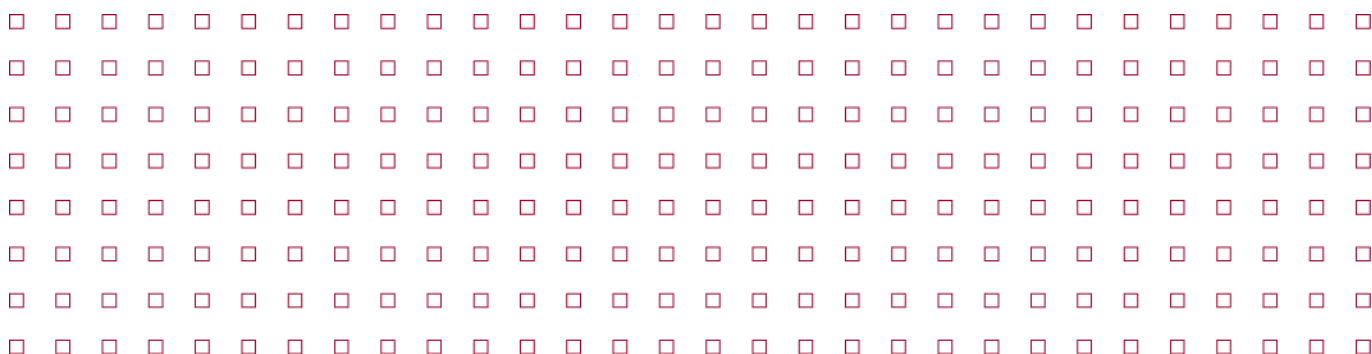


# **Freedom of Information Act 2000**

Statistics on implementation in  
central government

Q4: October - December 2007

Published 21 April 2008







Ministry of  
**JUSTICE**

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# Contents

Introduction	1
Executive Summary	2
Commentary	3
Tables	9
Notes	24
Appendix A – Important note on the scope and consistency of the statistics	26
Appendix B – Government bodies included in these statistics	29

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## Introduction

The Freedom of Information Act 2000 (“FoI Act”) and the associated Environmental Information Regulations 2004 (“EIRs”) came fully into force on 1 January 2005. This bulletin covers the period October to December 2007 and presents the twelfth quarterly set of statistics on their implementation within central government.

The previous quarterly bulletins, together covering the period from January 2005 to September 2007, are available via the links on the following pages of the Ministry of Justice and Freedom of Information websites:

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

<http://www.foi.gov.uk/reference/statisticsAndReports.htm>

The statistics in this bulletin relate to the handling of written requests for information received by monitored bodies during the relevant time period. **They cover only “non-routine” information requests**, and information given out on request as a part of routine business should not be counted. **Appendix A** gives a definition of a “non-routine” request, and other information on the scope of these statistics.

This bulletin presents monitoring statistics for a total of 42 central government bodies, including all major departments of state. **Appendix B** gives a full list of monitored bodies.

2007

Q4: October - December

## Executive Summary

Departments of State reported receiving 4,078 “non-routine” information requests during the fourth quarter of 2007 (Q4). Other monitored bodies received 3,726 requests. Across all monitored bodies, a total of 7,804 requests were received, of which 92 per cent had been processed at the time of monitoring. This includes 121 requests handled under the amended Environmental Information Regulations (EIRs) which came into force on 1 January 2005. *[see Table 1]*

The 7,804 requests across all monitored bodies received in the fourth quarter of 2007 is 2 per cent fewer than the 7,999 received during the corresponding quarter of 2006. *[see Table A]*

During Q4 of 2007, 90 per cent of all monitored bodies’ requests (excluding those “on hold” or lapsed) were “in time”, in that they were processed within the statutory deadline\* or were subject to a permitted deadline extension. This figure is slightly lower than in the previous quarter, and slightly lower than in the corresponding quarter of 2006. *[see Table 2 and Table B]*

Of all “resolvable” requests received during Q4 of 2007 (i.e. requests where it was possible to make a substantive decision on whether to release the information being sought), 60 per cent were granted in full, a slightly higher proportion than in the previous quarter. *[see Table 3 and Table C]*

\* - 20 working days generally, 30 working days for The National Archives



2007

Q4: October - December

## Commentary

### Number of requests [see Table 1 and Table A]

Departments of State reported receiving a total of 4,078 information requests under the Freedom of Information Act and the associated Environmental Information Regulations during the quarter from 1 October to 31 December 2007 (Q4). Other monitored bodies reported having received 3,726 requests. Across all monitored bodies, therefore, a total of 7,804 requests were reported.

This overall total for Q4 of 2007 is 2 per cent fewer than in the corresponding quarter last year (i.e. Q4 of 2006). The number of requests received by Departments of State fell by 10 per cent compared to the same period last year, while the total received by other monitored bodies increased by 7 per cent. Departments of State accounted for 52 per cent of all requests received by monitored bodies in Q4 of 2007.

**Figure 1:** Numbers of FoI requests received by Departments of State and other monitored bodies, quarterly from Q4 2005.

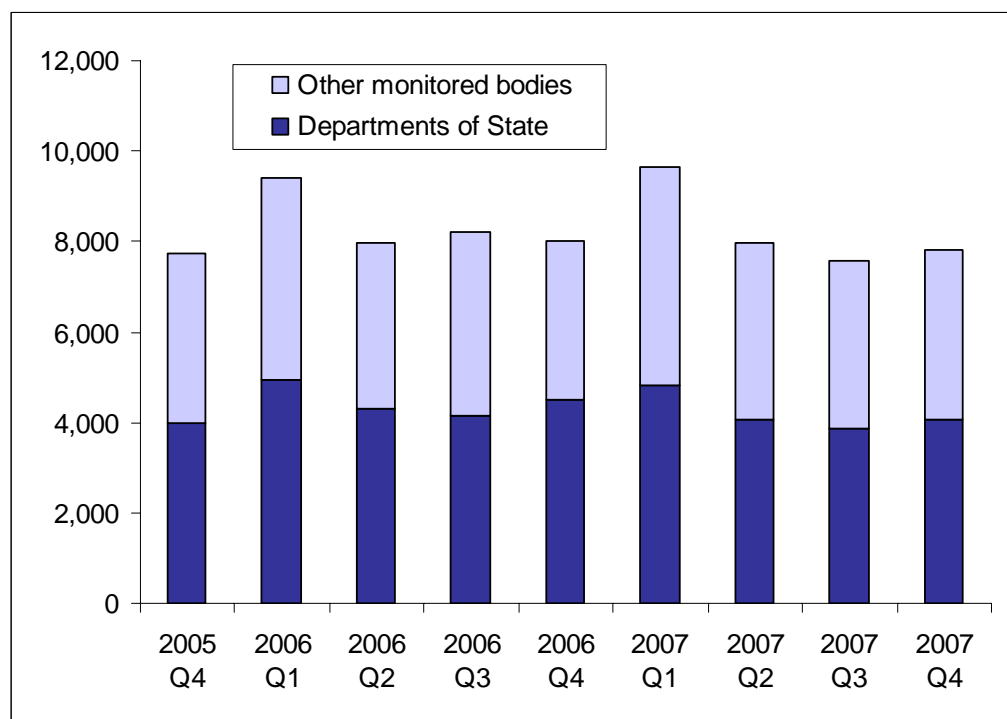


Figure 1 shows that there have been noticeable “jumps” in the total number of requests received in the first quarters of 2006 and 2007 (there

2007

Q4: October - December

was also a large number of requests in Q1 of 2005, although this was immediately following the Act's implementation and is therefore unlikely to be representative). This suggests that there may be a seasonal pattern to information requests, although it is not yet possible to be definitive on this point.

Of the Departments of State, the Ministry of Defence reported having received 739 requests during Q4, the highest departmental total. This was over 50 per cent more than the Department for Transport, whose total of 473 requests was the next highest. It should be noted that both departments' figures include requests received by some of their agencies (see Appendix B). The Ministry of Justice (464) and the Home Office (420) were the other departments to receive more than 400 requests in Q4.

Among other monitored bodies, the Health and Safety Executive reported having received 1,471 requests during Q4, while the National Archives received 1,064. These are the only monitored bodies to have received more than 1,000 requests during each quarter since the Act was implemented.

Monitoring statistics also show the number of non-routine information requests that fell fully or mostly under the Environmental Information Regulations (EIRs). There were 121 such requests during the fourth quarter of 2007, accounting for 1.6 per cent of all requests received. The monitored bodies with the highest numbers of requests falling under the EIRs were Communities and Local Government with 31 requests, the Department for Environment, Food and Rural Affairs with 29 requests, and the Rural Payments Agency with 19 requests.

### **Status of requests at time of monitoring** *[see Table 1]*

A large majority of requests (92 per cent) received during Q4 had been processed by the time monitoring information was collected. Of the 593 requests that were still being processed by the monitored bodies, 85 (14 per cent) were reported as "on hold" or "lapsed" because a fee had been charged but no payment had been received. These requests are effectively in suspension, since public authorities are not obliged to respond until the fee has been paid.

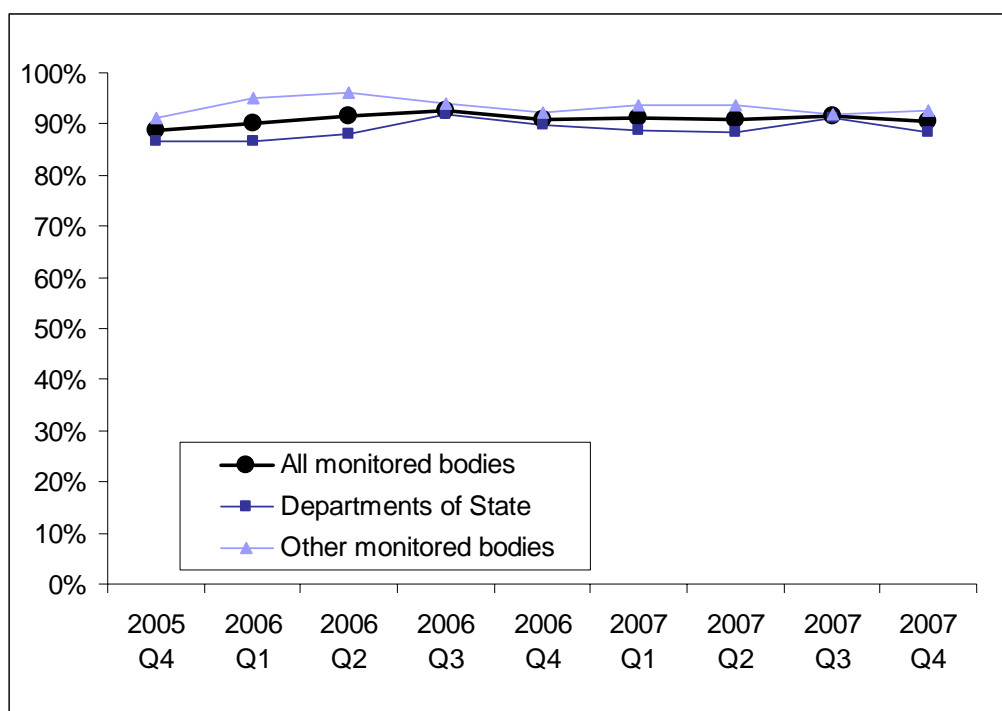
2007

Q4: October - December

**Timeliness of response to requests** [see Table 2 and Table B]

The FoI Act requires public bodies to respond to written requests for information within 20 working days of receipt (with limited exceptions, for example to allow additional time for the consideration of public interest). Across all monitored bodies, 83 per cent of requests received during Q4 of 2007 were sent a response within this standard deadline. Ninety per cent of requests received during Q4 were “in time”, in that they either received a response within the standard deadline or were subject to a permitted deadline extension. Both of these measures are slightly lower than in the previous quarter and in the equivalent quarter last year.

**Figure 2:** Percentage of FoI requests processed “in time” by Departments of State and other monitored bodies, quarterly from Q4 2005.



Although the standard statutory deadline for response to a FoI request is 20 working days, a 30 working day deadline applies where requests relate wholly or partly to information transferred to the National Archives, which has provided response timeliness information on this basis.

2007

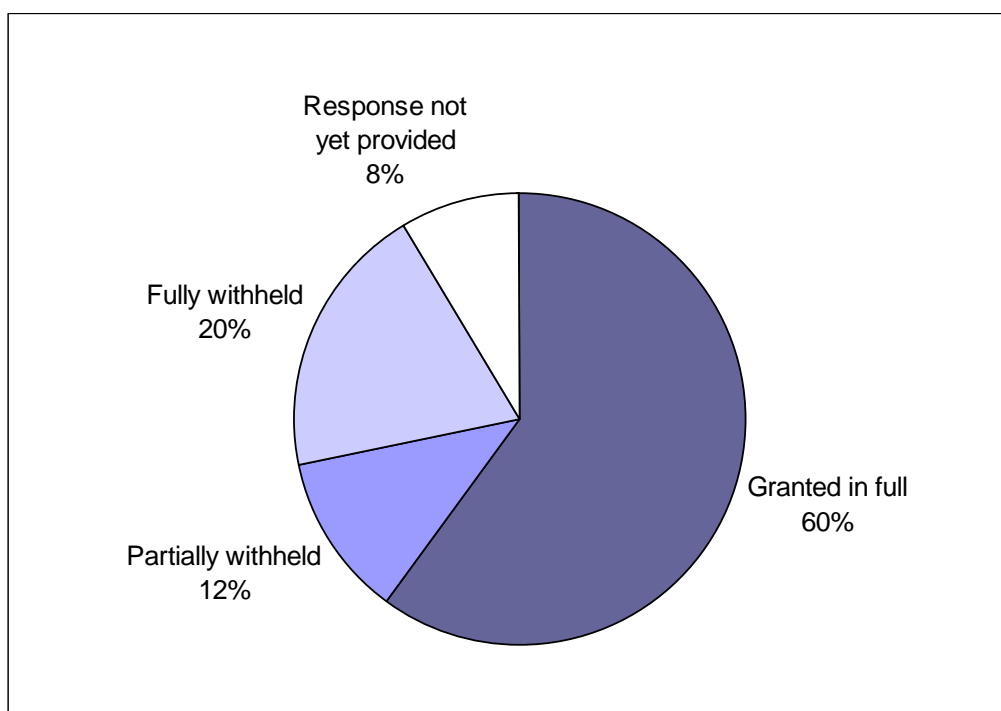
Q4: October - December

**Initial outcomes of requests** [see Table 3 and Table C]

Of the 7,804 requests reported during Q4 of 2007 across all monitored bodies, 85 were “on hold” awaiting a fee payment. In addition, a further 1,211 requests sought information that was not held, and 521 were responded to with “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 5,987 requests were assumed to be “resolvable”, in that it would have been possible to give a substantive decision on whether to release the information being sought.

Of the “resolvable” requests received during Q4, 60 per cent were granted in full, 12 per cent were withheld in part, and 20 per cent were withheld in full at the time of monitoring. The remaining 8 per cent had not yet received a substantive response.

**Figure 3:** Initial outcomes of “resolvable” FoI requests received by Departments of State and other monitored bodies in Q4 2007.



The proportion of “resolvable” requests granted in full in Q4, 60 per cent, was higher than in the previous quarter (58 per cent). The proportion of requests in Q4 that were fully withheld, 20 per cent, was slightly lower than in the previous quarter.

2007

Q4: October - December

### Use of exemptions and exceptions [see Table 4]

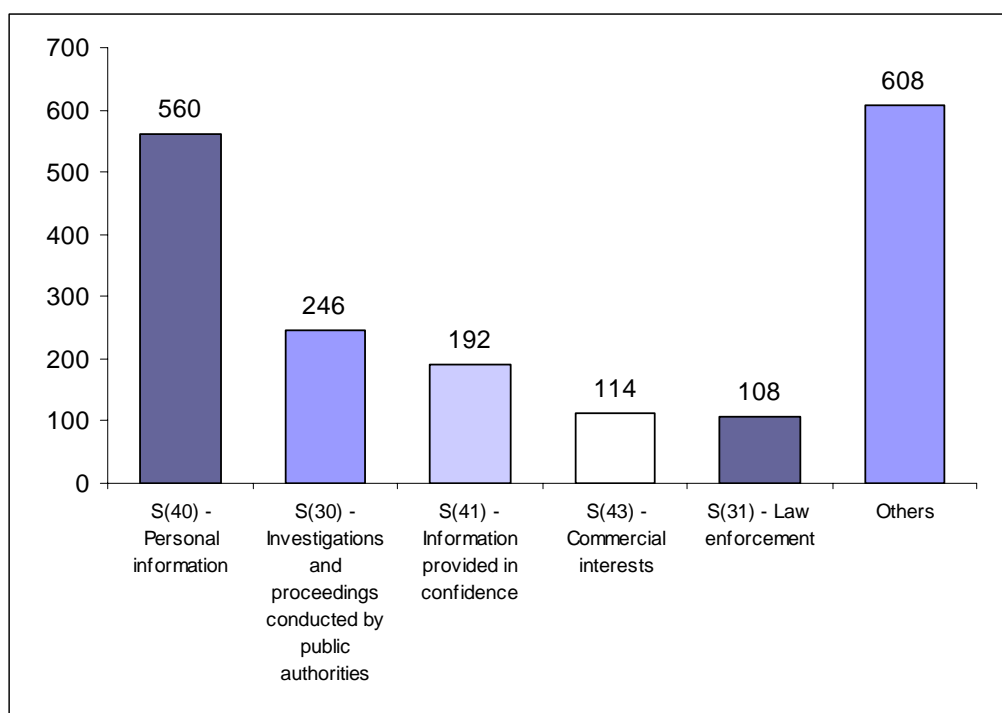
Under the FoI Act, a public authority can only refuse to provide requested information that it holds if:

- The request is considered vexatious or repeated
- The cost of compliance would exceed the appropriate limit
- The information falls in one or more of the categories of exempt information (“exemptions”) listed in Part II of the Act.

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.

Across all monitored bodies, a total of 1,557 requests were reported as having one or more of these exemptions or exceptions applied to them during Q4. This quarterly total is markedly higher than it was prior to Q3 of 2006 because it now includes data on exemption usage by the Health and Safety Executive, which was not previously available.

**Figure 4:** Number of exemptions and exceptions applied by Departments of State and other monitored bodies on requests received in Q4 2007.



2007

Q4: October - December

The most commonly applied exemptions or exceptions in Q4 were those listed at Section 40 of the FoI Act (relating to personal information), which was applied to 560 requests, Section 30 (investigations and proceedings conducted by public authorities), which was applied to 246 requests, and Section 41 (information provided in confidence), which was applied to 192 requests.

### **Departmental name changes**

Please refer to note 1 in Appendix B for full details of departmental name changes that have occurred since Q4 2005, the period covered by the tables in this bulletin.

## Tables

### **Latest quarterly tables**

- Table 1. Number of non-routine information requests received by monitored bodies from 1 October – 31 December 2007, and their status at time of monitoring
- Table 2. Timeliness of response to non-routine information requests received by monitored bodies from 1 October – 31 December 2007
- Table 3. Initial outcomes of non-routine information requests received by monitored bodies from 1 October – 31 December 2007
- Table 4. Exemptions and exceptions applied by monitored bodies when withholding non-routine information requests received from 1 October – 31 December 2007

### **In-year performance and volume tables**

- Table A. Number of non-routine information requests received by monitored bodies, by quarter, since 1 October 2005
- Table B. Proportion of non-routine information requests received by monitored bodies that were answered “in time”, by quarter, since 1 October 2005
- Table C. Proportion of resolvable non-routine information requests received by monitored bodies that were granted in full, by quarter, since 1 October 2005

**TABLE 1****Number of non-routine information requests received from 1 October - 31 December 2007, and their status at time of monitoring<sup>1</sup>**

<b>Government body</b>	<b>Total requests received</b>	<b>Request status at time of monitoring<sup>1</sup></b>			<b>Number handled under EIRs<sup>3</sup></b>
		<b>Processed</b>	<b>"On hold" or lapsed<sup>2</sup></b>	<b>Still being processed</b>	
<b>TOTAL for all monitored bodies</b>	<b>7,804</b>	<b>7,211</b>	<b>85</b>	<b>508</b>	<b>121</b>
<b>TOTAL for Departments of State only</b>	<b>4,078</b>	<b>3,724</b>	<b>0</b>	<b>354</b>	<b>81</b>
<b>TOTAL for other monitored bodies</b>	<b>3,726</b>	<b>3,487</b>	<b>85</b>	<b>154</b>	<b>40</b>
<b><i>Departments of State</i></b>					
Attorney General's Office	13	12	0	1	0
Cabinet Office	157	151	0	6	0
Communities and Local Government	136	122	0	14	31
Department for Business, Enterprise and Regulatory Reform	142	123	0	19	1
Department for Children, Schools and Families	115	110	0	5	0
Department for Culture, Media and Sport #	70	59	0	11	0
Department for Environment, Food and Rural Affairs	100	96	0	4	29
Department for Innovation, Universities and Skills	20	19	0	1	0
Department for International Development	53	45	0	8	0
Department for Transport #	473	441	0	32	15
Department for Work and Pensions #	325	306	0	19	0
Department of Health	260	247	0	13	0
Export Credits Guarantee Department	16	9	0	7	5
Foreign and Commonwealth Office	233	217	0	16	0
HM Treasury	268	244	0	24	0
Home Office #	420	386	0	34	0
Ministry of Defence #	739	660	0	79	0
Ministry of Justice #	464	407	0	57	0
Northern Ireland Office	36	33	0	3	0
Scotland Office	28	28	0	0	0
Wales Office	10	9	0	1	0



**TABLE 1 continued**

**Number of non-routine information requests received from 1 October - 31 December 2007, and their status at time of monitoring<sup>1</sup>**

Government body	Total requests received	Request status at time of monitoring <sup>1</sup>			
		Processed	"On hold" or lapsed <sup>2</sup>	Still being processed	Number handled under EIRs <sup>3</sup>
<b><i>Other bodies included in monitoring</i></b>					
Central Office of Information	13	13	0	0	0
Charity Commission	106	106	0	0	0
Crown Prosecution Service	106	105	0	1	0
Debt Management Office	62	62	0	0	0
Food Standards Agency	24	24	0	0	2
Health and Safety Executive	1,471	1,425	0	46	10
HM Land Registry	27	27	0	0	0
HM Revenue and Customs	303	244	0	59	0
National Archives	1,064	934	85	45	6
National Savings and Investments	22	22	0	0	0
Office for National Statistics	34	34	0	0	0
Office for Standards in Education	227	225	0	2	0
Office of Fair Trading	68	68	0	0	0
Office of Gas and Electricity Markets (OFGEM)	28	28	0	0	0
Office of Rail Regulation	31	31	0	0	0
Ordnance Survey	36	36	0	0	1
Royal Mint	2	2	0	0	0
Rural Payments Agency	29	28	0	1	19
Serious Fraud Office	4	4	0	0	0
Treasury Solicitor's Department	52	52	0	0	0
Water Services Regulation Authority (OFWAT)	17	17	0	0	2

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

**Notes**

1 - Monitoring returns were submitted to the Ministry of Justice 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. For further information on the EIRs, see the main Notes section of this publication.

TABLE 2

Timeliness of response to non-routine information requests received by monitored bodies from 1 October - 31 December 2007

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>7,719</b>	<b>6,425</b>	<b>548</b>	<b>746</b>	<b>83%</b>	<b>90%</b>
<b>TOTAL for Departments of State only</b>	<b>4,078</b>	<b>3,187</b>	<b>412</b>	<b>479</b>	<b>78%</b>	<b>88%</b>
<b>TOTAL for other monitored bodies</b>	<b>3,641</b>	<b>3,238</b>	<b>136</b>	<b>267</b>	<b>89%</b>	<b>93%</b>
<b>Departments of State</b>						
Attorney General's Office	13	12	0	1	*	*
Cabinet Office	157	130	22	5	83%	97%
Communities and Local Government	136	103	19	14	76%	90%
Department for Business, Enterprise and Regulatory Reform	142	89	41	12	63%	92%
Department for Children, Schools and Families	115	101	7	7	88%	94%
Department for Culture, Media and Sport #	70	42	7	21	60%	70%
Department for Environment, Food and Rural Affairs	100	74	14	12	74%	88%
Department for Innovation, Universities and Skills	20	13	3	4	*	*
Department for International Development	53	35	8	10	66%	81%
Department for Transport #	473	396	34	43	84%	91%
Department for Work and Pensions #	325	244	12	69	75%	79%
Department of Health	260	221	15	24	85%	91%
Export Credits Guarantee Department	16	5	1	10	*	*
Foreign and Commonwealth Office	233	189	38	6	81%	97%
HM Treasury	268	235	25	8	88%	97%
Home Office #	420	320	48	52	76%	88%
Ministry of Defence #	739	598	31	110	81%	85%
Ministry of Justice #	464	326	80	58	70%	88%
Northern Ireland Office	36	25	5	6	69%	83%
Scotland Office	28	20	2	6	71%	79%
Wales Office	10	9	0	1	*	*

**TABLE 2 continued**

**Timeliness of response to non-routine information requests received by monitored bodies from 1 October - 31 December 2007**

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	13	13	0	0	*	*
Charity Commission	106	103	0	3	97%	97%
Crown Prosecution Service	106	104	2	0	98%	100%
Debt Management Office	62	62	0	0	100%	100%
Food Standards Agency	24	22	2	0	92%	100%
Health and Safety Executive	1,471	1,303	41	127	89%	91%
HM Land Registry	27	26	1	0	96%	100%
HM Revenue and Customs	303	211	4	88	70%	71%
National Archives ^	979	894	74	11	91%	99%
National Savings and Investments	22	21	0	1	95%	95%
Office for National Statistics	34	32	0	2	94%	94%
Office for Standards in Education	227	212	0	15	93%	93%
Office of Fair Trading	68	66	0	2	97%	97%
Office of Gas and Electricity Markets (OFGEM)	28	22	4	2	79%	93%
Office of Rail Regulation	31	30	0	1	97%	97%
Ordnance Survey	36	30	0	6	83%	83%
Royal Mint	2	2	0	0	*	*
Rural Payments Agency	29	18	5	6	62%	79%
Serious Fraud Office	4	3	0	1	*	*
Treasury Solicitor's Department	52	50	0	2	96%	96%
Water Services Regulation Authority (OFWAT)	17	14	3	0	*	*

**Notes**

\* - 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 those received by the departments themselves. Appendix B gives full details.

^ - 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.

2 - "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 from 1 October - 31 December 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 <sup>3</sup>	Initial outcome of request				Percentage of resolvable requests granted 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>7,719</b>	<b>521</b>	<b>1,211</b>	<b>5,987</b>	<b>3,584</b>	<b>712</b>	<b>1,183</b>	<b>508</b>	<b>60%</b>
<b>TOTAL for Departments of State only</b>	<b>4,078</b>	<b>278</b>	<b>635</b>	<b>3,165</b>	<b>1,897</b>	<b>279</b>	<b>635</b>	<b>354</b>	<b>60%</b>
<b>TOTAL for other monitored bodies</b>	<b>3,641</b>	<b>243</b>	<b>576</b>	<b>2,822</b>	<b>1,687</b>	<b>433</b>	<b>548</b>	<b>154</b>	<b>60%</b>
<b>Departments of State</b>									
Attorney General's Office	13	3	4	6	5	0	0	1	*
Cabinet Office	157	15	50	92	27	5	54	6	29%
Communities and Local Government	136	1	24	111	68	21	8	14	61%
Department for Business, Enterprise and Regulatory Reform	142	4	28	110	49	15	27	19	45%
Department for Children, Schools and Families	115	8	17	90	61	9	15	5	68%
Department for Culture, Media and Sport #	70	3	7	60	28	8	13	11	47%
Department for Environment, Food and Rural Affairs	100	9	7	84	54	7	19	4	64%
Department for Innovation, Universities and Skills	20	2	1	17	14	0	2	1	*
Department for International Development	53	0	9	44	28	3	5	8	64%
Department for Transport #	473	4	47	422	284	20	86	32	67%
Department for Work and Pensions #	325	3	21	301	249	11	22	19	83%
Department of Health	260	2	52	206	129	26	38	13	63%
Export Credits Guarantee Department	16	0	0	16	4	0	5	7	*
Foreign and Commonwealth Office	233	12	34	187	64	39	68	16	34%
HM Treasury	268	52	86	130	45	2	59	24	35%
Home Office #	420	40	85	295	146	33	82	34	49%
Ministry of Defence #	739	24	58	657	481	49	48	79	73%
Ministry of Justice #	464	94	87	283	127	21	78	57	45%
Northern Ireland Office	36	0	10	26	12	8	3	3	46%
Scotland Office	28	0	7	21	17	1	3	0	81%
Wales Office	10	2	1	7	5	1	0	1	*

**TABLE 3 continued**

**Initial outcomes of non-routine information requests received by monitored bodies from 1 October - 31 December 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 <sup>3</sup>	Initial outcome of request				Percentage of resolvable requests granted in full
					Granted in full	Partially withheld	Fully withheld <sup>4</sup>	Response not yet provided <sup>5</sup>	
<b>Other bodies included in monitoring</b>									
Central Office of Information	13	0	0	13	11	0	2	0	*
Charity Commission	106	10	9	87	53	24	10	0	61%
Crown Prosecution Service	106	26	26	54	14	9	30	1	26%
Debt Management Office	62	0	0	62	62	0	0	0	100%
Food Standards Agency	24	0	2	22	7	7	8	0	32%
Health and Safety Executive	1,471	28	328	1,115	515	277	277	46	46%
HM Land Registry	27	0	0	27	27	0	0	0	100%
HM Revenue and Customs	303	3	35	265	147	10	49	59	55%
National Archives	979	136	103	740	609	22	64	45	82%
National Savings and Investments	22	0	5	17	14	0	3	0	*
Office for National Statistics	34	1	10	23	13	2	8	0	57%
Office for Standards in Education	227	0	26	201	90	50	59	2	45%
Office of Fair Trading	68	13	7	48	16	5	27	0	33%
Office of Gas and Electricity Markets (OFGEM)	28	8	4	16	12	4	0	0	*
Office of Rail Regulation	31	0	5	26	17	8	1	0	65%
Ordnance Survey	36	1	3	32	25	4	3	0	78%
Royal Mint	2	0	0	2	2	0	0	0	*
Rural Payments Agency	29	5	3	21	12	4	4	1	57%
Serious Fraud Office	4	0	1	3	1	2	0	0	*
Treasury Solicitor's Department	52	12	5	35	33	0	2	0	94%
Water Services Regulation Authority (OFWAT)	17	0	4	13	7	5	1	0	*

**Notes**

\* - 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 those received by the departments themselves. Appendix 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 full

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 not possible 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 proportions as "resolvable" requests in general.

TABLE 4

Exemptions and exceptions<sup>1</sup> applied by monitored bodies\* when withholding non-routine information requests received from 1 October - 31 December 2007

Exemption / Exception <sup>1</sup>	Number of requests where exemption used		
	Departments of State only	Other monitored bodies	TOTAL
<b>Total number of requests where one or more exemptions or exceptions were applied</b>	<b>610</b>	<b>947</b>	<b>1,557</b>
<b>Number of requests where each exemption (listed in Part II of FoI Act<sup>2</sup>) was applied</b>			
S(22) - Information intended for future publication	65	14	79
S(23) - Information supplied by, or relating to, bodies dealing with security matters	25	2	27
S(24) - National security	23	0	23
S(26) - Defence	12	0	12
S(27) - International relations	45	11	56
S(28) - Relations within the United Kingdom	1	0	1
S(29) - The economy	5	1	6
S(30) - Investigations and proceedings conducted by public authorities	4	242	246
S(31) - Law enforcement	52	56	108
S(32) - Court records, etc	12	20	32
S(33) - Audit functions	1	8	9
S(34) - Parliamentary privilege	0	0	0
S(35) - Formulation of Government policy, etc	88	4	92
S(36) - Prejudice to effective conduct of public affairs	57	1	58
S(37) - Communications with Her Majesty, etc and honours	7	1	8
S(38) - Health and Safety	10	15	25
S(39) - Environmental information	- <sup>3</sup>	- <sup>3</sup>	- <sup>3</sup>
S(40) - Personal information	141	419	560
S(41) - Information provided in confidence	50	142	192
S(42) - Legal professional privilege	20	26	46
S(43) - Commercial interests	89	25	114
S(44) - Prohibitions on disclosure	15	68	83
<b>Number of requests where each exception (listed in Part 3 of EIRs) was applied</b>			
3(a) - Exempt personal data	4	3	7
4(b) - Manifestly unreasonable	1	0	1
4(c) - Too general	0	0	0
4(d) - Work in progress / incomplete data	7	2	9
4(e) - Internal communications	18	1	19
5(a) - Adverse effect on international relations, defence, national security, public safety	3	1	4
5(b) - Adverse effect on course of justice or conduct of enquiries	2	0	2
5(c) - Adverse effect on intellectual property rights	0	0	0
5(d) - Impinges on confidentiality of a public authority's work	3	1	4
5(e) - Impinges on confidentiality of commercial or industrial information	2	1	3
5(f) - Adverse effect on interests of person who provided the information	2	0	2
5(g) - Adverse effect on protection of environment to which information relates	0	0	0

#### Notes

\* - A full list of monitored bodies is shown in Appendix B. This also includes details of those departments of state whose figures include non-routine information requests received by one or more of their agencies, as well those received by the departments themselves.

1 - "Exemptions" refers to the provisions in Part 2 of the Freedom of Information Act (and the similar "exceptions" in Part 3 of the Environmental Information Regulations) which classify certain types of information as exempt from the release obligations. More than one exemption or exception can apply to a single information request.

2 - The exemption described in section 21 of the Act ("Information accessible ... by other means") is not listed here, because requests falling under this exemption do not meet the formal definition of a "non-routine" request and therefore are not counted in these monitoring statistics.

3 - The exemption listed at section 39 of the Freedom of Information Act ("Environmental Information") effectively states that information requests which fall within the scope of the Environmental Information Regulations (EIRs) should be handled as these Regulations specify. Requests for environmental information which are refused should apply one of the EIR exceptions listed above.



TABLE A

Number of non-routine information requests received by monitored bodies, by quarter, since 1 October 2005

Government body	2005		2006			2007			
	Q4: Oct–Dec	Q1: Jan–Mar	Q2: Apr–Jun	Q3: Jul–Sep	Q4: Oct–Dec	Q1: Jan–Mar	Q2: Apr–Jun	Q3: Jul–Sep	Q4: Oct–Dec
<b>TOTAL for all monitored bodies</b>	<b>7,729</b>	<b>9,398</b>	<b>7,976</b>	<b>8,209</b>	<b>7,999</b>	<b>9,644</b>	<b>7,988</b>	<b>7,580</b>	<b>7,804</b>
<b>TOTAL for Departments of State only</b>	<b>3,988</b>	<b>4,934</b>	<b>4,307</b>	<b>4,159</b>	<b>4,517</b>	<b>4,838</b>	<b>4,084</b>	<b>3,883</b>	<b>4,078</b>
<b>TOTAL for other monitored bodies</b>	<b>3,741</b>	<b>4,464</b>	<b>3,669</b>	<b>4,050</b>	<b>3,482</b>	<b>4,806</b>	<b>3,904</b>	<b>3,697</b>	<b>3,726</b>
<b>Departments of State</b>									
Attorney General's Office	13	13	17	22	15	31	10	14	13
Cabinet Office	191	244	194	177	192	181	170	130	157
Communities and Local Government	155	185	169	150	157	137	119	154	136
Department for Business, Enterprise and Regulatory Reform	-	-	-	-	-	-	-	114	142
Department for Children, Schools and Families	-	-	-	-	-	-	-	98	115
Department for Culture, Media and Sport #	97	152	92	88	115	113	113	77	70
Department for Education and Skills	130	165	110	104	167	158	131	-	-
Department for Environment, Food and Rural Affairs	126	161	91	128	95	111	75	106	100
Department for Innovation, Universities and Skills	-	-	-	-	-	-	-	11	20
Department for International Development	52	85	73	52	56	49	41	47	53
Department for Transport #	282	439	448	400	417	483	440	482	473
Department for Work and Pensions #	381	403	285	304	384	366	308	260	325
Department of Health	305	388	347	346	320	408	311	310	260
Department of Trade and Industry	175	201	159	111	119	144	114	-	-
Deputy Prime Minister's Office	-	-	15	20	3	2	1	-	-
Export Credits Guarantee Department	13	18	14	22	20	10	11	13	16
Foreign and Commonwealth Office	256	316	260	220	229	297	249	248	233
HM Treasury	396	307	304	264	353	316	267	241	268
Home Office #	448	673	670	733	785	920	512	417	420
Ministry of Defence #	784	905	818	761	816	790	830	667	739
Ministry of Justice #^	105	200	168	178	158	222	304	455	464
Northern Ireland Office	38	55	41	43	73	54	51	25	36
Privy Council Office	13	8	12	8	7	3	-	-	-
Scotland Office	18	10	7	16	17	25	14	8	28
Wales Office	10	6	13	12	19	18	13	6	10



**TABLE A continued**

**Number of non-routine information requests received by monitored bodies, by quarter, since 1 October 2005**

Government body	2005		2006			2007			
	Q4: Oct–Dec	Q1: Jan–Mar	Q2: Apr–Jun	Q3: Jul–Sep	Q4: Oct–Dec	Q1: Jan–Mar	Q2: Apr–Jun	Q3: Jul–Sep	Q4: Oct–Dec
<b>Other bodies included in monitoring</b>									
Central Office of Information	0	2	4	6	6	7	8	14	13
Charity Commission	66	42	54	57	63	84	120	79	106
Crown Prosecution Service	79	83	75	68	67	113	87	100	106
Debt Management Office	59	90	64	117	129	64	66	54	62
Food Standards Agency	66	89	37	35	41	42	24	26	24
Health and Safety Executive	1,666	1,599	1,484	1,349	1,282	1,542	1,355	1,531	1,471
HM Land Registry	25	28	12	25	12	12	17	12	27
HM Revenue and Customs	249	317	277	279	293	337	291	280	303
National Archives	1,046	1,624	1,150	1,597	1,101	1,939	1,376	1,026	1,064
National Savings and Investments	18	8	15	11	30	22	28	32	22
Office for National Statistics	28	31	31	39	23	50	33	31	34
Office for Standards in Education	102	129	131	156	152	200	191	188	227
Office of Fair Trading	62	107	69	50	48	97	64	96	68
Office of Gas and Electricity Markets (OFGEM)	73	87	53	46	46	45	45	39	28
Office of Rail Regulation	33	54	43	51	38	71	47	52	31
Ordnance Survey	36	45	35	39	16	26	32	27	36
Royal Mint	2	2	2	3	1	1	3	5	2
Rural Payments Agency	49	48	44	36	53	50	43	32	29
Serious Fraud Office	19	8	6	8	20	27	10	9	4
Treasury Solicitor's Department	43	46	61	59	45	68	48	51	52
Water Services Regulation Authority (OFWAT)	20	25	22	19	16	9	16	13	17

**Notes**

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

^ - Figures up to and including Q1 2007 are for the Department for Constitutional Affairs.

**TABLE B**

**Proportion of non-routine information requests received that were answered "in time", by quarter, since 1 October 2005 (see footnote)**

Government body	2005	2006				2007			
	Q4: Oct-Dec	Q1: Jan-Mar	Q2: Apr-Jun	Q3: Jul-Sep	Q4: Oct-Dec	Q1: Jan-Mar	Q2: Apr-Jun	Q3: Jul-Sep	Q4: Oct-Dec
<b>TOTAL for all monitored bodies</b>	<b>89%</b>	<b>90%</b>	<b>92%</b>	<b>93%</b>	<b>91%</b>	<b>91%</b>	<b>91%</b>	<b>92%</b>	<b>90%</b>
<b>TOTAL for Departments of State only</b>	<b>87%</b>	<b>86%</b>	<b>88%</b>	<b>92%</b>	<b>90%</b>	<b>89%</b>	<b>88%</b>	<b>91%</b>	<b>88%</b>
<b>TOTAL for other monitored bodies</b>	<b>91%</b>	<b>95%</b>	<b>96%</b>	<b>94%</b>	<b>92%</b>	<b>94%</b>	<b>94%</b>	<b>92%</b>	<b>93%</b>
<b>Departments of State</b>									
Attorney General's Office	*	*	*	100%	*	81%	*	*	*
Cabinet Office	94%	92%	95%	92%	93%	95%	98%	97%	97%
Communities and Local Government	84%	78%	91%	87%	85%	85%	85%	90%	90%
Department for Business, Enterprise and Regulatory Reform	-	-	-	-	-	-	-	96%	92%
Department for Children, Schools and Families	-	-	-	-	-	-	-	91%	94%
Department for Culture, Media and Sport #	85%	87%	89%	85%	82%	76%	74%	79%	70%
Department for Education and Skills	95%	59%	84%	96%	91%	91%	92%	-	-
Department for Environment, Food and Rural Affairs	92%	89%	86%	91%	92%	87%	81%	90%	88%
Department for Innovation, Universities and Skills	-	-	-	-	-	-	-	*	*
Department for International Development	100%	99%	99%	98%	73%	41%	93%	96%	81%
Department for Transport #	84%	88%	92%	93%	92%	90%	88%	92%	91%
Department for Work and Pensions #	93%	90%	91%	94%	88%	91%	88%	92%	79%
Department of Health	85%	82%	88%	95%	92%	93%	88%	93%	91%
Department of Trade and Industry	89%	95%	95%	93%	94%	95%	83%	-	-
Deputy Prime Minister's Office	-	-	*	*	*	*	*	-	-
Export Credits Guarantee Department	*	*	*	41%	*	*	*	*	*
Foreign and Commonwealth Office	93%	91%	92%	90%	96%	98%	98%	98%	97%
HM Treasury	79%	89%	93%	97%	92%	97%	93%	94%	97%
Home Office #	82%	92%	81%	91%	90%	86%	88%	88%	88%
Ministry of Defence #	86%	81%	85%	91%	89%	87%	86%	89%	85%
Ministry of Justice #^	90%	93%	90%	92%	91%	86%	91%	90%	88%
Northern Ireland Office	89%	80%	87%	81%	69%	85%	98%	88%	83%
Privy Council Office	*	*	*	*	*	*	-	-	-
Scotland Office	*	*	*	*	*	84%	*	*	79%
Wales Office	*	*	*	*	*	*	*	*	*

**TABLE B continued**

**Proportion of non-routine information requests received that were answered "in time", by quarter, since 1 October 2005 (see footnote)**

Government body	2005		2006			2007			
	Q4:	Q1:	Q2:	Q3:	Q4:	Q1:	Q2:	Q3:	Q4:
	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec
<b>Other bodies included in monitoring</b>									
Central Office of Information	*	*	*	*	*	*	*	*	*
Charity Commission	82%	69%	93%	96%	94%	98%	99%	96%	97%
Crown Prosecution Service	100%	89%	96%	94%	97%	100%	99%	100%	100%
Debt Management Office	100%	100%	100%	100%	100%	100%	100%	100%	100%
Food Standards Agency	97%	100%	100%	97%	95%	100%	96%	100%	100%
Health and Safety Executive	88%	95%	96%	92%	89%	88%	90%	90%	91%
HM Land Registry	100%	96%	*	96%	*	*	*	*	100%
HM Revenue and Customs	75%	83%	90%	84%	80%	86%	81%	78%	71%
National Archives +	99%	99%	98%	99%	98%	98%	98%	95%	99%
National Savings and Investments	*	*	*	*	100%	95%	100%	100%	95%
Office for National Statistics	96%	97%	97%	95%	91%	88%	91%	90%	94%
Office for Standards in Education	89%	96%	97%	97%	99%	98%	94%	95%	93%
Office of Fair Trading	97%	89%	90%	92%	88%	95%	91%	93%	97%
Office of Gas and Electricity Markets (OFGEM)	100%	94%	91%	93%	100%	96%	96%	95%	93%
Office of Rail Regulation	100%	100%	100%	100%	100%	99%	98%	98%	97%
Ordnance Survey	94%	98%	91%	95%	*	92%	94%	85%	83%
Royal Mint	*	*	*	*	*	*	*	*	*
Rural Payments Agency	100%	94%	89%	78%	81%	84%	88%	84%	79%
Serious Fraud Office	*	*	*	*	*	100%	*	*	*
Treasury Solicitor's Department	95%	100%	98%	100%	98%	100%	100%	100%	96%
Water Services Regulation Authority (OFWAT)	*	100%	100%	*	*	*	*	*	*

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

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

^ - Figures up to and including Q1 2007 are for the Department for Constitutional Affairs.

+ - 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.

**Notes**

A request is "in time" if it was answered within the statutory response deadline, or within a permitted extension to this deadline.

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.

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 this calculation.

TABLE C

Proportion of resolvable non-routine information requests received that were granted in full, by quarter, since 1 October 2005 (see footnote)

Government body	2005		2006			2007			
	Q4: Oct–Dec	Q1: Jan–Mar	Q2: Apr–Jun	Q3: Jul–Sep	Q4: Oct–Dec	Q1: Jan–Mar	Q2: Apr–Jun	Q3: Jul–Sep	Q4: Oct–Dec
<b>TOTAL for all monitored bodies</b>	<b>58%</b>	<b>59%</b>	<b>63%</b>	<b>61%</b>	<b>59%</b>	<b>63%</b>	<b>61%</b>	<b>58%</b>	<b>60%</b>
<b>TOTAL for Departments of State only</b>	<b>60%</b>	<b>61%</b>	<b>62%</b>	<b>60%</b>	<b>58%</b>	<b>58%</b>	<b>59%</b>	<b>57%</b>	<b>60%</b>
<b>TOTAL for other monitored bodies</b>	<b>56%</b>	<b>56%</b>	<b>64%</b>	<b>61%</b>	<b>61%</b>	<b>68%</b>	<b>63%</b>	<b>58%</b>	<b>60%</b>
<b>Departments of State</b>									
Attorney General's Office	*	*	*	*	*	4%	*	*	*
Cabinet Office	54%	45%	39%	44%	33%	35%	35%	30%	29%
Communities and Local Government	67%	61%	72%	62%	69%	65%	71%	60%	61%
Department for Business, Enterprise and Regulatory Reform	-	-	-	-	-	-	-	42%	45%
Department for Children, Schools and Families	-	-	-	-	-	-	-	70%	68%
Department for Culture, Media and Sport #	61%	57%	63%	52%	40%	45%	45%	55%	47%
Department for Education and Skills	62%	51%	67%	70%	70%	66%	67%	-	-
Department for Environment, Food and Rural Affairs	64%	50%	60%	64%	71%	79%	55%	46%	64%
Department for Innovation, Universities and Skills	-	-	-	-	-	-	-	*	*
Department for International Development	63%	83%	70%	89%	62%	56%	57%	51%	64%
Department for Transport #	74%	78%	78%	76%	74%	77%	74%	71%	67%
Department for Work and Pensions #	83%	83%	81%	75%	78%	82%	83%	83%	83%
Department of Health	73%	70%	68%	69%	75%	67%	65%	62%	63%
Department of Trade and Industry	54%	54%	48%	41%	35%	47%	39%	-	-
Deputy Prime Minister's Office	-	-	*	*	*	*	*	-	-
Export Credits Guarantee Department	*	*	*	*	*	*	*	*	*
Foreign and Commonwealth Office	33%	43%	42%	30%	17%	31%	26%	26%	34%
HM Treasury	38%	46%	61%	59%	40%	41%	21%	27%	35%
Home Office #	38%	48%	39%	40%	41%	40%	51%	58%	49%
Ministry of Defence #	68%	69%	70%	74%	70%	68%	68%	68%	73%
Ministry of Justice #	40%	40%	38%	39%	43%	41%	41%	39%	45%
Northern Ireland Office	71%	49%	64%	47%	42%	28%	62%	*	46%
Privy Council Office	*	*	*	*	*	*	-	-	-
Scotland Office	*	*	*	*	*	*	*	*	81%
Wales Office	*	*	*	*	*	*	*	*	*

**TABLE C continued**

**Proportion of resolvable non-routine information requests received that were granted in full, by quarter, since 1 October 2005 (see footnote)**

Government body	2005		2006				2007			
	Q4:	Q1:	Q2:	Q3:	Q4:	Q1:	Q2:	Q3:	Q4:	
	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	
<b>Other bodies included in monitoring</b>										
Central Office of Information	*	*	*	*	*	*	*	*	*	
Charity Commission	71%	53%	51%	35%	37%	55%	53%	51%	61%	
Crown Prosecution Service	40%	33%	34%	47%	52%	44%	59%	31%	26%	
Debt Management Office	98%	99%	100%	100%	100%	100%	100%	100%	100%	
Food Standards Agency	39%	40%	29%	59%	16%	34%	43%	48%	32%	
Health and Safety Executive	45%	42%	61%	54%	51%	52%	52%	48%	46%	
HM Land Registry	76%	83%	*	86%	*	*	*	*	100%	
HM Revenue and Customs	48%	52%	46%	47%	44%	43%	47%	47%	55%	
National Archives	79%	72%	79%	74%	79%	89%	84%	78%	82%	
National Savings and Investments	*	*	*	*	92%	*	91%	92%	*	
Office for National Statistics	*	59%	62%	47%	*	21%	48%	50%	57%	
Office for Standards in Education	37%	49%	48%	55%	42%	38%	44%	38%	45%	
Office of Fair Trading	33%	59%	37%	23%	38%	45%	48%	42%	33%	
Office of Gas and Electricity Markets (OFGEM)	88%	73%	63%	55%	82%	63%	52%	58%	*	
Office of Rail Regulation	96%	81%	80%	87%	71%	88%	78%	62%	65%	
Ordnance Survey	84%	66%	61%	74%	*	85%	65%	67%	78%	
Royal Mint	*	*	*	*	*	*	*	*	*	
Rural Payments Agency	59%	69%	71%	79%	68%	70%	41%	*	57%	
Serious Fraud Office	*	*	*	*	*	30%	*	*	*	
Treasury Solicitor's Department	59%	70%	82%	96%	88%	96%	100%	93%	94%	
Water Services Regulation Authority (OFWAT)	*	*	*	*	*	*	*	*	*	

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

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

^ - Figures up to and including Q1 2007 are for the Department for Constitutional Affairs.

**Notes**

"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 to the requester, since in each of these cases it would not have been possible to resolve the request in the form it was asked.

# Notes

1. The statistics in this bulletin relate to the handling by central government bodies of information requests received under the Freedom of Information Act 2000 (Fol Act) and the Environmental Information Regulations 2004 (EIRs). They are collected and published by Ministry of Justice (MoJ), with assistance from Freedom of Information officers across central government.
2. The Fol Act received Royal Assent on 30 November 2000. Under the Act, anybody may request information from a public authority which has functions in England, Wales and/or Northern Ireland. The Act confers two statutory rights on applicants:
  - To be told whether or not the public authority holds that information; and if so,
  - To have that information communicated to them.

These statutory rights came into force on 1 January 2005. The MoJ is the lead department responsible for the Fol Act. Further information is available at:

<http://www.foi.gov.uk/index.htm>

3. The (amended) EIRs also came into force on 1 January 2005, to coincide with the Fol Act. They clarify and extend previous rights to environmental information held by public authorities. The Department for Environment, Food and Rural Affairs (Defra) is the lead department responsible for the EIRs. Further information is available from their website at:

<http://www.defra.gov.uk/corporate/opengov/eir/index.htm>

4. These statistics are derived from monitoring returns submitted to MoJ in February 2008. They relate to information requests received during the period 1 October to 31 December 2007. The collection of monitoring data began on the 21st working day after the last day of this period (i.e. on 30 January 2008), since 20 working days is the statutory deadline for public authorities to respond to information requests under both the Fol Act and the EIRs.
5. Only “non-routine” information requests are counted in these statistics. Important notes on the scope and consistency of these statistics are given in **Appendix A**.
6. These statistics cover a total of **42** central government bodies. At the commencement of the Act in January 2005 there were 43 bodies covered by the monitoring statistics, but the precise number can change from time to time due to “Machinery of Government” changes. A full list of the monitored bodies in Q4 2007 is shown in **Appendix B**.
7. This is the twelfth quarterly statistical bulletin on the implementation of the Fol Act. This publication has been prepared jointly by the Economics and Statistics Division and the Information Rights Division of the Ministry of Justice. Please note that

press enquires on the implementation of the Freedom of Information Act in a particular government body should be addressed to **that body's** Press Office.

General press enquiries on the contents of this bulletin should be directed to **Sandra Smith-Hughes** in the MoJ press office: **Tel: 020 7210 8692**

Other comments or queries on the Freedom of Information Act 2000 should be addressed to:

Information Rights Division  
Ministry of Justice  
6th Floor  
Selborne House  
54-60 Victoria Street  
London  
SW1E 6QW

Tel: **020 7210 8034**

E-mail: **informationrights@justice.gsi.gov.uk**

# Appendix 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 officer(s) 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 co-ordinates 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.**

## Appendix 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. This is the fourth set of Freedom of Information statistics to be published by the Ministry of Justice (MoJ), the government department which now has lead responsibility for the Freedom of Information Act 2000. The first eight bulletins in this series were published by the Department for Constitutional Affairs.

The formal monitoring work covers a total of 42 government bodies, including all major departments of state (i.e. Ministerial departments).

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.

The following is a full list of the bodies covered by the monitoring statistics in the fourth quarter of 2007.

### **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  
Export Credits Guarantee Department  
Foreign and Commonwealth Office  
HM Treasury  
Home Office  
Ministry of Defence  
Ministry of Justice  
Northern Ireland 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 and Commission  
HM Land Registry  
HM Revenue and Customs  
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)

#### **Notes**

1. The following departmental changes occurred between the beginning of October 2005 and the end of December 2007, the period covered by the in-year performance and volume tables (Tables A, B and C) in this bulletin.

The Legal Secretariat to the Law Officers was renamed as **the Attorney General's Office** from 2 June 2006, although its substantive responsibilities remained unchanged.

The Office of the Deputy Prime Minister (ODPM) was superseded from 7 May 2006 by **Communities and Local Government (CLG)**, which inherited the major part of its responsibilities. FoI requests relating to the Deputy Prime Minister and his work have been handled as follows in these statistics. All requests received by the ODPM prior to 7 May 2006, and requests relating to the work of CLG since that date are counted under Communities and Local Government. Requests relating to the Deputy Prime Minister received between 7 May 2006 and 28 June 2007 are

counted against the Deputy Prime Minister's Office (DPMO). The DPMO was abolished on 28 June 2007.

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). No separate monitoring statistics have therefore been collected for the PCO from Q2 of 2007 onwards.

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 MoJ comprise information requests received by the DCA prior to 9 May and requests received by all parts of MoJ 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). In the Q2 2007 statistics, information requests received by DCSF and DIUS on 28 and 29 June, the last two working days of the quarter, were counted under the figures for DfES. Requests to BERR on these last two days of Q2 were counted under the figures for DTI. The three new departments have been separately identified in the statistics since Q3 2007.

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 department's Access Rights Unit.



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