education	18	18	12	1	5	*
Office of Fair Trading	7	7	6	1	0	*
Office of Gas and Electricity Markets (OFGEM)	2	2	2	0	0	*
Office of Rail Regulation	0	0	0	0	0	*
Ordnance Survey	7	7	6	0	1	*
Royal Mint	0	0	0	0	0	*
Rural Payments Agency	3	2	1	0	1	*
Serious Fraud Office	2	2	2	0	0	*
Treasury Solicitor's Department	7	7	7	0	0	*
Water Services Regulation Authority (OFWAT)	1	1	1	0	0	*

**Notes**

# - Figures supplied by these departments of state count non-routine information requests received by one or more of their agencies, as well as those received by the departments themselves. Annex B gives full details.

\* - These percentages are not shown because the number of qualifying requests is 20 or fewer.

1 - Applicants are able to ask a public authority for an "Internal Review" if they are not content with the public authority's initial decision on whether to release requested information. This process should be a fair and impartial review of the initial decision. Requesters who are still not content with the outcome of the Internal Review can make a formal appeal to the Information Commissioner if they wish (see Section 50 of the FOI Act).

**TABLE 7: Duration of completed Internal Reviews<sup>1</sup> of non-routine information requests by monitored bodies during 2007, where the requested information was initially withheld**

Government body	Total Internal reviews <sup>2</sup>	Internal Reviews with known outcome (at time of end-of-year monitoring)	Of completed Internal Reviews, number where the duration of the review period was:				
			10 days or less	Between 11 and 20 days	Between 21 and 40 days	Between 41 and 60 days	More than 60 days
<b>TOTAL for all monitored bodies <sup>2</sup></b>	<b>821</b>	<b>620</b>	<b>102</b>	<b>128</b>	<b>185</b>	<b>90</b>	<b>115</b>
As a percentage of total requests received <sup>3</sup>	3.1%	2.3%	0.4%	0.5%	0.7%	0.3%	0.4%
<b>TOTAL for Departments of State only</b>	<b>659</b>	<b>475</b>	<b>84</b>	<b>88</b>	<b>134</b>	<b>69</b>	<b>100</b>
As a percentage of total requests received <sup>4</sup>	3.9%	2.8%	0.5%	0.5%	0.8%	0.4%	0.6%
<b>TOTAL for other monitored bodies <sup>2</sup></b>	<b>162</b>	<b>145</b>	<b>18</b>	<b>40</b>	<b>51</b>	<b>21</b>	<b>15</b>
As a percentage of total requests received <sup>3</sup>	1.7%	1.5%	0.2%	0.4%	0.5%	0.2%	0.2%
<b>Departments of State</b>							
Attorney General's Office	4	4	4	0	0	0	0
Cabinet Office	75	60	2	18	21	6	13
Communities and Local Government	31	6	0	0	1	1	4
Department for Business, Enterprise and Regulatory Reform	33	21	0	3	10	6	2
Department for Children, Schools and Families	8	8	1	6	1	0	0
Department for Culture, Media and Sport #	20	17	1	1	7	3	5
Department for Environment, Food and Rural Affairs	11	10	1	2	4	3	0
Department for Innovation, Universities and Skills	1	0	0	0	0	0	0
Department for International Development	5	3	2	1	0	0	0
Department for Transport #	36	34	4	5	21	4	0
Department for Work and Pensions #	41	39	15	24	0	0	0
Department of Health	54	40	1	1	7	9	22
Deputy Prime Minister's Office	0	0	0	0	0	0	0
Export Credits Guarantee Department	8	2	0	0	2	0	0
Foreign and Commonwealth Office	43	38	3	13	11	8	3
HM Treasury	37	18	1	1	3	0	13
Home Office	99	76	1	8	31	13	23
Ministry of Defence #	88	45	12	1	9	13	10
Ministry of Justice #	54	47	36	4	5	2	0
Northern Ireland Office	11	7	0	0	1	1	5
Privy Council Office	0	0	0	0	0	0	0
Scotland Office	0	0	0	0	0	0	0
Wales Office	0	0	0	0	0	0	0

TABLE 7: (continued)

Government body	Total Internal reviews <sup>2</sup>	Internal Reviews with known outcome (at time of end-of-year monitoring)	Of completed Internal Reviews, number where the duration of the review period was:				
			10 days or less	Between 11 and 20 days	Between 21 and 40 days	Between 41 and 60 days	More than 60 days
<i>Other bodies included in monitoring</i>							
Central Office of Information	2	2	0	2	0	0	0
Charity Commission	11	11	0	5	4	0	2
Crown Prosecution Service	28	23	0	6	10	2	5
Debt Management Office	0	0	0	0	0	0	0
Food Standards Agency	7	6	0	1	3	1	1
Health and Safety Executive <sup>5</sup>	-	-	-	-	-	-	-
HM Land Registry	0	0	0	0	0	0	0
HM Revenue and Customs	39	33	10	7	9	4	3
National Archives	16	15	0	10	4	0	1
National Savings and Investments	1	1	0	0	1	0	0
Office for National Statistics	11	8	0	0	0	8	0
Office for Standards in Education	18	18	0	6	8	1	3
Office of Fair Trading	7	7	0	0	6	1	0
Office of Gas and Electricity Markets (OFGEM)	2	2	0	0	2	0	0
Office of Rail Regulation	0	0	0	0	0	0	0
Ordnance Survey	7	7	2	1	0	4	0
Royal Mint	0	0	0	0	0	0	0
Rural Payments Agency	3	2	0	1	1	0	0
Serious Fraud Office	2	2	0	0	2	0	0
Treasury Solicitor's Department	7	7	6	0	1	0	0
Water Services Regulation Authority (OFWAT)	1	1	0	1	0	0	0

**Notes**

# - Figures supplied by these departments of state count non-routine information requests received by one or more of their agencies, as well as those received by the departments themselves. Annex B gives full details.

\* - These percentages are not shown because the number of qualifying requests is 20 or fewer.

1 - Applicants are able to ask a public authority for an "Internal Review" if they are not content with the public authority's initial decision on whether to release requested information. This process should be a fair and impartial review of the initial decision. Requesters who are still not content with the outcome of the Internal Review can make a formal appeal to the Information Commissioner if they wish (see Section 50 of the FOI Act).

2 - The totals shown do not include those monitored bodies who were unable to provide information on Internal Review durations (see footnote 5), therefore some do not equal those shown in Table 6.

3 - Excluding "on-hold" and "lapsed" requests, and all requests received by those monitored bodies which were not able to provide data on Internal Review durations in 2007.

4 - Excluding "on-hold" and "lapsed" requests.

5 - The Health and Safety Executive was not able to provide data on Internal Review durations in 2007.

**TABLE 8: Outcomes of appeals to the Information Commissioner's Office (ICO)<sup>1</sup> about the handling of non-routine information requests received by monitored bodies during 2007**

Government body	Total ICO Appeals	ICO Appeals with known outcome (at time of end-of-year monitoring)	Of ICO Appeals with known outcome, number where initial handling of request was:		
			Upheld in full	Upheld in part	Overtured
<b>TOTAL for all monitored bodies</b>	<b>222</b>	<b>65</b>	<b>40</b>	<b>15</b>	<b>10</b>
<b>TOTAL for Departments of State only</b>	<b>186</b>	<b>51</b>	<b>31</b>	<b>10</b>	<b>10</b>
<b>TOTAL for other monitored bodies</b>	<b>36</b>	<b>14</b>	<b>9</b>	<b>5</b>	<b>0</b>
<i>Departments of State</i>					
Attorney General's Office	2	1	1	0	0
Cabinet Office	27	5	1	2	2
Communities and Local Government	3	1	1	0	0
Department for Business, Enterprise and Regulatory Reform	12	4	0	3	1
Department for Children, Schools and Families	5	0	0	0	0
Department for Culture, Media and Sport #	9	0	0	0	0
Department for Environment, Food and Rural Affairs	7	1	1	0	0
Department for Innovation, Universities and Skills	0	0	0	0	0
Department for International Development	0	0	0	0	0
Department for Transport #	18	0	0	0	0
Department for Work and Pensions #	26	20	18	2	0
Department of Health	18	4	4	0	0
Deputy Prime Minister's Office	0	0	0	0	0
Export Credits Guarantee Department	1	0	0	0	0
Foreign and Commonwealth Office	7	0	0	0	0
HM Treasury	2	0	0	0	0
Home Office	9	1	1	0	0
Ministry of Defence #	12	0	0	0	0
Ministry of Justice #	25	12	4	2	6
Northern Ireland Office	3	2	0	1	1
Privy Council Office	0	0	0	0	0
Scotland Office	0	0	0	0	0
Wales Office	0	0	0	0	0

TABLE 8: (continued)

Government body	Total ICO Appeals	ICO Appeals with known outcome (at time of end-of-year monitoring)	Of ICO Appeals with known outcome, number where initial handling of request was:		
			Upheld in full	Upheld in part	Overtured
<i>Other bodies included in monitoring</i>					
Central Office of Information	0	0	0	0	0
Charity Commission	4	3	1	2	0
Crown Prosecution Service	3	1	0	1	0
Debt Management Office	0	0	0	0	0
Food Standards Agency	0	0	0	0	0
Health and Safety Executive	6	3	2	1	0
HM Land Registry	0	0	0	0	0
HM Revenue and Customs	10	4	4	0	0
National Archives	0	0	0	0	0
National Savings and Investments	0	0	0	0	0
Office for National Statistics	6	3	2	1	0
Office for Standards in Education	2	0	0	0	0
Office of Fair Trading	2	0	0	0	0
Office of Gas and Electricity Markets (OFGEM)	0	0	0	0	0
Office of Rail Regulation	0	0	0	0	0
Ordnance Survey	0	0	0	0	0
Royal Mint	0	0	0	0	0
Rural Payments Agency	0	0	0	0	0
Serious Fraud Office	0	0	0	0	0
Treasury Solicitor's Department	2	0	0	0	0
Water Services Regulation Authority (OFWAT)	1	0	0	0	0

**Notes**

# - Figures supplied by these departments of state count non-routine information requests received by one or more of their agencies, as well as those received by the departments themselves. Annex B gives full details.

1 - If an applicant is not satisfied with the outcome of a public authority's "Internal Review" of the handling of their information request, they may make a formal appeal to the Information Commissioner. If the Commissioner decides that the public authority has not complied with the FOI Act, he may issue a "decision notice" setting out the steps to be taken in order to achieve compliance.

**TABLE 9: Duration of deadline extensions to allow for the consideration of Public Interest<sup>1</sup> which were applied to non-routine information requests received by monitored bodies during 2007**

Government body	Total requests extended <sup>2</sup>	Extended Requests processed in full (at time of end-of-year monitoring)	Of extended requests processed in full, number where the extension to the deadline was:						
			5 days or less	Between 6 and 10 days	Between 11 and 15 days	Between 16 and 20 days	Between 21 and 30 days	Between 31 and 40 days	More than 40 days
<b>TOTAL for all monitored bodies</b>	<b>1,776</b>	<b>1456</b>	<b>106</b>	<b>154</b>	<b>175</b>	<b>261</b>	<b>198</b>	<b>183</b>	<b>379</b>
As a percentage of total requests received <sup>3</sup>	8.2%	6.7%	0.5%	0.7%	0.8%	1.2%	0.9%	0.8%	1.7%
<b>TOTAL for Departments of State only</b>	<b>1658</b>	<b>1344</b>	<b>88</b>	<b>147</b>	<b>165</b>	<b>240</b>	<b>188</b>	<b>162</b>	<b>354</b>
As a percentage of total requests received <sup>4</sup>	9.8%	8.0%	0.5%	0.9%	1.0%	1.4%	1.1%	1.0%	2.1%
<b>TOTAL for other monitored bodies</b>	<b>118</b>	<b>112</b>	<b>18</b>	<b>7</b>	<b>10</b>	<b>21</b>	<b>10</b>	<b>21</b>	<b>25</b>
As a percentage of total requests received <sup>3</sup>	2.5%	2.3%	0.4%	0.1%	0.2%	0.4%	0.2%	0.4%	0.5%
<b>Departments of State</b>									
Attorney General's Office	11	11	0	0	2	0	5	4	0
Cabinet Office	79	64	5	3	2	18	8	10	18
Communities and Local Government	49	39	2	2	2	22	5	1	5
Department for Business, Enterprise and Regulatory Reform	134	112	5	14	12	22	20	14	25
Department for Children, Schools and Families	17	12	2	3	0	1	2	2	2
Department for Culture, Media and Sport #	21	18	1	0	1	2	4	2	8
Department for Environment, Food and Rural Affairs	85	78	5	9	10	24	8	10	12
Department for Innovation, Universities and Skills	6	5	1	1	1	1	0	1	0
Department for International Development	27	19	0	1	2	3	3	3	7
Department for Transport #	104	97	6	15	23	28	10	8	7
Department for Work and Pensions #	39	38	1	8	21	7	1	0	0
Department of Health	56	56	5	3	12	12	14	3	7
Deputy Prime Minister's Office	0	0	0	0	0	0	0	0	0
Export Credits Guarantee Department	3	2	2	0	0	0	0	0	0
Foreign and Commonwealth Office	151	134	7	20	15	35	19	15	23
HM Treasury	163	95	1	12	4	15	9	25	29
Home Office	303	260	10	26	26	22	26	25	125
Ministry of Defence #	146	113	13	6	13	10	26	20	25
Ministry of Justice #	237	167	17	20	16	17	23	19	55
Northern Ireland Office	20	17	2	0	3	1	5	0	6
Privy Council Office	0	0	0	0	0	0	0	0	0
Scotland Office	7	7	3	4	0	0	0	0	0
Wales Office	0	0	0	0	0	0	0	0	0

TABLE 9: (continued)

Government body	Total requests extended <sup>2</sup>	Extended Requests processed in full (at time of end-of-year monitoring)	Of extended requests processed in full, number where the extension to the deadline was:						
			5 days or less	Between 6 and 10 days	Between 11 and 15 days	Between 16 and 20 days	Between 21 and 30 days	Between 31 and 40 days	More than 40 days
<b>Other bodies included in monitoring</b>									
Central Office of Information	0	0	0	0	0	0	0	0	0
Charity Commission	2	2	0	1	0	1	0	0	0
Crown Prosecution Service	7	5	0	0	0	1	1	2	1
Debt Management Office	0	0	0	0	0	0	0	0	0
Food Standards Agency	24	24	0	0	3	6	2	9	4
Health and Safety Executive <sup>5</sup>	-	-	-	-	-	-	-	-	-
HM Land Registry	2	2	2	0	0	0	0	0	0
HM Revenue and Customs	10	7	4	0	1	1	0	1	0
National Archives <sup>5</sup>	-	-	-	-	-	-	-	-	-
National Savings and Investments	1	1	1	0	0	0	0	0	0
Office for National Statistics	0	0	0	0	0	0	0	0	0
Office for Standards in Education	3	3	0	0	2	0	0	1	0
Office of Fair Trading	0	0	0	0	0	0	0	0	0
Office of Gas and Electricity Markets (OFGEM)	7	7	0	3	2	2	0	0	0
Office of Rail Regulation	25	25	1	0	1	0	0	3	20
Ordnance Survey	7	7	2	2	0	1	1	1	0
Royal Mint	0	0	0	0	0	0	0	0	0
Rural Payments Agency	23	22	7	1	1	7	6	0	0
Serious Fraud Office	3	3	0	0	0	0	0	3	0
Treasury Solicitor's Department	0	0	0	0	0	0	0	0	0
Water Services Regulation Authority (OFWAT)	4	4	1	0	0	2	0	1	0

**Notes**

# - Figures supplied by these departments of state count non-routine information requests received by one or more of their agencies, as well as those received by the departments themselves. Annex B gives full details.

1 - Public authorities are allowed to extend the standard deadline for responding to an information request (normally 20 working days) to allow for the consideration of public interest issues. See Section 10(2) of the FOI Act.

2 - There are some small differences between the number of PIT extensions shown above and in Table 2. Please see the Notes on the Tables section regarding the consistency between tables in this report. The totals shown do not include those monitored bodies who were unable to provide information on PIT extension durations (see footnote 5).

3 - Excluding "on-hold" and "lapsed" requests, and all requests received by those other monitored bodies which were not able to provide data on PIT extension durations in 2007 (see footnote 5).

4 - Excluding "on-hold" and "lapsed" cases.

5 - The Health and Safety Executive and the National Archives were not able to provide data on PIT extension durations in 2007.

TABLE 10: Summary Statistics, 2005 to 2007

	Departments of State <sup>1</sup>	Other monitored bodies	TOTAL
<b>Initial handling of requests</b>			
Total number of non-routine information requests received by monitored bodies			
2005	19,783	18,325	38,108
2006	17,999	15,689	33,688
2007	16,903	16,075	32,978
% change, 2006 to 2007	-6%	2%	-2%
Proportion of requests received (excluding on-hold or lapsed <sup>2</sup> ) where response was provided within 20-day deadline <sup>3</sup>			
2005	70%	85%	77%
2006	79%	90%	84%
2007	79%	90%	84%
Proportion of requests received (excluding on-hold or lapsed <sup>2</sup> ) where response was provided "in time" <sup>4</sup>			
2005	81%	93%	87%
2006	89%	94%	91%
2007	89%	93%	91%
Proportion of "resolvable" <sup>5</sup> requests granted in full			
2005	60%	72%	66%
2006	63%	61%	62%
2007	62%	64%	63%
Proportion of "resolvable" <sup>5</sup> requests withheld in full <sup>6</sup>			
2005	21%	15%	18%
2006	19%	18%	19%
2007	22%	18%	20%
<b>Internal Reviews</b>			
Total number of Internal Reviews <sup>7</sup> on non-routine information requests, where requested information was initially withheld			
2005	1,003	264	1,267
2006	838	247	1,085
2007	659	198	857
Proportion of Internal Reviews <sup>7</sup> with a known outcome where initial handling was upheld in full			
2005	77%	77%	77%
2006	78%	73%	77%
2007	74%	74%	74%
<b>Appeals to the Information Commissioner</b>			
Total number of appeals to the Information Commissioner's Office <sup>8</sup> on non-routine information requests received			
2005	103	24	127
2006	307	77	384
2007	186	36	222

**Notes**

# - Figures supplied by these departments of state count non-routine information requests received by one or more of their agencies, as well as those received by the departments themselves. Annex B gives full details.

1 - For 2006 and 2007, figures for the Home Office contributing towards Departments of State include requests received by the Criminal Records Bureau and UK Passport Services. For 2005, the figures relate only to requests received by the Home Office itself.

2 - Requests "on hold" are those where a fee has been charged but no payment has been received at the time of monitoring. These requests are effectively suspended since public authorities are not obliged to respond until payment has been made. Where a fee is charged and the deadline for payment expires, the request is deemed to have "lapsed" as no further action is required from the public authority.

3 - Although the standard statutory deadline for responding to an information request is 20 working days, a 30-day deadline applies where requests relate wholly or partly to archived information. The National Archives' timeliness figures are therefore reported on this basis.

4 - Requests answered within the 20-day limit (30 days for the National Archives) or using a permitted extension. "Permitted extensions" include: requests where the 20-day deadline for response under the Freedom of Information Act is extended to allow for consideration of the balance of the public interest; requests where the 20-day deadline for response under the Environmental Information Regulations is extended because of the complexity or volume of the request.

5 - "Resolvable requests" are all those where it is possible to make a substantive decision on whether to release the requested information. They exclude requests which are lapsed or "on-hold", where the information was not held, and where it was necessary to provide advice and assistance since in each of these cases it would not have been possible to resolve the request in the form it was asked.

6 - "Fully withheld" requests include those which were refused because it was estimated that the cost of complying with the request would exceed the appropriate limit.

7 - Applicants are able to ask a public authority for an "Internal Review" if they are not content with the public authority's initial decision on whether to release requested information. This process should be a fair and impartial review of the initial decision. Requesters who are still not content with the outcome of the Internal Review can make a formal appeal to the Information Commissioner if they wish (see Section 50 of the FOI Act)

8 - If an applicant is not satisfied with the outcome of a public authority's "Internal Review" of the handling of their information request, they may make a formal appeal to the Information Commissioner. If the Commissioner decides that the public authority has not complied with the FOI Act, he may issue a "decision notice" setting out the steps to be taken in order to achieve compliance.

**TABLE 11: Monthly number of referrals made to the MOJ Central Clearing House by its customer bodies during 2007**

Referring Department	Month											
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Cabinet Office/No 10	14	5	3	6	2	3	8	10	6	2	11	5
Crown Estate												1
Crown Prosecution Service		2			1	1			5		1	
Charity Commission			1									
Department for Business, Enterprise and Regulatory Reform								7	5	5	9	7
Department for Children, Schools and Families								1	2	2	2	2
Department for Communities and Local Government	8	4	3		2	2	4	4	1	4	3	4
Department for Constitutional Affairs	11	11	13	2	1	1		5			2	
Department for Culture, Media and Sport	5	8	5	1	9	6	2	6	3	1	1	1
Department for Education and Skills	3	1	3	3	6	3	2					
Department for Environment, Food and Rural Affairs	1	1	6		4	2	5	5	12	2	3	6
Department for International Development	1	1			1	1	2	1	1	2	1	
Department for Trade and Industry	7	2	5	5	4	8	9	4	1		1	
Department for Transport	6	4	11	3	3	5	5	8	3	7	9	2
Department for Work and Pensions	2		2		1	3	2	4	2	1	3	
Department of Health	9	5	11	11	5	2	12	7	3		13	2
Export Credits Guarantee Department		1			1	3			3			
Food Standards Agency	4	4	1	1	2	5		2	2			
Foreign and Commonwealth Office	11	14	14	11	25	42	23	18	9	11	13	13
Health and Safety Executive							2	3	1	2	1	2
HM Revenue and Customs	6	6	8	7	4	6	8	6	5	15	3	6
HM Treasury	9	10	5	12	8	7	9	8		6	6	1
Home Office	22	21	25	20	24	19	18	31	9	18	14	8
Inland Revenue							1			2		
The Law Officers' Department	3	2	1	2					1			
Ofsted									1		1	1
Office of Government Commerce					1	1	1	2	1			
Office of National Statistics											1	
Ministry of Defence	10	5	13	12	12	7	6	13	5	6	11	8
Ministry of Justice								2		1		
Northern Ireland Office	2	4	1	3	2	2	1	2	1			2
Prime Minister's Office						1						1
Scotland Office	3	1	4	4	2	1	1	1	1	1	3	2
Serious Fraud Office	2	4	3		1	1	1	1	2			
The National Archives	2	19	12	5	12	9	11	7	12	6	4	3
Valuations Office Agency				1	2	1		1			1	5
Wales Office	2	2		1		1						1
Other	5	3	4	4	2	6	3	1	1	5	1	1

**Note:** The figures shown in this table count all referrals to the Clearing House, including those Internal Reviews and appeals (whether to the Information Commissioner or the Information Tribunal).

## Notes on the tables

### Consistency between tables

Statistical tables shown in this report are based on either:

- Aggregates of the four quarterly monitoring returns completed for 2007 (Table 2)
- Annual data for the whole of 2007 collected separately at the end of the year (all other Tables)

For a number of monitored bodies, there are minor discrepancies between these two data sources in their reported numbers of FOI/EIR requests received. As a result, the data given in Table 2 is not fully consistent with that given in the other tables of this report. This issue mostly affects Tables 1, 3 and 8.

The nature, size and causes of the discrepancies between these two sources will vary from body to body. However, informal explanations have included:

- information requests being notified to central FOI teams too late for inclusion in quarterly monitoring returns;
- information requests initially counted, but later identified as requiring only routine handling and, therefore, not within the scope of these statistics;
- requests flagged as requiring a deadline extension at the time of quarterly monitoring by central FOI teams, but later found to have been answered within the standard time limit and a deadline extension was not required.

The overall magnitude of these discrepancies is small. By way of illustration, the reported total number of requests received by monitored bodies during the year (excluding on-hold and lapsed requests) is 32,644 from quarterly data, and 32,605 from annual data - a difference of about 0.1%.

We believe that the annual figures provide a more accurate picture of the overall numbers of FOI / EIR requests received, principally because they were collected more recently, thereby incorporating late-notified requests and revisions to ensure consistency with monitoring requirements.

## Annex A - Important note on the scope and consistency of the statistics

### Defining the scope of Freedom of Information monitoring

Section 1 of the Freedom of Information Act 2000 (FOI) states that (subject to certain conditions):

*“Any person making a request for information to a public authority is entitled -*

- (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and*
- (b) if that is the case, to have that information communicated to him”*

Regulation 5 of the Environmental Information Regulations 2004 states that (subject to certain conditions):

*“A public authority that holds environmental information shall make it available on request.”*

Following their introduction on 1 January 2005, the above provisions apply to all relevant requests for information made to public authorities, no matter how routine and straightforward they may be.

Government departments supply large amounts of information, both on request and proactively, as an established and routine part of their business. This includes information released in the form of leaflets, correspondence exchanges, reports and other published material, and through websites and departmental FOI Publication Schemes. All information released on request is covered by the Freedom of Information Act. However, it would be both uninformative and fundamentally unfeasible to count all such activity in departmental Freedom of Information monitoring returns.

The statistics in this bulletin therefore relate only to the “non-routine” information requests that government departments have received. Essentially, this means that departments’ statistics should only count those requests where:

1. It was necessary to take a considered view on how to handle the request under the terms of the Freedom of Information Act, and
2. Departmental Freedom of Information officers were informed of the request and logged it in their case management systems.

### Defining a request

The full definition of an “information request” for the purposes of inclusion the Ministry of Justice’s monitoring returns is shown below. This definition was circulated to members of the central government “Freedom of Information Practitioners’ Group” in November 2004.

*“[An information request for monitoring purposes is one ...]*

1. *Which meets the criteria in section 8 of the Freedom of Information Act, and if the request falls under the Environmental Information Regulations it includes requests made in any form or context, including oral requests; and*
2. *Which is a request for information that is not already reasonably accessible to the applicant by other means; and*
  - (i) Which results in the release of one or more documents (in any media) or inclusion of extracts of documents in the information released; or*

- (ii) *Results in information being withheld under an exemption or exception from the right of access (either the Freedom of Information Act or the Environmental Information Regulations); or*
- (iii) *The request is not processed because the department estimates the cost of complying would exceed the appropriate limit in accordance with section 12 of the Freedom of Information Act; or*
- (iv) *The request is not processed because the department is relying on the provisions of section 14 of the Freedom of Information Act; or*
- (v) *Where a search is made for information sought in the request and it is found that none is held."*

### Consistency of the statistics

It is necessary to apply a definition of this sort in order to set a clear boundary to the coverage of our monitoring, and thereby obtain meaningful information from the process. The definition shown above has been widely disseminated to Freedom of Information officers in government and we have tried to ensure that it is applied consistently across all monitored bodies.

However, there is considerable variation in the way these bodies are structured and managed, and in the mechanisms that they have put in place to meet their obligations under the Freedom of Information Act. For example, some bodies operate a centralised Freedom of Information secretariat that coordinates responses to all information requests received. Others give a greater degree of autonomy to individual work areas in the handling of information requests.

As a result of these differences, there is likely to be a degree of inconsistency in the way in which bodies have interpreted and applied the definition of an "information request" for monitoring purposes. Although we cannot estimate the extent or effect of the likely

inconsistency, it is very important to bear in mind when using the figures in this bulletin, particularly when comparing statistics for individual bodies.

In summary, it is important to note that:

- (i) *These statistics only cover "non-routine" information requests, and do not give a representative picture of all requests for information received in government.*
- (ii) *There is likely to be a degree of inconsistency between monitored bodies' interpretations of the definition of an "information request" for monitoring purposes. This should be borne in mind when using these statistics.*
- (iii) *Other than Table 2, these figures are not an aggregate of the quarterly statistics published by the Ministry of Justice, but present the most accurate picture of "non-routine" information requests received by monitored bodies during the whole of the year.*

## Annex B - Government bodies included in these statistics

The statistics in this bulletin have been derived from monitoring returns completed by Freedom of Information officers in government departments during February 2008. The returns were collected and analysed by the Ministry of Justice, the government department with lead responsibility for the Freedom of Information Act 2000.

The formal monitoring work covers over 40 government bodies, including all major Departments of State.

The monitored bodies which are not Departments of State, nonetheless, have significant policymaking, regulatory or information-handling functions. As far as possible, this list includes major non-Ministerial Government Departments (NMGDs) and excludes Executive Agencies, although these classifications are not mutually exclusive and periodic "Machinery of Government" changes make it difficult to define the list precisely.

### Coverage within the UK

The Freedom of Information Act 2000 applies in England, Wales and Northern Ireland. The Northern Ireland Office and the Wales Office are included in these statistics. However, we have not collected formal monitoring data from the National Assembly for Wales, or from the bodies that make up the Northern Ireland Civil Service.

The Freedom of Information (Scotland) Act 2002 applies in Scotland. This legislation lies outside the scope of the monitoring work on which this bulletin is based. However, the Scotland Office has been included here because, although it deals with matters relating to Scotland, it is based in England, and hence falls under the scope of the Freedom of Information Act 2000 rather than the corresponding Scottish legislation.

A full list of the bodies listed in the monitoring statistics during 2007 is shown below.

### Departments of State

Attorney General's Office  
Cabinet Office  
Communities and Local Government  
Department for Business, Enterprise and Regulatory Reform  
Department for Children, Schools and Families  
Department for Culture, Media and Sport  
Department for Environment, Food and Rural Affairs  
Department for Innovation, Universities and Skills  
Department for International Development  
Department for Transport  
Department for Work and Pensions  
Department of Health  
Deputy Prime Minister's Office  
Export Credits Guarantee Department  
Foreign and Commonwealth Office  
HM Treasury  
Home Office  
Ministry of Defence  
Ministry of Justice  
Northern Ireland Office  
Privy Council Office  
Scotland Office  
Wales Office

### Other monitored bodies

Central Office of Information  
Charity Commission  
Crown Prosecution Service  
Debt Management Office  
Food Standards Agency  
Health and Safety Executive  
HM Land Registry  
HM Revenue and Customs  
The National Archives  
National Savings and Investments

Office for National Statistics  
 Office for Standards in Education (OFSTED)  
 Office of Fair Trading  
 Office of Gas and Electricity Markets (OFGEM)  
 Office of Rail Regulation  
 Ordnance Survey  
 Royal Mint  
 Rural Payments Agency  
 Serious Fraud Office  
 Treasury Solicitor's Department  
 Water Services Regulation Authority (OFWAT)

### Additional notes

1. The following departmental changes occurred during the course of 2007.

The Deputy Prime Minister's Office (DPMO) was abolished on 28 June 2007. Statistics shown for DPMO in 2007 relate to requests received prior to that date.

On 2 April 2007, the functions of the Privy Council Office (PCO) were split between the Cabinet Office and the Department for Constitutional Affairs (now the Ministry of Justice). Statistics shown for the PCO, therefore, relate to those which were received prior to that date.

On 9 May 2007, the Ministry of Justice (MOJ) was created, assuming the responsibilities of the former Department for Constitutional Affairs (DCA), as well as the National Offender Management Service (NOMS) and the Office for Criminal Justice Reform (OCJR) from the Home Office. The statistics for the Ministry of Justice comprise information requests received by the Department of Constitutional Affairs prior to 9 May, and requests received by all parts of Ministry of Justice since that date. Information requests received by NOMS and OCJR prior to the transfer of responsibilities on 9 May have been counted under the Home Office, of which they were a part at the time the request was initially received.

Three new Departments of State were created on 28 June 2007. These were the Department for Children, Schools and Families (DCSF), the Department for Innovation, Universities and Skills (DIUS), and the Department for Business, Enterprise and Regulatory Reform (BERR). They replaced the Department for Education and Skills (DfES) and the Department of Trade and Industry (DTI). Information requests received by DfES in 2007 prior to 28 June are recorded under the figures for DCSF. Information requests received by DTI prior to 28 June are recorded under the figures for BERR.

2. Cabinet Office figures include requests that were addressed to 10 Downing Street.
3. The figures provided by a number of Departments of State count the non-routine information requests received by one or more of their agencies, as well those received by the departments themselves. The departments and agencies affected are shown below.

### Department for Transport

Figures include requests received by the following agencies:

Driving Standards Agency  
 Driver and Vehicle Licensing Agency  
 Highways Agency  
 Marine and Coastguard Agency  
 Vehicle Certification Agency  
 Vehicle and Operator Services Agency

### Department for Work and Pensions

Figures include requests received by the following agencies:

Appeals Agency  
 Child Support Agency  
 Disability Carers Service  
 Jobcentre Plus  
 Pension Service  
 Rent Service

**Department of Culture Media and Sport**

Figures include requests received by the Royal Parks Agency.

**Home Office**

From 2006 onwards, figures include requests received by the Criminal Records Bureau, the Borders and Immigration Agency, and the UK Passport Service. The latter agency was absorbed within the Identity and Passport Service from 1 April 2006. Previously supplied figures for the year 2005 (as reported in Tables A, B and C) only include requests received by the Home Office itself.

**Ministry of Defence**

Figures include requests received by the following agencies:

ABRO (Army Base Repair Organisation)  
(Trading Fund)  
Armed Forces Personnel Administration Agency  
Army Training and Recruiting Agency  
British Forces Post Office  
Defence Analytical Services Agency  
Defence Aviation Repair Agency (Trading Fund)  
Defence Bills Agency  
Defence Communications Services Agency  
Defence Estates  
Defence Medical Education and Training Agency  
Defence Procurement Agency  
Defence Science and Technology Laboratory  
(Trading Fund)  
Defence Storage and Distribution Agency  
Defence Transport and Movements Agency  
Defence Vetting Agency  
Disposal Services Agency  
Duke of York's Royal Military School  
Met Office (Trading Fund)  
Ministry of Defence Police and Guarding Agency  
Naval Recruiting and Training Agency  
Pay and Personnel Agency  
RAF Training Group Defence Agency  
Service Children's Education  
UK Hydrographic Office (Trading Fund)  
Veterans Agency

**Ministry of Justice**

Figures include requests received by HM Court Service where they were referred to the Ministry's Access Rights Unit.





