

Freedom of Information Annual Report 2005

Operation of the FOI Act in Central Government

May 2006



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Contents

1. Foreword by Lord Falconer of Thoroton	1
2. Introduction	2
3. Performance of central government handling FOI requests in 2005: statistics	3
4. New developments by DCA in 2005	9
5. Performance tables	14
6. Annex A – Scope and consistency of the statistics	32
7. Annex B – Government bodies included in the statistics	34
8. Annex C – User Group Members	37
9. Annex D – Bodies added under Schedule 4 in 2005	38

1. Foreword



I am pleased to be publishing the First Annual Report on the Freedom of Information Act 2000, including the statistics on the performance of central government in handling FOI requests.

On 1 January 2005 a new chapter in openness began. The Freedom of Information Act represents a fundamental change in culture for all public authorities, both in Whitehall and beyond. For the first time, Freedom of Information gives individuals the right in law to see information held by government and by thousands of public bodies. I am proud to have been the Minister to bring this Act into force - a constitutional change of great significance.

One year on, thousands of information requests have been answered, amounting to nearly 2,000 information releases each and every month from central government bodies alone. In many cases this means new information, never previously released, is now in the public domain, such as details of local school performance, planning applications or hygiene reports for local restaurants. FOI is opening up to further scrutiny the work of central government with releases of information such as the salaries of senior government officials, the commercial viability of a second runway at Stansted Airport and previously unpublished focus group opinions on EU enlargement. In each case, FOI has helped to raise the standard, accuracy and completeness of public discussion and debate.

Since 1 January 2005 considerable steps have been taken towards our goal of more open government. Public authorities have risen to the challenge and a large amount of information has been made available across the country - information that would not have been made available without a statutory right to know.

As this report demonstrates, we are committed to the long-term cultural change on which we embarked when the Act was passed in 2000. A great deal of work has been done to ensure that Freedom of Information has been a success in its first year. This work needs to be maintained to build on this success to date. I am confident that Freedom of Information will remain high on the agenda of all public authorities to ensure the Act remains a success in years to come. It is apparent that a culture of greater openness is now emerging that will be of long term benefit both to the citizen and to the Government.

*Charlie
Falconer*

The Rt. Hon. The Lord Falconer of Thoroton
Secretary of State for Constitutional Affairs and Lord Chancellor

2. Introduction

The report

This report provides comprehensive information on central government's handling of Freedom of Information requests received in 2005. It also provides details of DCA's work in 2005 to ensure the smooth implementation of the Freedom of Information Act across both central government and the wider public sector. The report, includes information on:

- guidance and education tools
- communications networks
- the Access to Information Central Clearing House
- amendments to secondary legislation.

To ensure a full and accurate picture of central government performance, DCA collected additional information in the final quarter of 2005 about those requests for which the outcome was not known at the end of previous quarters.

This report presents the statistics for a total of 42 central government bodies, including all major Departments of State.

A full list of the bodies monitored by DCA is at **Annex B**.

The statistics

DCA developed a comprehensive monitoring regime to assess the performance of central government's handling of requests made under the Freedom of Information Act and the Environmental Information Regulations (EIRs). As part of this monitoring regime, DCA produced quarterly bulletins containing data on how requests have been handled throughout the first year of Freedom of Information. These bulletins have been published on the DCA website and can be found at http://www.foi.gov.uk/implem_refm.htm#part2.

This report provides information about the handling of all 'non-routine' information requests received by central government in 2005. The statistics given in this bulletin relate to 'non-routine requests' only¹. **Annex A** contains a full definition of the scope of these statistics.

¹ Definition of 'Non-Routine' information requests can be found in Annex A of this report.

3. Performance of central government handling FOI requests in 2005: statistics

Total numbers of FOI requests

The 42 monitored central government bodies received a total of 38,108 non-routine FOI and EIR requests during 2005. Departments of State received 19,717, (52 per cent) of these requests, with the remaining 18,391 (48 per cent) being received by other monitored bodies.

There was a marked initial peak in request numbers in the first quarter of the year immediately following the Act's implementation. Thirty six per cent of all the year's requests were received during this quarter. Figure 1 below illustrates the quarter-by-quarter trends in the numbers of requests received by Departments of State and other monitored bodies.

Figure 1: Number of FOI/EIR requests received during 2005

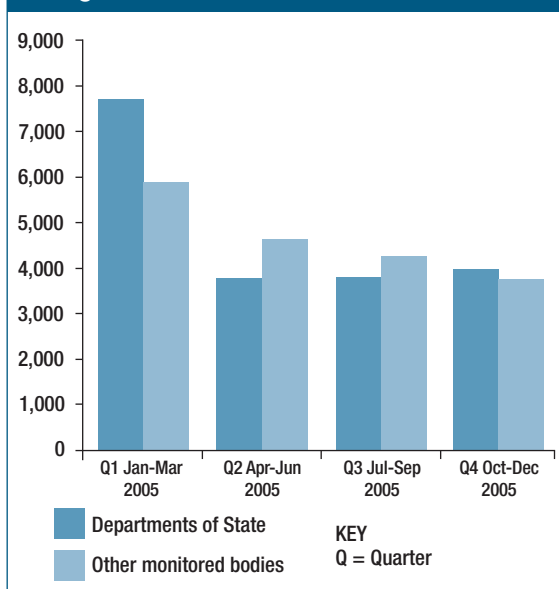


Figure 1 illustrates how the trends in numbers of FOI/EIR requests have differed between Departments of State and other monitored bodies during the course of 2005. The initial peak in numbers had its greatest impact on Departments of State. However, following a sharp fall in numbers of requests in the second quarter of the year, volumes have stabilised. The effect of the initial peak was less marked for other monitored bodies, and numbers of requests continued to fall steadily throughout the year.

Of the 38,108 requests received by all monitored bodies during 2005, 1,948 lapsed because a fee had been charged which was not paid within the deadline. A further 147 requests were on hold because a fee had similarly been charged but not paid and the payment deadline had not yet been reached at the end of the monitoring period. Where a FOI/EIR request incurs a fee, public authorities are not obliged to respond until payment has been made. If lapsed and on hold requests are therefore discounted because the obligation to respond does not apply, there were 36,013 requests received during 2005 where a formal response was needed. Ninety-seven per cent of these requests had received a response at the time of monitoring.

Timeliness of response

The FOI Act and EIRs both require 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. During 2005, 87 per cent 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. Seventy seven per cent of these requests received a substantive response inside the 20 working day limit.

The performance of monitored bodies in providing timely responses to FOI/EIR requests improved markedly from Q1 to Q2. It has remained broadly consistent since then. It is likely that the lower level of performance in Q1 compared to the rest of the year was largely due to:

- very high workload levels arising from the sharp initial surge of FOI/EIR requests immediately after implementation, and
- the inexperience of departments in the first weeks of FOI. Despite extensive pre-implementation training, prior to 1 January 2005 practitioners inevitably had no real experience in administering the FOI Act.

In Q1, Departments of State answered 64 per cent within the standard deadline of 20 working days, compared to 77 per cent in other monitored bodies. This difference – 13 percentage points – had narrowed to six percentage points by the final quarter of the year. There was a similar narrowing of the performance gap between the two groups of bodies for the proportion of requests 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 larger performance difference at the beginning of the year is likely to have been a result of the early post-implementation peak in workload, which was more severe in Departments of State than in other bodies.

Figure 2: Quarterly response timeliness performance for FOI/EIR requests received by monitored bodies during 2005*

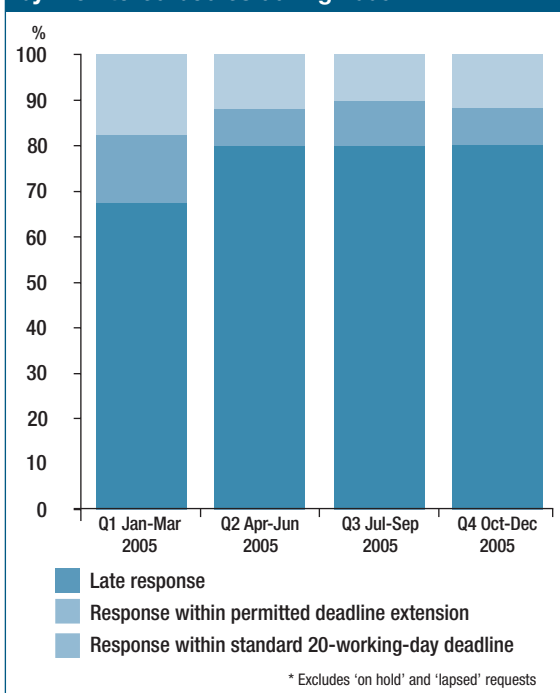


Table A: Quarterly response timeliness performance for FOI/EIR requests received by monitored bodies during 2005

		Q1	Q2	Q3	Q4
Departments of State	Response within 20 working days	64%	70%	75%	78%
	Response in time	75%	80%	86%	87%
Other monitored bodies	Response within 20 working days	77%	93%	88%	84%
	Response in time	93%	95%	94%	91%
All bodies	Response within 20 working days	69%	82%	81%	81%
	Response in time	83%	88%	90%	89%

Outcomes of requests

Of the 38,108 requests reported during 2005 across all monitored bodies, at the end of the year a total of 2,095 were either on hold or lapsed because a fee had been charged but not paid. A further 4,951 requests sought information that was not held by the monitored body from which it was requested. In 2,151 cases, clarification was required, in accordance with the duty in s.16 to provide advice and assistance to requestors because the body handling the request needed further information in order to identify the information being sought. As a result, the remaining 29,271 requests are

assumed to be resolvable, in that it was possible to give a substantive decision on whether to release the information being sought.

Of the resolvable requests received during the year:

- 66 per cent were granted in full
- 13 per cent were withheld in part
- 18 per cent were withheld in full.

The remaining three per cent of resolvable requests had not yet received a substantive response at the time of monitoring.

Table B: Proportions of resolvable requests granted by monitored bodies quarterly during 2005

	Q1	Q2	Q3	Q4
Departments of State	51%	55%	61%	60%
Others monitored bodies	64%	63%	73%	75%
All bodies	56%	59%	67%	67%

Note: these quarterly figures slightly understate the proportion of requests that were granted over the course of the whole year. This is because the quarterly figures do not count as granted those requests which were still being processed at the time of data collection but which were later granted in time for inclusion in the annual figures.

As Table B shows, the proportion of resolvable requests released in full has been lower in Departments of State than in other monitored bodies. This is likely to be a result of the different functions that these groups of bodies perform. Departments of State will typically be more likely than other bodies to hold particularly sensitive information which will be exempt from release under the Act.

Table B also shows that the proportion of resolvable requests released in full was lower towards the earlier part of 2005 than during the later part. This was to be expected in the early days of the Act coming into force as users made broad requests for large amounts of information that fell outside the fee limit. As users have become more experienced at making requests, the evidence suggests that they have become more likely to frame their requests in a form that departments have been able to handle within the appropriate limit. Government has also formed a positive dialogue with many requestors, ascertaining what information is needed in advance of a formal request being received, and under their duty to provide advice and assistance have helped applicants to frame requests appropriately at the first attempt.

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. Under the fees regulations, authorities can charge a fee both for those requests that fall outside the appropriate limit 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 DCA website at <http://www.foi.gov.uk/feesguide.htm>.

Of the 38,108 requests received by monitored bodies during the year, 2,661 (seven per cent) were subject to a fee being levied by the authority involved. For 566 of these requests (21 per cent), the fee had been paid and the

request processed, and a further 147 requests (6 per cent) were on hold awaiting fee payment. The remaining 1,948 requests (73 per cent) 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 2005 was £35,351, and the average value of paid fees was £63.²

The only monitored body to charge fees for FOI/EIR work as a matter of routine is the National Archives, which accounts for 99 per cent of all fees charged, and 98 per cent of all fees received. The National Archives (TNA) operates a separate fees regime under section 19 of the FOI Act. The provision of information to the public is one of the principal functions of the TNA, and without a separate fees regime there would be a danger that its users would exploit the FOI Act to require TNA to undertake extensive research in a manner that would impede TNA's ability to function and was not intended by the Act.

Apart from TNA, it was extremely rare for monitored bodies to charge fees for responding to FOI requests. There were only 26 such requests in total during 2005 across all of the other 41 monitored bodies, meaning that less than one request in a thousand incurred a fee.

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 lawful fee is not paid or
- the information falls in one or more of the categories of exempt information ("exemptions") listed in Part II of the Act.

² This total excludes 9 requests where a fee was paid but the value of the fee was not reported to DCA.

In relation to this 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 6,765 requests across all monitored bodies during 2005. The most commonly applied exemptions or exceptions were those listed at:

- FOI Act section 40 (personal information) – 1,683 requests.
- FOI Act section 35 (formulation of government policy.) – 1,234 requests.
- FOI Act section 43 (commercial interests) – 779 requests.
- FOI Act section 41 (information provided in confidence) – 776 requests.

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

Departments of State were more likely than other monitored bodies to use the following exemptions:

- FOI Act section 27 (international relations) or
- FOI Act section 35 (formulation of government policy).

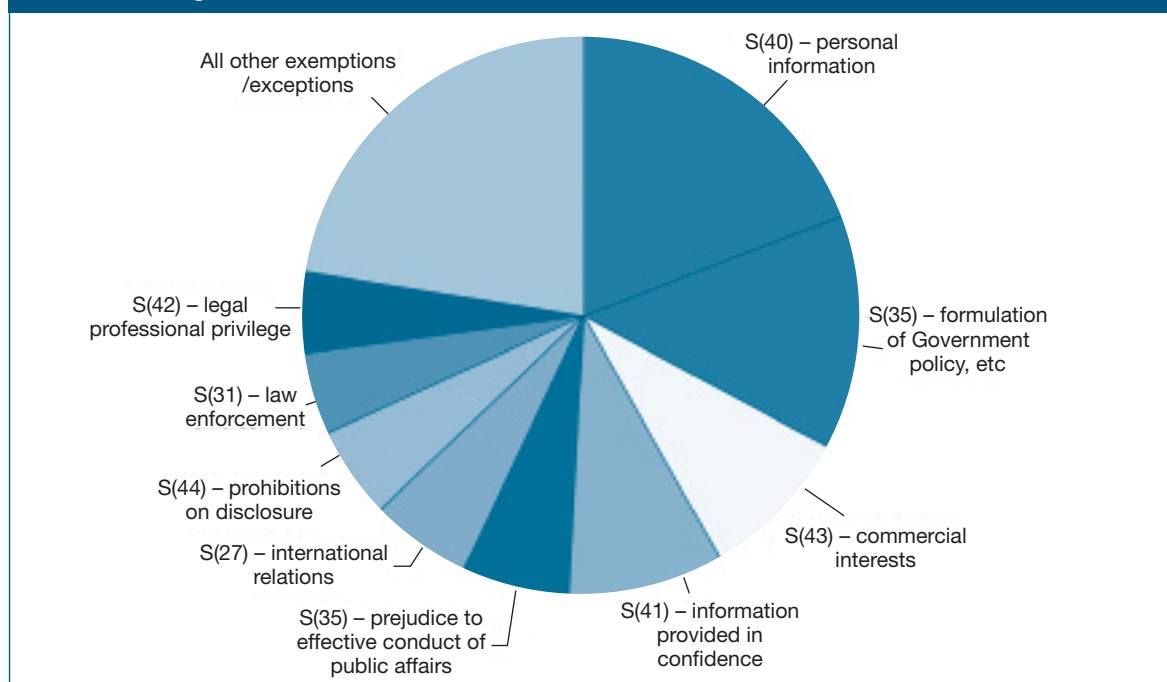
This reflects the role of Departments of State at the centre of government policy-making and diplomacy.

In contrast, other monitored bodies were more likely than Departments of State to use the following exemptions:

- FOI Act section 30 (investigations and proceedings conducted by public authorities) or
- FOI Act section 41 (information provided in confidence).

This similarly reflects the roles of the other monitored bodies, either as regulators or as administrative bodies whose roles and functions are prescribed in legislation.

Figure 3: Relative frequency of use of FOI exemptions and EIR exceptions by monitored bodies during 2005



Internal Reviews

Applicants can ask a public authority for an Internal Review if they are not content with the public authority's initial decision on whether to release information or if they are not content with the handling of their request. This process should be a fair and thorough review of the initial decision and its handling. For the purpose of monitoring, DCA only collects data on Reviews relating to those requests where some or all of the information has been withheld from the applicant.

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”. As there is no statutory time limit for completing Review procedures, DCA has not collected data on Internal Reviews for each quarter but on all Reviews received on a ‘year to date’ basis.

Across all monitored bodies, a total of 1,267 Internal Reviews were reported as having been initiated during 2005 on the grounds that some or all of the requested information was initially withheld. The outcomes of 1,057 of these Internal Reviews were known at the time of monitoring. The initial handling of the request under review was upheld fully in 77 per cent of these cases, and upheld partially in a further 15 per cent of cases. In the remaining eight per cent, the requester’s complaint was upheld at the Internal Review stage.

Departments of State received a higher number of applications for Internal Reviews than other monitored bodies. This reflects the more sensitive and high-profile information that is typically held by Departments of State, and the higher number of requests received on average by these bodies. Departments of State received 51 Internal Reviews per 1,000 information requests received during 2005, compared to 15 Internal Reviews per 1,000 requests among other monitored bodies.

However, the proportion of Internal Reviews where the initial request handling was upheld in full was very similar in Departments of State

(77 per cent) compared to other monitored bodies (76 per cent).

Complaints to the Information Commissioner

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 complaint to the Information Commissioner’s Office (ICO). The ICO is the independent regulator of public authorities in their handling of information requests. Full details of the role of ICO and how to make an appeal can be found on its website at <http://www.ico.gov.uk/eventual.aspx>.

Formal complaints to the ICO often relate to complex and difficult issues and are not subject to any statutory time limit. As with Internal Reviews, data has been collected only on an annual basis. Data has also only 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.

During 2005 monitored bodies were notified of 127 appeals to the ICO relating to the refusal of information by monitored bodies³. Only 25 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 18 cases (72 per cent), and was partially upheld in a further one case. In the remaining six cases, the applicant’s complaint was upheld.

Of the 127 ICO appeals, 101 related to information requests received by Departments of State, suggesting that Departments of State are more likely than other monitored bodies to have decisions appealed. As with the similar finding in relation to Internal Reviews, this is likely to reflect the more sensitive and high-profile information that is typically held by Departments of State. The number of completed ICO appeals was too few to allow a meaningful comparison to be made between the results for Departments of State and other monitored bodies.

³ This figure does not include appeals to the ICO on procedural issues.

4. New developments by DCA in 2005

Guidance and education

In the run up to implementation in 2004, DCA prepared a comprehensive suite of guidance for practitioners across the public sector. This included full guidance on:

- appropriate application of the FOI exemptions, which can be found on the DCA website at <http://www.foi.gov.uk/guidance/exguide/index.htm>
- best practice in handling FOI requests in respect of the appropriate procedures for practitioners to follow, which can be found on the DCA website at <http://www.foi.gov.uk/guidance/proguide/index.htm>
- appropriate application of the fees regulations, which can be found on the DCA website at <http://www.foi.gov.uk/feesguide.htm>.

In the first year of implementation DCA has continued to provide leadership and support to central government, to help meet its objectives of:

- ensuring compliance with the Act
- ensuring the Act is applied consistently
- improving central government performance.

In 2005 the Department published guidelines on how to deal with particular types of requests. These are known as Working Assumptions and can be found on the DCA website at

<http://www.foi.gov.uk/guidance/index.htm#1>.

They provide guidelines subjects such as:

- requests for information containing policy advice
- requests for Cabinet Committee papers
- requests for information relating to planning procedures
- requests for procurement information.

As the Act requires requests for information to be considered on a case-by-case basis, working assumptions are not intended to be applied to all situations. They merely highlight key factors that need to be considered in handling particular types of requests for information.

DCA has supplemented its written guidance, by conducting a number of seminars and workshops for central government FOI practitioners throughout 2005. In particular, DCA has developed materials and presentations for central government practitioners to use within their departments. This has helped to embed FOI as part of authorities' normal course of business. DCA will continue to develop new methods to help embed FOI still further.

Information Rights qualification

Officials from all public authorities will be able to embark on a postgraduate Information Rights qualification, on offer from September 2006.

The Freedom of Information Act places considerable responsibility on practitioners to make sophisticated and defensible decisions on matters of high public importance. Decision-makers need to be properly educated in the complexities of the legislation and in evolving case law. The qualification will help to build up a cadre of experienced and expert officials within the public sector.

The programme has been designed to deliver a comprehensive and consistent understanding of Information Rights within the context of government and the public sector. The course is being developed jointly by DCA and the University of Northumbria and will be delivered predominantly through web-based distance learning and will offer with three levels of accreditation: certificate, diploma or Master of Laws.

More information on the course can be obtained from Northumbria University by e-mailing la.information@northumbria.ac.uk or by visiting the University's website at <http://northumbria.ac.uk/?view=CourseDetail&code=990>.

The Information Rights Journal

In September 2005 DCA launched an Information Rights Journal (IRJ), to describe the latest developments in Freedom of Information, the Data Protection Act and the Environmental Information Regulations.

Editions of the Information Rights Journal are available on the FOI website at http://www.foi.gov.uk/implem_refm.htm#part3. The Journal contains articles on key information rights issues from national and international experts and provides summaries of recent ICO and Information Tribunal decisions. In 2006 the Journal will be published quarterly.

www.foi.gov.uk

The Freedom of Information website www.foi.gov.uk was launched on 1 July 2004. The site is a one-stop shop for anyone interested in Freedom of Information, containing information for members of the public, practitioners and researchers.

The website provides easy access to a suite of DCA guidance aimed at practitioners, together with a number of resources to help public authorities comply with their obligations under the Freedom of Information Act.

In 2005 research was conducted into the way that users interact with the FOI website and plans are in place to improve its design, navigation and usability. It is anticipated that a fully revised and updated website will be launched in the Spring of 2006.

Communication networks

- **Information Rights Practitioners Group**

DCA established the Information Rights Practitioners Group (IRPG) in 2005 for representatives from Department of States, non departmental public bodies (NDPBs), agencies and other central government bodies. The inaugural IRPG conference took place in July 2005.

IRPG conferences provide practitioners with an opportunity to network and discuss common challenges. The plenary session includes a DCA update on key information rights developments and a keynote speaker, who, to-date, have included the Director of the Campaign for Freedom of Information, Maurice Frankel and the Information Commissioner, Richard Thomas. Practitioners also have the opportunity to attend DCA-led training seminars which focus on emerging FOI, EIR and DP issues.

- **Senior Champions Forum**

The Senior Champions Forum, established in Autumn 2004 and chaired by the DCA Permanent Secretary, Alex Allan, ensures that Freedom of Information is properly and effectively delivered. It comprises Board level representatives from across Departments of State and provides senior level oversight on the operation of the Act. International experience showed that active senior engagement was crucial to successful implementation of the Act.

- **Information Rights Users Group**

An Information Rights User Group is being established to act as a sounding board on how all major information rights legislation (FOI, DP and EIRs) are working in practice. It will provide a mechanism for DCA to consult users about the Secretary of State's statutory responsibilities under the FOI Act in relation to such matters as fees, coverage and codes of practice.

The group will ensure that user views inform the development of FOI policy and that public authorities are responsive to the needs of users. There is clear evidence internationally that a collaborative approach of this kind builds mutual understanding and fosters a well-informed community of users.

Membership of the group is drawn from MPs and Peers, the media, campaign groups, academics, private sector suppliers and information lawyers. There is also representation from the police, education, health and local government sectors.

The group will be chaired by Baroness Ashton and the Information Commissioner, Richard Thomas, will also attend meetings as an observer. A full list of the members of this group is at Annex C.

• Sector Panels

Four sector panels have been established to foster closer links between central government and the wider public sector on Information Rights issues. Those covered are:

- local government and fire authorities
- health
- criminal justice and police
- education.

These panels provide the Government with information about the operation of the FOI Act outside central government. They also provide a mechanism for DCA to consult these sectors on Information Rights policy development and for authorities within sectors to share best practice amongst themselves.

Access to Information Central Clearing House

In 2004, the Government agreed that its most complex FOI requests should be co-ordinated by a central unit within DCA. The Access to Information Clearing House has played a key role in ensuring central government is compliant with the Act. It provides advice on

complex FOI requests and the consistent application of the legislation. Any request received by a department that meets one of the Clearing House triggers is referred for advice. Where requests have been made to more than one department, the Clearing House co-ordinates responses, so that both a consistent and appropriate approach is taken.

In 2005 just under 3,500 cases, including Internal Reviews and appeals to the ICO, were referred to the Clearing House, of which nearly 2,800 had been closed by the end of the year. Information regarding the referral rates of individual departments to the Clearing House broken down by month can be found at **Table 8** in the tables section of this report. Table 8 illustrates that the Clearing House received a particularly high volume of referrals in the first two months following implementation, which is directly attributable to the marked peak in requests received by central government in this period.

The Clearing House aims to issue advice to departments as soon as possible. As a central point of reference for all complex central government information requests and appeals, it is also able to identify emerging FOI trends and themes, allowing DCA to focus its efforts on producing guidance in those areas where it is particularly needed.

The Clearing House has also established a close working relationship with practitioners in each of its client departments. Case workers in the Clearing House meet regularly with their opposite numbers around Whitehall, providing surgery sessions where needed on a variety of cases and helping to disseminate best practice across government to raise the standards of public service.

Full information on the processes and remit of the Clearing House can be found in its toolkit which was issued to departments in November 2004 and is published on the DCA website at <http://www.foi.gov.uk/clearinghouse.htm>.

The toolkit includes the full list of triggers which set out the types of requests that should be referred to the Clearing House and an example of the referral form used by departments to notify it of requests which engage these criteria.

Secondary Legislation

• Section 4 Orders

Section 4 of the Freedom of Information Act 2000 gives the Secretary of State the power to update Schedule 1 of the Act, by adding new bodies where they meet the criteria for public authorities or by removing those that no longer exist, or cease to satisfy the section 4 criteria.

DCA will continue to make section 4 Orders where appropriate, to ensure that the list of all public authorities in Schedule 1 of the Freedom of Information Act remains up to date.

The full list of bodies added to Schedule 1 of the Act in this way during 2005 is found at **Annex D**.

• Section 5 Orders

Section 5 of the Freedom of Information Act 2000 allows the Secretary of State to designate, for the purposes of the Act, any individual not listed in Schedule 1 of the Act nor capable of being added to Schedule 1 by any section 4(1) order but who:

- “Appears to [them] to exercise functions of a public nature, or
- is providing under a contract made with a public authority any service whose provision is a function of that authority.”

The scope of the power in section 5 is very wide ranging, enabling the designation of bodies that appear to the Secretary of State to be exercising functions of a public nature and those that are providing, under contract with a public authority, services whose provision is a function of that authority.

DCA is currently building up evidence of how freedom of information has had an impact on the bodies that meet the existing criteria as specified in sections 4 and 6 of the Act. No orders have yet been made under section 5 of the Act as we feel that it is important to gain such evidence to inform any consideration of how that section might be used.

• Section 75 – Amending or Repealing Statutory Prohibitions on Disclosure

Section 75 of the Freedom of Information Act 2000 provides the power for the Secretary of State to repeal or amend, where appropriate, prohibitions to the release of information contained in other legislation. Statutory interpretation is a complex and technical area of law, and ultimately, only the courts can rule as to the proper construction of legislation.

Section 75 of the Act states:

75. – (1) If, with respect to any enactment which prohibits the disclosure of information held by a public authority, it appears to the Secretary of State that by virtue of section 44(1)(a) the enactment is capable of preventing the disclosure of information under section 1, he may by order repeal or amend the enactment for the purpose of removing or relaxing the prohibition.

(2) In subsection (1) – ‘enactment’ means:

- (a) any enactment contained in an Act passed before or in the same session as this Act, or
- (b) any enactment contained in Northern Ireland legislation or subordinate legislation passed or made before the passing of this Act;

“information” includes unrecorded information

(3) An Order under this section may do all or any of the following:

- (a) make such modifications of enactments as, in the opinion of the Secretary of State, are consequential upon, or incidental to, the amendment or repeal of the enactment containing the prohibition;
- (b) contain such transitional provisions and savings as appear to the Secretary of State to be appropriate;
- (c) make different provision for different cases.

Fundamental to the use of this power is that the enactment in question must be capable of prohibiting disclosure of information under section 1 of the Freedom of Information Act. DCA committed to a review of this in 2004 and published a report in June 2005 on its *Review of Statutory Prohibitions on Disclosure* identifying legislation which contained such prohibitions and advising what action it planned to take. This report can be found on the DCA website at <http://www.dca.gov.uk/majrepfr.htm#statdisc>.

This report included the replacing of some prohibitions with time-limited clauses where repeal is not appropriate, such as time-limited clauses to prevent the prohibition from applying to information over a specific age.

5. Performance tables

- 1) Number of non-routine information requests received by monitored bodies during 2005, and their status at the time of end-of-year monitoring.
- 2) Timeliness of response to non-routine information requests received by monitored bodies during 2005.
- 3) Initial outcomes of non-routine information requests received by monitored bodies during 2005.
- 4) Statutory reasons given by monitored bodies for fully withholding non-routine information requested during 2005.
- 5) Frequency with which specific exemptions (FOI) and exceptions (EIRs) were applied by monitored bodies when withholding non-routine information requested during 2005.
- 6) Outcomes of Internal Reviews of information requests received by monitored bodies during 2005, where the requested information was initially withheld.
- 7) Outcomes of appeals to the Information Commissioner about the refusal of information requests received by monitored bodies during 2005.
- 8) Volume of referrals to the Clearing House in 2005.

The most recent published quarterly FOI monitoring report gives detailed information on the October to December 2005 period. It also contains key quarter-by-quarter statistics on caseload, timeliness and outcomes for all monitored bodies. It is available from the Freedom of Information website at:

http://www.foi.gov.uk/implem_refm.htm#part2

Table 1: Number of non-routine information requests received by monitored bodies during 2005, and their status at the time of end-of-year monitoring¹

Government body	Total requests received	Request status at time of monitoring ¹		
		Processed	On hold or lapsed ²	Still being processed
Total for all monitored bodies	38,108	35,097	2,095	916
Total for Departments of State only	19,717	19,088	7	622
Total for other monitored bodies	18,391	16,009	2,088	294
<i>Departments of State</i>				
Cabinet Office	1,450	1,427	0	23
Department for Constitutional Affairs #	602	591	0	11
Department for Education and Skills	548	547	0	1
Department for Environment, Food and Rural Affairs	784	770	1	13
Department for International Development	259	256	0	3
Department for Transport #	1,545	1,506	3	36
Department for Work and Pensions #	1,480	1,471	0	9
Department of Culture, Media and Sport #	449	422	0	27
Department of Health	1,203	1,186	0	17
Department of Trade and Industry	816	751	0	65
Foreign and Commonwealth Office	1,315	1,295	0	20
HM Treasury	1,208	1,093	0	115
Home Office	1,970	1,873	0	97
Legal Secretariat to the Law Officers	120	119	0	1
Ministry of Defence #	4,604	4,479	0	125
Northern Ireland Office	187	181	0	6
Office of the Deputy Prime Minister	917	875	3	39
Privy Council Office	74	74	0	0
Scotland Office	115	101	0	14
Wales Office	71	71	0	0

Table 1: (continued) Number of non-routine information requests received by monitored bodies during 2005, and their status at the time of end-of-year monitoring¹

Government body	Request status at time of monitoring ¹			
	Total requests received	Processed	"On hold" or lapsed ²	Still being processed
Other bodies included in monitoring				
Central Office of Information	30	30	0	0
Charity Commission	264	236	0	28
Crown Prosecution Service	398	395	0	3
Debt Management Office	275	275	0	0
Export Credits Guarantee Department	66	62	0	4
Food Standards Agency	297	293	0	4
Health and Safety Executive	6,975	6,819	5	151
HM Land Registry	179	174	0	5
HM Revenue and Customs	1,253	1,235	0	18
National Archives	6,212	4,058	2,080	74
National Savings and Investments	33	33	0	0
Office for National Statistics	162	162	0	0
Office for Standards in Education	585	582	0	3
Office of Fair Trading	301	301	0	0
Office of Gas and Electricity Markets (OFGEM)	494	494	0	0
Office of Rail Regulation	124	124	0	0
Office of Water Services (OFWAT)	84	81	0	3
Ordnance Survey	151	149	2	0
Royal Mint	10	10	0	0
Rural Payments Agency	240	239	0	1
Serious Fraud Office	59	59	0	0
Treasury Solicitor's Department	199	198	1	0

Notes

Please see the separate Notes page 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 Department for Constitutional Affairs during the first two weeks of February 2006.

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.

Table 2: Timeliness of response to non-routine information requests received by monitored bodies during 2005 (based on aggregated quarterly data)

Government body	Total requests received (excluding on-hold and lapsed ¹)	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 ² to 20-day deadline	Late response (i.e. 20-day deadline missed)		
Total for all monitored bodies	35,794	27,481	3,587	4,726	77%	87%
Total for Departments of State only	19,417	13,558	2,218	3,641	70%	81%
Total for other monitored bodies	16,377	13,923	1,369	1,085	85%	93%
<i>Departments of State</i>						
Cabinet Office	1,337	917	212	208	69%	84%
Department for Constitutional Affairs #	589	452	55	82	77%	86%
Department for Education and Skills	548	415	89	44	76%	92%
Department for Environment, Food and Rural Affairs	768	522	141	105	68%	86%
Department for International Development	259	198	32	29	76%	89%
Department for Transport #	1,519	1,256	69	194	83%	87%
Department for Work and Pensions #	1,489	1,281	85	123	86%	92%
Department of Culture, Media and Sport	449	298	80	71	66%	84%
Department of Health	1,205	813	45	347	67%	71%
Department of Trade and Industry	839	562	86	191	67%	77%
Foreign and Commonwealth Office	1,315	804	326	185	61%	86%
HM Treasury +	1,208	612	318	278	51%	77%
Home Office	1,904	903	276	725	47%	62%
Legal Secretariat to the Law Officers	120	86	11	23	72%	81%
Ministry of Defence #	4,517	3,466	289	762	77%	83%
Northern Ireland Office	179	127	26	26	71%	85%
Office of the Deputy Prime Minister	912	646	54	212	71%	77%
Privy Council Office	74	71	0	3	96%	96%
Scotland Office	115	72	19	24	63%	79%
Wales Office	71	57	5	9	80%	87%

+ - Prior to June 2005, HM Treasury was not able to provide data on requests where a public interest extension was applied. However, following an internal audit of FoI data collection processes, it has provided corrected figures for inclusion in this table. The figures for this department are therefore not consistent with previously published quarterly data.

Table 2: (continued) Timeliness of response to non-routine information requests received by monitored bodies during 2005 (based on aggregated quarterly data)

Government body	Total requests received (excluding on-hold and lapsed ¹)	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 ² to 20-day deadline	Late response (i.e. 20-day deadline missed)		
Other bodies included in monitoring						
Central Office of Information	30	28	0	2	93%	93%
Charity Commission	264	239	0	25	91%	91%
Crown Prosecution Service	398	367	12	19	92%	95%
Debt Management Office	275	275	0	0	100%	100%
Export Credits Guarantee Department	64	33	16	15	52%	77%
Food Standards Agency	297	267	21	9	90%	97%
Health and Safety Executive	7,047	5,453	1,020	574	77%	92%
HM Land Registry	181	172	7	2	95%	99%
HM Revenue and Customs	1,251	964	55	232	77%	81%
National Archives [^]	4,132	3,937	128	67	95%	98%
National Savings and Investments	33	32	0	1	97%	97%
Office for National Statistics	162	158	2	2	98%	99%
Office for Standards in Education	585	488	28	69	83%	88%
Office of Fair Trading	298	283	5	10	95%	97%
Office of Gas and Electricity Markets (OFGEM)	502	461	16	25	92%	95%
Office of Rail Regulation	124	122	2	0	98%	100%
Office of Water Services (OFWAT)	84	81	3	0	96%	100%
Ordnance Survey	149	143	2	4	96%	97%
Royal Mint	10	10	0	0	*	*
Rural Payments Agency	235	159	52	24	68%	90%
Serious Fraud Office	59	59	0	0	100%	100%
Treasury Solicitor's Department	197	192	0	5	97%	97%

Notes

Please see the separate Notes page 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 those received by the departments themselves. Annex 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 during 2005

Government body	Total requests received (excluding on-hold and lapsed ¹)	Requests where advice and assistance ² provided	Requests where information not held	Total resolvable requests ³	Initial outcome of request				Response not yet provided ⁵	Percentage of resolvable requests granted in full	Percentage of resolvable requests withheld in full
					Granted in full	Partially withheld	Fully withheld ⁴	916			
Total for all monitored bodies	36,013	2,151	4,591	29,271	19,192	3,762	5,401	916	66%	18%	
Total for Departments of State only	19,710	1,215	2,770	15,725	9,441	2,319	3,343	622	60%	21%	
Total for other monitored bodies	16,303	936	1,821	13,546	9,751	1,443	2,058	294	72%	15%	
<i>Departments of State</i>											
Cabinet Office	1,450	189	305	956	374	173	386	23	39%	40%	
Department for Constitutional Affairs #	602	57	162	383	178	51	143	11	46%	37%	
Department for Education and Skills	548	28	60	460	282	97	80	1	61%	17%	
Department for Environment, Food and Rural Affairs	783	63	81	639	397	124	105	13	62%	16%	
Department for International Development	259	17	57	185	118	29	35	3	64%	19%	
Department for Transport #	1,542	41	159	1,342	984	155	167	36	73%	12%	
Department for Work and Pensions #	1,480	0	89	1,391	1,124	123	135	9	81%	10%	
Department of Culture, Media and Sport #	449	34	52	363	221	69	46	27	61%	13%	
Department of Health	1,203	144	206	853	608	100	128	17	71%	15%	
Department of Trade and Industry	816	0	115	701	301	114	221	65	43%	32%	
Foreign and Commonwealth Office	1,315	158	107	1,050	338	394	298	20	32%	28%	
HM Treasury	1,208	149	272	787	320	68	284	115	41%	36%	
Home Office	1,970	173	328	1,469	618	239	515	97	42%	35%	
Legal Secretariat to the Law Officers	120	9	34	77	16	11	49	1	21%	64%	
Ministry of Defence #	4,604	83	427	4,094	2,911	422	636	125	71%	16%	
Northern Ireland Office	187	8	40	139	67	42	24	6	48%	17%	
Office of the Deputy Prime Minister	914	41	179	694	507	92	56	39	73%	8%	
Privy Council Office	74	3	38	33	24	7	2	0	73%	6%	
Scotland Office	115	10	45	60	13	7	26	14	22%	43%	
Wales Office	71	8	14	49	40	2	7	0	82%	14%	

Table 3: (continued) Initial outcomes of non-routine Information requests received by monitored bodies during 2005

Government body	Total requests received (excluding on-hold and lapsed ¹)	Requests where advice and assistance ² provided	Requests where information not held	Total "resolvable" requests ³	Initial outcome of request				Response not yet provided ⁵	Percentage of	
					Granted in full	Partially withheld	Fully withheld ⁴	resolvable requests granted in full		resolvable requests withheld in full	
											Percentage of resolvable requests granted in full
Other bodies Included In monitoring											
Central Office of information	30	6	0	24	20	4	0	0	83%	0%	
Charity Commission	264	20	5	239	172	19	20	28	72%	8%	
Crown Prosecution Service	398	42	75	281	71	34	173	3	25%	62%	
Debt Management Office	275	0	0	275	274	1	0	0	100%	0%	
Export Credits Guarantee Department	66	4	1	61	24	24	9	4	39%	15%	
Food Standards Agency	297	1	15	281	102	140	35	4	36%	12%	
Health and Safety Executive	6,970	391	625	5,954	4,510	532	761	151	76%	13%	
HM Land Registry	179	7	5	167	150	5	7	5	90%	4%	
HM Revenue and Customs	1,253	0	157	1,096	595	190	293	18	54%	27%	
National Archives	4,132	223	646	3,263	2,647	174	368	74	81%	11%	
National Savings and Investments	33	0	7	26	20	1	5	0	77%	19%	
Office for National Statistics	162	1	34	127	66	13	48	0	52%	38%	
Office for Standards in Education	585	0	62	523	300	115	105	3	57%	20%	
Office of Fair Trading	301	17	50	234	56	106	72	0	24%	31%	
Office of Gas and Electricity Markets (OFGEM)	494	114	35	345	313	18	14	0	91%	4%	
Office of Rail Regulation	124	16	22	86	77	4	5	0	90%	6%	
Office of Water Services (OFWAT)	84	4	14	66	55	3	5	3	83%	8%	
Ordnance Survey	149	18	12	119	97	16	6	0	82%	5%	
Royal Mint	10	0	0	10	8	1	1	0	*	*	
Rural Payments Agency	240	19	17	204	111	22	70	1	54%	34%	
Serious Fraud Office	59	1	7	51	29	7	15	0	57%	29%	
Treasury Solicitor's Department	198	52	32	114	54	14	46	0	47%	40%	

Notes

Please see the separate Notes page 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 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.

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 2005

Government body	Total resolvable requests ¹	Total information was fully withheld	Reason for fully withholding information				Information is exempt/ excepted ⁴
			Vexatious Fol request ²	Repeated Fol request ²	Cost of response would exceed cost limit ³		
Total for all monitored bodies	29,271	5,401	56	14	1,033	4,298	
Total for Departments of State only	15,725	3,343	36	12	816	2,479	
Total for other monitored bodies	13,546	2,058	20	2	217	1,819	
<i>Departments of State</i>							
Cabinet Office	956	386	1	4	54	327	
Department for Constitutional Affairs #	383	143	2	2	17	122	
Department for Education and Skills	460	80	0	0	39	41	
Department for Environment, Food and Rural Affairs	639	105	0	0	0	105	
Department for International Development	185	35	2	0	14	19	
Department for Transport #	1,342	167	1	1	30	135	
Department for Work and Pensions #	1,391	135	0	0	3	132	
Department of Culture, Media and Sport #	363	46	0	0	20	26	
Department of Health	853	128	0	1	4	123	
Department of Trade and Industry	701	221	0	0	62	159	
Foreign and Commonwealth Office	1,050	298	1	2	118	177	
HM Treasury	787	284	1	0	98	185	
Home Office	1,469	515	1	1	173	340	
Legal Secretariat to the Law Officers	77	49	0	0	0	49	
Ministry of Defence #	4,094	636	25	0	175	436	
Northern Ireland Office	139	24	0	0	0	24	
Office of the Deputy Prime Minister	694	56	2	1	4	49	
Privy Council Office	33	2	0	0	1	1	
Scotland Office	60	26	0	0	3	23	
Wales Office	49	7	0	0	1	6	

Table 4: (continued) Statutory reasons given by monitored bodies for fully withholding non-routine information requested during 2005

Government body	Total resolvable requests ¹	Total requests where information was fully withheld	Reason for fully withholding information				Information is exempt/ excepted ⁴
			Vexatious Fol request ²	Repeated Fol request ²	Cost of response would exceed cost limit ³		
Other bodies included in monitoring							
Central Office of Information	24	0	0	0	0	0	0
Charity Commission	239	20	0	0	1	19	19
Crown Prosecution Service	281	173	5	0	6	162	162
Debt Management Office	275	0	0	0	0	0	0
Export Credits Guarantee Department	61	9	0	0	6	3	3
Food Standards Agency	281	35	0	0	20	15	15
Health and Safety Executive	5,954	761	0	2	129	630	630
HM Land Registry	167	7	0	0	4	3	3
HM Revenue and Customs	1,096	293	4	0	26	263	263
National Archives	3,263	368	0	0	0	368	368
National Savings and Investments	26	5	0	0	2	3	3
Office for National Statistics	127	48	0	0	7	41	41
Office for Standards in Education	523	105	0	0	4	101	101
Office of Fair Trading	234	72	1	0	0	71	71
Office of Gas and Electricity Markets (OFGEM)	345	14	0	0	1	13	13
Office of Rail Regulation	86	5	0	0	1	4	4
Office of Water Services (OFWAT)	66	5	0	0	0	5	5
Ordnance Survey	119	6	0	0	0	6	6
Royal Mint	10	1	0	0	0	1	1
Rural Payments Agency	204	70	0	0	0	70	70
Serious Fraud Office	51	15	0	0	9	6	6
Treasury Solicitor's Department	114	46	10	0	1	35	35

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 Fol Act.

3 – Section 12 of the Fol 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 11 of the Fol Act, or under one of the corresponding "exceptions to the duty to disclose environmental information" in Part 3 of the EIRs.

Table 5: Exemptions (Fol) and exceptions (EIRs) applied by monitored bodies when withholding non-routine information requested during 2005

Government body	Total requests where one or more exemptions/exceptions were applied ¹⁾	Exemptions listed in Part 2 of the Fol Act																						
		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	All EIR Exceptions
Total for all monitored bodies	6,765	286	258	191	141	507	40	49	248	421	74	42	10	1,234	554	90	189		1,683	776	400	779	467	374
Total for Departments of State only	4,794	246	219	167	130	479	30	35	74	237	33	19	8	1,168	512	87	113		989	345	295	576	91	262
Total for other monitored bodies	1,971	40	39	24	11	28	10	14	174	184	41	23	2	66	42	3	76		694	431	105	203	376	112
Departments of State																								
Cabinet Office	500	14	43	18	9	48	1	0	1	6	0	1	3	195	67	42	0		69	11	33	12	4	3
Department for Constitutional Affairs #	173	5	1	0	0	11	3	0	0	11	19	0	1	57	40	9	1		35	8	36	6	0	0
Department for Education and Skills	138	11	0	0	0	1	0	0	0	0	1	0	0	43	22	5	0		29	5	7	19	0	0
Department for Environment, Food and Rural Affairs	229	5	0	3	1	6	0	0	0	1	0	0	0	14	11	0	3		15	5	8	15	0	179
Department for International Development	48	2	0	2	0	19	0	0	0	2	0	0	0	15	5	4	1		5	2	2	15	2	0
Department for Transport #	290	22	0	2	0	6	0	3	5	28	3	0	0	30	15	2	1		55	25	11	50	27	7
Department for Work and Pensions #	255	20	0	0	0	8	1	1	12	2	0	0	1	33	9	2	1		106	9	8	45	4	0
Department of Culture, Media and Sport #	95	4	0	2	0	2	0	1	0	3	0	0	0	32	20	5	0		31	30	10	28	1	7
Department of Health	223	28	1	2	0	2	0	0	0	4	0	5	0	44	30	4	3		50	23	8	62	4	0
Department of Trade and Industry	273	11	1	2	3	25	3	0	18	22	1	0	0	47	23	3	7		30	55	13	88	23	8
Foreign and Commonwealth Office	571	10	73	37	3	195	3	0	0	16	1	0	0	156	71	1	8		78	14	42	16	1	10
HM Treasury	253	10	1	9	12	30	1	28	0	9	0	0	0	166	12	0	3		23	11	13	18	3	0
Home Office	579	61	33	26	1	23	4	0	10	93	2	10	1	126	67	3	30		233	31	28	93	15	0
Legal Secretariat to the Law Officers	60	0	6	1	1	30	0	0	0	3	1	0	0	53	35	0	0		1	34	36	0	0	0
Ministry of Defence #	858	31	55	54	99	79	3	2	27	30	5	1	1	91	53	3	46		170	61	26	85	6	0
Northern Ireland Office	62	2	4	3	1	2	0	0	1	5	0	0	0	10	11	2	6		24	10	2	1	1	0
Office of the Deputy Prime Minister	141	9	1	6	0	0	2	0	0	2	0	2	1	24	16	1	3		30	7	4	20	0	48
Privy Council Office	8	1	0	0	0	0	0	0	0	0	0	0	0	1	2	0	0		3	1	1	0	0	0
Scotland Office	30	0	0	0	0	0	0	0	0	0	0	0	0	26	3	1	0		2	2	5	2	0	0
Wales Office	8	0	0	0	0	0	2	0	0	0	0	0	0	5	0	0	0		0	1	2	1	0	0

See EIR Exceptions - final column

Table 5: (continued) Exemptions (FoI) and exceptions (EIRs) applied by monitored bodies when withholding non-routine information requested during 2005

Government body	Total requests where one or more exemptions/exceptions were applied ¹⁾	Exemptions listed in Part 2 of the FoI Act																						
		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	All EIR Exceptions
Other bodies included in monitoring																								
Central Office of Information	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	4	0	0
Charity Commission	38	2	0	0	0	0	0	0	14	0	0	0	0	0	0	0	0	0	16	24	7	1	0	0
Crown Prosecution Service	196	6	1	1	0	0	0	103	5	9	0	0	4	0	1	31	0	0	125	79	21	0	46	0
Debt Management Office	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0
Export Credits Guarantee Department	27	1	1	0	0	5	0	1	0	0	0	1	2	5	0	0	0	0	1	8	1	7	0	0
Food Standards Agency	155	4	0	0	0	1	0	0	5	0	0	0	6	1	0	1	0	0	112	8	1	101	2	24
Health and Safety Executive ²	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
HM Land Registry	8	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	6	0	1	1	0	0
HM Revenue and Customs ³	324	9	0	0	0	2	0	26	68	5	1	0	24	4	0	4	0	0	44	30	32	37	121	0
National Archives	542	5	34	17	10	20	8	5	2	27	21	13	6	0	2	39	0	0	215	192	7	13	17	0
National Savings and Investments	4	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	1	0	0	2	1	0
Office for National Statistics	54	3	0	0	0	0	0	0	0	0	0	0	7	4	0	0	0	0	14	14	0	1	21	0
Office for Standards in Education	216	3	0	0	0	0	0	21	13	1	9	0	0	20	0	0	0	0	134	61	3	7	0	0
Office of Fair Trading	177	1	0	0	0	0	2	2	1	33	1	0	2	2	0	0	0	0	6	4	11	11	132	0
Office of Gas and Electricity Markets (OFGEM)	31	2	0	2	0	0	0	0	0	0	0	0	2	1	0	0	0	0	2	1	1	3	21	0
Office of Rail Regulation	8	0	0	2	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	4	0	0	5	0
Office of Water Services (OFWAT)	8	1	1	0	0	0	0	0	1	0	0	0	1	2	0	0	0	0	0	1	3	0	9	0
Ordnance Survey	22	2	1	2	1	0	0	0	0	0	0	0	0	0	0	0	0	0	4	0	1	9	0	2
Royal Mint	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0
Rural Payments Agency	92	1	0	0	0	0	0	0	0	0	0	0	2	2	0	0	0	0	9	0	2	1	0	86
Serious Fraud Office	13	0	0	0	0	0	0	8	3	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0
Treasury Solicitor's Department	49	0	1	0	0	0	0	11	15	4	0	0	7	0	0	1	0	0	2	5	14	2	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 - 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.

2 - The Health and Safety Executive was not able to provide a breakdown of exemption usage.

3 - Exemption usage figures for HM Revenue and Customs (HMRC) exclude requests received by the former Inland Revenue, prior to its absorption within HMRC on 1 April 2005.

Table 6: Outcomes of Internal Reviews¹ of non-routine information requests received by monitored bodies during 2005, 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	Overtaken	
Total for all monitored bodies	1,267	1,057	816	154	87	77%
Total for Departments of State only	991	817	633	128	56	77%
Total for other monitored bodies	276	240	183	26	31	76%
Departments of State						
Cabinet Office	142	125	103	20	2	82%
Department for Constitutional Affairs #	77	57	45	10	2	79%
Department for Education and Skills	33	32	27	3	2	84%
Department for Environment, Food and Rural Affairs #	56	51	34	15	2	67%*
Department for International Development	12	12	9	1	2	84%
Department for Transport #	39	31	26	1	4	83%*
Department for Work and Pensions #	66	60	50	5	5	83%*
Department of Culture, Media and Sport #	20	16	8	4	4	71%
Department of Health	83	63	45	4	14	80%
Department of Trade and Industry	61	50	40	6	4	83%*
Foreign and Commonwealth Office	80	70	58	9	3	83%*
HM Treasury	35	20	12	6	2	79%*
Home Office	121	84	66	14	4	80%*
Legal Secretariat to the Law Officers	20	19	18	1	0	90%*
Ministry of Defence #	82	70	56	13	1	80%*
Northern Ireland Office	15	11	6	4	1	55%*
Office of the Deputy Prime Minister	34	31	17	11	3	0%*
Privy Council Office	2	2	2	0	0	100%*
Scotland Office	12	12	10	1	1	83%*
Wales Office	1	1	1	0	0	100%*

Table 6: (continued) Outcomes of Internal Reviews¹ of non-routine information requests received by monitored bodies during 2005, 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	Overtaken	
Other bodies included in monitoring						
Central Office of Information	1	1	1	0	0	*
Charity Commission	4	4	3	0	1	*
Crown Prosecution Service	29	23	20	2	1	87%
Debt Management Office	0	0	0	0	0	*
Export Credits Guarantee Department	12	7	4	1	2	*
Food Standards Agency	10	10	6	3	1	*
Health and Safety Executive	46	45	31	8	6	69%
HM Land Registry	2	2	2	0	0	*
HM Revenue and Customs	56	44	41	1	2	93%
National Archives	38	37	30	0	7	81%
National Savings and Investments	0	0	0	0	0	*
Office for National Statistics	16	8	1	1	6	*
Office for Standards in Education	14	14	10	2	2	*
Office of Fair Trading	10	10	7	3	0	*
Office of Gas and Electricity Markets (OFGEM)	5	4	4	0	0	*
Office of Rail Regulation	0	0	0	0	0	*
Office of Water Services (OFWAT)	0	0	0	0	0	*
Ordnance Survey	9	9	4	4	1	*
Royal Mint	0	0	0	0	0	*
Rural Payments Agency	13	13	11	0	2	*
Serious Fraud Office	0	0	0	0	0	*
Treasury Solicitor's Department	11	9	8	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. Appendix 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: Outcomes of appeals to the Information Commissioner's Office (ICO) about the handling of non-trivial information requests received by monitored bodies during 2005

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	Overtaken
Total for all monitored bodies	127²	25	18	1	6
Total for Departments of State only	101	15	10	1	4
Total for other monitored bodies	26	10	8	0	2
Departments of State					
Cabinet Office	8	0	0	0	0
Department for Constitutional Affairs #	7	1	1	0	0
Department for Education and Skills	6	2	2	0	0
Department for Environment, Food and Rural Affairs	5	0	0	0	0
Department for International Development	0	0	0	0	0
Department for Transport #	5	1	0	0	1
Department for Work and Pensions #	17	3	1	0	2
Department of Culture, Media and Sport #	2	0	0	0	0
Department of Health	6	2	2	0	0
Department of Trade and Industry	9	4	3	0	1
Foreign and Commonwealth Office	15	1	1	0	0
HM Treasury	1	0	0	0	0
Home Office	4	0	0	0	0
Legal Secretariat to the Law Officers	0	0	0	0	0
Ministry of Defence #	6	0	0	0	0
Northern Ireland Office	2	1	0	1	0
Office of the Deputy Prime Minister	5	0	0	0	0
Privy Council Office	1	0	0	0	0
Scotland Office	2	0	0	0	0
Wales Office	0	0	0	0	0

Table 7: (continued) Outcomes of appeals to the Information Commissioner's Office (ICO) about the handling of non-trivial information requests received by monitored bodies during 2005

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	Overtaken
Other bodies included in monitoring					
Central Office of Information	0	0	0	0	0
Charity Commission	0	0	0	0	0
Crown Prosecution Service	3	0	0	0	0
Debt Management Office	0	0	0	0	0
Export Credits Guarantee Department	2	0	0	0	0
Food Standards Agency	0	0	0	0	0
Health and Safety Executive	2	0	0	0	0
HM Land Registry	1	1	1	0	0
HM Revenue and Customs	6	3	2	0	1
National Archives	1	0	0	0	0
National Savings and Investments	0	0	0	0	0
Office for National Statistics	1	0	0	0	0
Office for Standards in Education	3	1	1	0	0
Office of Fair Trading	2	0	0	0	0
Office of Gas and Electricity Markets (OFGEM)	2	2	2	0	0
Office of Rail Regulation	0	0	0	0	0
Office of Water Services (OFWAT)	0	0	0	0	0
Ordnance Survey	2	2	2	0	0
Royal Mint	0	0	0	0	0
Rural Payments Agency	1	1	0	0	1
Serious Fraud Office	0	0	0	0	0
Treasury Solicitor's Department	0	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.

2.– This figure only includes appeals relating to the refusal of information and those that were notified to monitored bodies during 2005.

Table 8: Monthly numbers of referrals made to the DCA Central Clearing House by its customer bodies during 2005

Government body	Month												Total
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	
Total for all Clearing House customer bodies	462	375	272	260	218	260	326	300	244	273	247	180	3,417
Departments of State													
Cabinet Office	109	64	38	35	40	23	81	45	45	32	34	32	578
Department for Constitutional Affairs	34	13	17	23	17	23	20	10	19	18	18	15	227
Department of Culture, Media and Sport	15	11	8	11	5	9	12	12	9	12	8	12	124
Department for Environment, Food and Rural Affairs	33	34	19	11	17	22	17	15	14	13	16	7	218
Department for Education and Skills	22	14	17	12	7	7	6	4	5	4	9	5	112
Department for International Development	8	11	3	9	5	3	3	3	3	3	0	2	53
Department for Transport	11	5	7	8	6	3	14	10	6	4	5	2	81
Department of Health	16	11	10	6	4	8	16	19	5	13	19	13	140
Department of Trade and Industry	40	28	23	10	9	24	16	19	10	11	8	4	202
Department for Work and Pensions	7	1	0	0	2	0	8	0	1	3	3	1	26
Foreign and Commonwealth Office	51	50	28	27	11	22	19	20	16	20	22	18	304
HM Treasury	12	13	2	3	3	8	15	10	8	14	6	7	101
Home Office	42	59	67	58	53	49	40	51	49	63	37	21	589
Legal Secretariat to the Law Officers	1	3	1	0	3	2	1	1	5	2	0	0	19
Ministry of Defence	20	22	14	19	15	21	23	32	22	26	17	13	244
Northern Ireland Office	10	3	2	0	2	1	2	0	4	1	3	2	30
Office of the Deputy Prime Minister	12	14	8	7	5	10	8	16	6	3	4	2	95
Scotland Office	0	1	1	5	0	3	2	1	1	1	3	0	18
Wales Office	0	1	1	2	0	0	2	0	0	0	1	0	7
Other bodies													
HM Revenue and Customs	4	1	2	7	1	3	4	11	2	10	0	2	47
National Archives	2	3	1	4	1	5	3	3	4	5	8	5	44
All other bodies	13	13	3	3	12	14	14	18	10	15	26	17	158

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) of existing cases. A limited number of requests answered under the Environmental Information Regulations will also be included.

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 2005 (table 2) or
- annual data for the whole of 2005 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. However, this issue most obviously affects Tables 1 and 3.

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 received through pre-existing channels (such as written Parliamentary Questions) having been incorrectly counted as FOI requests and
- particularly during the early part of 2005, confusion over what constituted a FOI request for monitoring purposes.

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 35,738 from quarterly data, and 36,013 from annual data – a difference of less than 0.8%.

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 – Scope and consistency of the statistics

Defining the scope of Freedom of Information monitoring

Section 1 of the Freedom of Information Act 2000 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 report 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:

- it was necessary to take a considered view on how to handle the request under the terms of the Freedom of Information Act, and
- 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 in monitored bodies returns to DCA 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*
3.
 - (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.”*

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.

Consistency of statistics

As a result of these differences, there may be a degree of inconsistency in the way in which bodies have interpreted and applied the definition of an “information request” for monitoring purposes. However, DCA has worked hard with departments over the course of the year to ensure that these statistics are as accurate as possible. This does mean, however, that as discrepancies have come to light, departments have amended their figures accordingly and that the figures do not in all cases present an exact aggregate of the data published in DCA’s quarterly bulletins. They do, however, present the most accurate picture available of the volumes and performance of central government in 2005.

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) These figures do not provide an aggregate of the quarterly statistics published by DCA but present the most accurate picture of the volumes and performance of central government in 2005.

Annex B – Government bodies included in the statistics

The statistics in this report derive from monitoring returns completed by Freedom of Information officers in government departments during early August 2005. The returns were collected and analysed by the DCA, the government department with lead responsibility for the Freedom of Information Act 2000.

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 ongoing 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 report 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 covered by the monitoring is shown below.

Departments of State

Cabinet Office
Department for Constitutional Affairs
Department for Culture, Media and Sport
Department for Education and Skills
Department for Environment, Food and Rural Affairs
Department for International Development
Department for Transport
Department for Work and Pensions
Department of Health
Department of Trade and Industry
Foreign and Commonwealth Office
HM Treasury
Home Office
Legal Secretariat to the Law Officers
Ministry of Defence
Northern Ireland Office
Privy Council Office
Office of the Deputy Prime Minister
Scotland Office
Wales Office

Other monitored bodies

Central Office of Information
 Charity Commission
 Crown Prosecution Service
 Debt Management Office
 Export Credits Guarantee Department
 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
 Office of Water Services (OFWAT)
 Ordnance Survey
 Royal Mint
 Rural Payments Agency
 Serious Fraud Office
 Treasury Solicitor's Department

Additional Notes

1. The Office of Communications (OFCOM) has been unable to provide monitoring data during 2005. We will discuss with officials the possibility of OFCOM participating in FOI monitoring work in future years.
2. Cabinet Office figures include requests that were addressed to 10 Downing Street.
3. The Inland Revenue and HM Customs and Excise formally merged from the 1st April 2005 to form HM Revenue and Customs. The first statistical bulletin in this series

covering January to March 2005 reported separate statistics for the two predecessor departments. However, combined figures for the new Department will be given in this and all subsequent bulletins.

4. 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 Constitutional Affairs

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

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
 The Pension Service
 Rent Service

Department of Culture Media and Sport

Figures include requests received by the Royal Parks Agency.

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

Annex C – User Group Members

The following individuals comprise the membership of the newly established Freedom of Information User Group. The first meeting of this group will take place in 2006:

Chair

Baroness Ashton

Police

Ian Readhead
Deputy Chief Constable
Hampshire Constabulary

Politics

Peter Bottomley MP

Health

Adrian Pollitt
Head of the Office of Strategic
Health Authorities

Local Government

Paul Bettison
Leader, Bracknell Forest Council

Liberal Democrat Peer

Lord Lester of Herne Hill

National Media

John Hipwood
Chairman of the Press Lobby

Academics

Professor Robert Hazell
UCL Constitution Unit

Information Law

Rosemary Jay
Pinsent Masons

Campaign/Lobby Group

Maurice Frankel
Campaign for Freedom of Information

Business

Anthony Kenny
Intellect U.K

Environment

Judith Cullen
Defra

Observer

Richard Thomas
Information Commissioner

Annex D – Bodies added to Schedule 1 in 2005 by DCA

The following bodies have been added to Schedule 1 by order under s. 4(1) during 2005:

- The Advisory Panel on Public Sector Information.
- The British Transport Police Authority.
- A courts board established under section 4 of the Courts Act 2003.
- The Commission for Integrated Transport.
- The Criminal Procedure Rule Committee.
- The Family Justice Council.
- The Family Procedure Rule Committee.
- The General Optical Council.
- The Independent Groundwater Complaints Administrator.
- The Independent Regulator of NHS Foundation Trusts.
- The Sentencing Guidelines Council.
- The Gaelic Media Service, in respect of information held for purposes other than those of journalism, art or literature.
- The Registrar General for England and Wales.
- The Children's Commissioner.
- A conservation board established under section 86 of the Countryside and Rights of Way Act 2000.
- The Royal College of Veterinary Surgeons, in respect of information held by it otherwise than as a tribunal.
- The Royal Pharmaceutical Society of Great Britain, in respect of information held by it otherwise than as a tribunal.
- The University for Industry.
- The verderers of the New Forest, in respect of information held by them otherwise than as a tribunal.
- The Northern Ireland Health and Personal Social Services Regulation and Improvement Authority.
- The Poisons Board (Northern Ireland).
- The Pharmaceutical Society of Northern Ireland, in respect of information held by it otherwise than as a tribunal.
- The Northern Ireland Events Company.

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