

# **Freedom of Information Act 2000**

Statistics on implementation in central government

Q3: July - September 2006

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## Introduction

The Freedom of Information Act 2000 ("Fol Act") and the associated Environmental Information Regulations 2004 ("EIRs") came fully into force on 1 January 2005. This bulletin covers the period July to September 2006 and presents the seventh quarterly set of statistics on their implementation within central government.

The previous quarterly bulletins, together covering the period from January 2005 to June 2006, are available via the links on the following page of the government's Freedom of Information website:

<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 43 central government bodies, including all major departments of state. **Appendix B** gives a full list of monitored bodies.

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## Executive Summary

Departments of State reported receiving slightly over 4,100 “non-routine” information requests during the third quarter of 2006 (Q3). Other monitored bodies received around 3,500 requests. Across all monitored bodies, slightly over 7,600 requests were received, of which 94 per cent had been processed at the time of monitoring. This total includes 150 requests handled under the amended Environmental Information Regulations (EIRs) which came into force on 1 January 2005. *[see Table 1]*

The total of around 7,600 requests across all monitored bodies received in the third quarter of 2006 is 5 per cent less than the 8,100 received during the corresponding quarter of 2005. *[see Table A]*

During Q3 of 2006, 93 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 is the highest quarterly figure yet recorded. *[see Table 2 and Table B]*

Of all “resolvable” requests received during Q3 of 2006 (i.e. requests where it was possible to make a substantive decision on whether to release the information being sought), 61 per cent were granted in full. This figure is unchanged from the preceding quarter. Of the remaining Q3 requests, 14 per cent of the total were withheld in part, 19 per cent were withheld in full, and the remaining 6 per cent had not yet received a substantive response. *[see Table 3]*

In the first, second and third quarters of 2006, monitored bodies had a cumulative total of 853 requests referred for Internal Review on the grounds that information was withheld. Of the 629 Internal Reviews with a known outcome at the time of monitoring, 75 per cent resulted in the request’s initial handling being upheld in full. *[see Table 5]*

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

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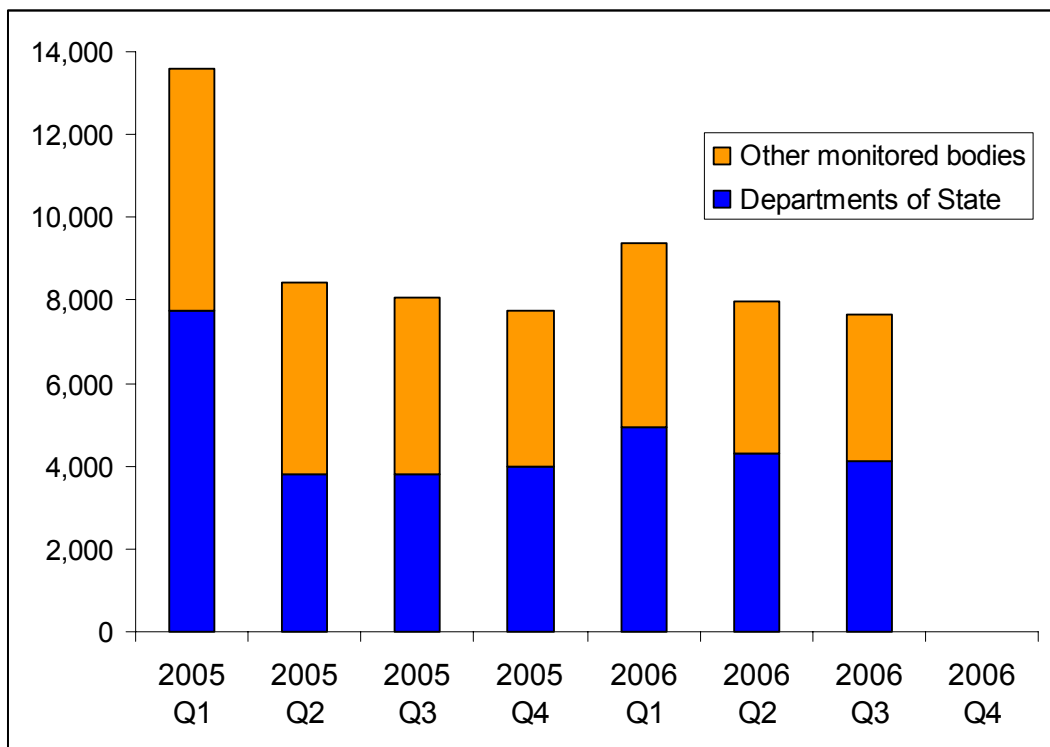
## Commentary

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

Departments of State reported receiving a total of 4,137 information requests under the Freedom of Information Act and the associated Environmental Information Regulations during the quarter from 1 July – 30 September 2006 (Q3). Other monitored bodies reported having received 3,504 requests. Across all monitored bodies, a total of 7,641 requests were reported.

This overall total for Q3 of 2006 is 5% less than in the corresponding quarter last year (Q3 of 2005). However, the number of requests received by Departments of State *increased* by 8 per cent during this 12-month period, but the total received by other monitored bodies fell by 17 per cent. Departments of State have accounted for a steadily-rising proportion of all requests received by monitored bodies. Disregarding Q1 of 2005 (which immediately followed the Act's implementation and is therefore likely to be unrepresentative), the proportion of requests received by Departments of State has risen from 45% in Q2 of 2005 to 54% in Q3 of 2006.

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



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Of the Departments of State, the Ministry of Defence reported having received 761 requests during Q3, only slightly more than the Home Office with 733 requests. These were the two highest departmental totals by a large margin, although it should be noted that both departments' figures count requests received by some of their agencies (see Appendix B)

Among other monitored bodies, the Health and Safety Executive reported having received 1,349 requests during Q3, and the National Archives reported 1,029. These are the only two monitored bodies to have received more than 1,000 requests during each quarter since the Act was implemented.

Monitoring statistics also show the proportion of non-routine information requests that fell fully or mostly under the Environmental Information Regulations (EIRs). There were 150 such requests during the quarter, accounting for just under 2 per cent of all requests received. The monitored bodies with the highest numbers of requests falling under the EIRs were the Department for Environment, Food and Rural Affairs (DEFRA) with 55 requests, and Communities and Local Government and the Rural Payments Agency with 26 requests each.

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

The large majority of requests (94 per cent) received during Q3 had been processed by the time monitoring information was collected. Of the 469 requests that were still being processed by monitored bodies, 120 (26 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.

#### **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, 86 per cent of requests received during Q3 of 2006 were sent a response within this standard deadline. This is the highest quarterly figure yet recorded, and is 2 percentage points higher than the 84 per cent recorded in the previous quarter.

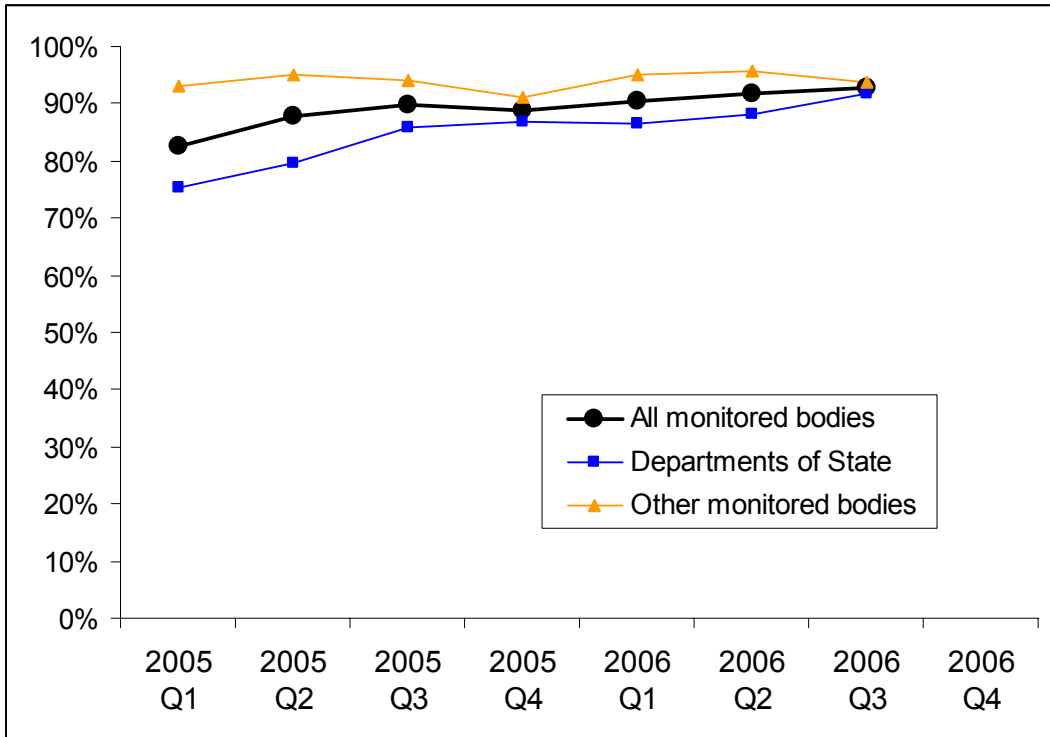
Ninety-three per cent of requests received during Q3 were "in time", in that they either received a response within the standard deadline or were subject to a

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permitted deadline extension. This is also the highest quarterly figure yet recorded, exceeding the previous quarter's figure of 92 per cent by 1 percentage point.

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

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

As noted above, there were 7,641 requests reported during Q3 of 2006 across all monitored bodies, of which 120 were “on hold” awaiting a fee payment. In addition, a further 1,153 requests sought information that was not held, and 606 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 5,762 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.

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Of the “resolvable” requests received during Q3, 61 per cent were granted in full, 14 per cent were withheld in part, and 19 per cent were withheld in full at the time of monitoring. The remaining 6 per cent had not yet received a substantive response.

The proportion of “resolvable” requests granted in full in Q3 was, at 61 per cent, unchanged from the previous quarter.

### **Fees**

The FoI Act makes provision (at Section 9) for public authorities to charge a fee for providing information requested under the Act.

Only 5 of the 42 monitored bodies reported charging fees for handling “non routine” information requests received during Q3 of 2006, a figure which has remained consistently low since the Act’s implementation. There were 878 such requests during Q3 of 2006, accounting for 11 per cent of all requests received. Almost all of these requests (873 of the 878) were handled by the National Archives.

### **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 1,572 requests were reported as having one or more of these exemptions or exceptions applied to them during Q3. This total is markedly higher than in earlier quarters because it now includes data on exemption usage by the Health and Safety Executive, which has not previously been available.

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The most commonly applied exemptions or exceptions were those listed at Section 40 of the FoI Act (relating to personal information) which was applied to 566 requests, Section 30 (Investigations and proceedings conducted by public authorities) applied to 224 requests, and Section 41 (information provided in confidence) applied to 223 requests.

### **Internal Reviews of requests [see Table 5] and Appeals to the Information Commissioner [see Table 6]**

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 thorough 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.

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". However, Reviews and Appeals often relate to complex and difficult issues, and there is no time limit for initiating Review or Appeal procedures. In consequence, it can in some cases take several months from the receipt of an information request to the completion of any resulting Review or Appeal work. For this reason, statistics on Internal Reviews and Appeals are collected on a "year to date" basis, rather than for discrete quarters. In this bulletin they relate to the first, second and third quarters of 2006 combined.

Across all monitored bodies, 853 Internal Reviews were reported as having been initiated on the grounds that some or all of the requested information was initially withheld. The outcomes of 679 Internal Reviews were known at the time of monitoring, and the initial handling of the request under review was upheld fully in 75 per cent of these cases. Departments of State received 51 Internal Reviews per 1,000 information requests received, compared to 15 Internal Reviews per 1,000 requests among other monitored bodies.

At the time of monitoring, from the start of the year there had been 310 appeals to the Information Commissioner's office (ICO) relating to the refusal of FoI requests by bodies included in these statistics. These figures includes only those appeals which relate to withheld information, rather than purely procedural matters, and where the relevant body has been notified of the appeal by the ICO. They may therefore be different to the ICO's own figures on FoI appeals casework.

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Only 54 of these 310 reported appeals had been completed at the time of monitoring. Of these, the public authority's initial handling of the request was fully upheld in 39 cases, and was partially upheld in a further 10 cases. In the remaining 5 cases, the authority's initial handling was overturned.

#### **Duration of deadline extensions [see Table 7]**

Since the beginning of 2006, we have been collecting more detailed statistics on extensions to the normal response deadline period to allow for consideration of 'public interest', as permitted under Sections 10 and 17 of the Act. Across all monitored bodies, there were 1,754 requests (7 per cent of the total received) which were subject to permitted deadline extensions during the first three quarters of 2006 (676 during Q1, 605 during Q2 and 473 during Q3).

Most participating bodies were able to provide information on the duration of deadline extensions, but not all. This data is available for 1,411 of these 1,754 requests. The statistics in the remainder of this section therefore do not necessarily reflect the complete picture across all monitored bodies.

Of the 1,411 deadline-extended requests for which we have data, 1,055 had been processed in full at the time of monitoring. Among fully-processed requests, the commonest period for which a deadline was extended was between 16 and 20 working days, accounting for 23 per cent of all extensions. Fifty-five per cent of completed, deadline-extended requests were subject to extensions of not more than 20 working days, and 80 per cent were subject to extensions of not more than 40 working days.

#### **Departmental name changes**

Please refer to note 1 in Appendix B for full details of departmental name changes that have occurred during the 2006 calendar year.

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## List of Tables

### Latest quarterly tables

- Table 1. Number of non-routine information requests received by monitored bodies from 1 July – 30 September 2006, and their status at time of monitoring.
- Table 2. Timeliness of response to non-routine information requests received by monitored bodies from 1 July – 30 September 2006
- Table 3. Initial outcomes of non-routine information requests received by monitored bodies from 1 July – 30 September 2006
- Table 4. Most common exemptions applied by monitored bodies when refusing non-routine information requests received from 1 July – 30 September 2006
- Table 5. Outcomes of Internal Reviews of information requests received by monitored bodies from **1 January – 30 September 2006**, where the requested information was initially withheld.
- Table 6. Outcomes of Appeals to the Information Commissioner about the refusal of information requests received by monitored bodies from **1 January – 30 September 2006**
- Table 7. Duration of deadline extensions to allow for the consideration of 'public interest' that were applied to information requests received by monitored bodies from **1 January – 30 September 2006**

### In-year performance and volume tables

- Table A. Number of non-routine information requests received by monitored bodies, by quarter, since 1 January 2005.
- Table B. Timeliness of response to non-routine information requests received by monitored bodies, by quarter, since 1 January 2005.
- Table C. Initial outcomes of non-routine information requests received by monitored bodies, by quarter, since 1 January 2005.

TABLE 1

Number of non-routine information requests received from 1 July - 30 September 2006, 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>TOTAL for all monitored bodies</b>	<b>7,641</b>	<b>7,172</b>	<b>120</b>	<b>349</b>	<b>150</b>
<b>TOTAL for Departments of State only</b>	<b>4,137</b>	<b>3,873</b>	<b>2</b>	<b>262</b>	<b>101</b>
<b>TOTAL for other monitored bodies</b>	<b>3,504</b>	<b>3,299</b>	<b>118</b>	<b>87</b>	<b>49</b>
<b>Departments of State</b>					
Attorney General's Office	22	22	0	0	0
Cabinet Office	177	162	0	15	1
Communities and Local Government	150	127	1	22	26
Department for Constitutional Affairs #	178	164	0	14	0
Department for Education and Skills	104	102	0	2	0
Department for Environment, Food and Rural Affairs	128	118	0	10	55
Department for International Development	52	51	0	1	0
Department for Transport #	400	390	0	10	12
Department for Work and Pensions #	304	292	0	12	2
Department of Culture, Media and Sport #	88	77	0	11	0
Department of Health	346	334	0	12	0
Department of Trade and Industry	111	100	0	11	0
Deputy Prime Minister's Office	20	16	0	4	0
Foreign and Commonwealth Office	220	185	0	35	1
HM Treasury	264	254	0	10	0
Home Office #	733	687	0	46	0
Ministry of Defence #	761	725	0	36	4
Northern Ireland Office	43	33	1	9	0
Privy Council Office	8	8	0	0	0
Scotland Office	16	14	0	2	0
Wales Office	12	12	0	0	0

**TABLE 1 continued**

**Number of non-routine information requests received from 1 July - 30 September 2006, 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
<b><i>Other bodies included in monitoring</i></b>					
Central Office of Information	6	6	0	0	0
Charity Commission	57	57	0	0	0
Crown Prosecution Service	68	67	0	1	0
Debt Management Office	117	117	0	0	0
Export Credits Guarantee Department	22	12	0	10	9
Food Standards Agency	35	33	0	2	9
Health and Safety Executive	1,349	1,326	1	22	0
HM Land Registry	25	24	0	1	0
HM Revenue and Customs	279	265	0	14	0
National Archives	1,029	884	117	28	2
National Savings and Investments	11	11	0	0	0
Office for National Statistics	39	37	0	2	0
Office for Standards in Education	156	156	0	0	0
Office of Fair Trading	50	50	0	0	0
Office of Gas and Electricity Markets (OFGEM)	46	44	0	2	2
Office of Rail Regulation	51	51	0	0	0
Office of Water Services (OFWAT)	19	19	0	0	1
Ordnance Survey	39	38	0	1	0
Royal Mint	3	3	0	0	0
Rural Payments Agency	36	32	0	4	26
Serious Fraud Office	8	8	0	0	0
Treasury Solicitor's Department	59	59	0	0	0

# - 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 Department for Constitutional Affairs during the first two weeks of November 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.

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 July - 30 September 2006

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>7,521</b>	<b>6,502</b>	<b>473</b>	<b>546</b>	<b>86%</b>	<b>93%</b>
<b>TOTAL for Departments of State only</b>	<b>4,135</b>	<b>3,424</b>	<b>380</b>	<b>331</b>	<b>83%</b>	<b>92%</b>
<b>TOTAL for other monitored bodies</b>	<b>3,386</b>	<b>3,078</b>	<b>93</b>	<b>215</b>	<b>91%</b>	<b>94%</b>
<b>Departments of State</b>						
Attorney General's Office	22	19	3	0	86%	100%
Cabinet Office	177	133	30	14	75%	92%
Communities and Local Government	149	110	19	20	74%	87%
Department for Constitutional Affairs #	178	146	17	15	82%	92%
Department for Education and Skills	104	100	0	4	96%	96%
Department for Environment, Food and Rural Affairs	128	101	16	11	79%	91%
Department for International Development	52	43	8	1	83%	98%
Department for Transport #	400	362	11	27	91%	93%
Department for Work and Pensions #	304	284	2	18	93%	94%
Department of Culture, Media and Sport #	88	65	10	13	74%	85%
Department of Health	346	306	21	19	88%	95%
Department of Trade and Industry	111	81	22	8	73%	93%
Deputy Prime Minister's Office	20	6	4	10	*	*
Foreign and Commonwealth Office	220	151	46	23	69%	90%
HM Treasury	264	213	44	7	81%	97%
Home Office #	733	580	88	65	79%	91%
Ministry of Defence #	761	665	29	67	87%	91%
Northern Ireland Office	42	26	8	8	62%	81%
Privy Council Office	8	8	0	0	*	*
Scotland Office	16	14	2	0	*	*
Wales Office	12	11	0	1	*	*

**TABLE 2 continued**

**Timeliness of response to non-routine information requests received by monitored bodies from 1 July - 30 September 2006**

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	6	6	0	0	*	*
Charity Commission	57	55	0	2	96%	96%
Crown Prosecution Service	68	63	1	4	93%	94%
Debt Management Office	117	117	0	0	100%	100%
Export Credits Guarantee Department	22	8	1	13	36%	41%
Food Standards Agency	35	27	7	1	77%	97%
Health and Safety Executive	1,348	1,216	20	112	90%	92%
HM Land Registry	25	22	2	1	88%	96%
HM Revenue and Customs	279	232	1	46	83%	84%
National Archives ^	912	861	44	7	94%	99%
National Savings and Investments	11	11	0	0	*	*
Office for National Statistics	39	36	1	2	92%	95%
Office for Standards in Education	156	151	0	5	97%	97%
Office of Fair Trading	50	45	1	4	90%	92%
Office of Gas and Electricity Markets (OFGEM)	46	42	1	3	91%	93%
Office of Rail Regulation	51	49	2	0	96%	100%
Office of Water Services (OFWAT)	19	17	0	2	*	*
Ordnance Survey	39	34	3	2	87%	95%
Royal Mint	3	1	0	2	*	*
Rural Payments Agency	36	19	9	8	53%	78%
Serious Fraud Office	8	7	0	1	*	*
Treasury Solicitor's Department	59	59	0	0	100%	100%

**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 July - 30 September 2006**

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	Percentage of resolvable requests withheld in full
					Granted in full	Partially withheld	Fully withheld <sup>4</sup>	Response not yet provided <sup>5</sup>		
<b>TOTAL for all monitored bodies</b>	<b>7,521</b>	<b>606</b>	<b>1,153</b>	<b>5,762</b>	<b>3,503</b>	<b>806</b>	<b>1,104</b>	<b>349</b>	<b>61%</b>	<b>19%</b>
<b>TOTAL for Departments of State only</b>	<b>4,135</b>	<b>413</b>	<b>715</b>	<b>3,007</b>	<b>1,822</b>	<b>326</b>	<b>597</b>	<b>262</b>	<b>61%</b>	<b>20%</b>
<b>TOTAL for other monitored bodies</b>	<b>3,386</b>	<b>193</b>	<b>438</b>	<b>2,755</b>	<b>1,681</b>	<b>480</b>	<b>507</b>	<b>87</b>	<b>61%</b>	<b>18%</b>
<b>Departments of State</b>										
Attorney General's Office	22	2	4	16	4	5	7	0	*	*
Cabinet Office	177	17	36	124	55	11	43	15	44%	35%
Communities and Local Government	149	1	26	122	76	14	10	22	62%	8%
Department for Constitutional Affairs #	178	10	42	126	49	7	56	14	39%	44%
Department for Education and Skills	104	24	14	66	46	8	10	2	70%	15%
Department for Environment, Food and Rural Affairs	128	7	10	111	71	19	11	10	64%	10%
Department for International Development	52	2	12	38	34	1	2	1	89%	5%
Department for Transport #	400	13	47	340	259	31	40	10	76%	12%
Department for Work and Pensions #	304	23	30	251	189	14	36	12	75%	14%
Department of Culture, Media and Sport #	88	10	15	63	33	9	10	11	52%	16%
Department of Health	346	14	71	261	181	38	30	12	69%	11%
Department of Trade and Industry	111	3	17	91	37	8	35	11	41%	38%
Deputy Prime Minister's Office	20	0	3	17	4	6	3	4	*	*
Foreign and Commonwealth Office	220	49	27	144	43	33	33	35	30%	23%
HM Treasury	264	38	93	133	78	13	32	10	59%	24%
Home Office #	733	181	134	418	166	31	175	46	40%	42%
Ministry of Defence #	761	18	112	631	466	71	58	36	74%	9%
Northern Ireland Office	42	1	5	36	17	7	3	9	47%	8%
Privy Council Office	8	0	6	2	2	0	0	0	*	*
Scotland Office	16	0	7	9	4	0	3	2	*	*
Wales Office	12	0	4	8	8	0	0	0	*	*

**TABLE 3 continued**  
**Initial outcomes of non-routine information requests received by monitored bodies from 1 July - 30 September 2006**

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	Percentage of resolvable requests withheld in full
					Granted in full	Partially withheld	Fully withheld <sup>4</sup>	Response not yet provided <sup>5</sup>		
<b>Other bodies included in monitoring</b>										
Central Office of Information	6	0	2	4	3	1	0	0	*	*
Charity Commission	57	4	5	48	17	13	18	0	35%	38%
Crown Prosecution Service	68	4	19	45	21	9	14	1	47%	31%
Debt Management Office	117	0	0	117	117	0	0	0	100%	0%
Export Credits Guarantee Department	22	2	0	20	8	1	1	10	*	*
Food Standards Agency	35	0	1	34	20	11	1	2	59%	3%
Health and Safety Executive	1,348	15	110	1,223	664	281	256	22	54%	21%
HM Land Registry	25	2	2	21	18	1	1	1	86%	5%
HM Revenue and Customs	279	5	31	243	113	56	60	14	47%	25%
National Archives	912	133	196	583	431	37	87	28	74%	15%
National Savings and Investments	11	0	3	8	7	0	1	0	*	*
Office for National Statistics	39	0	5	34	16	3	13	2	47%	38%
Office for Standards in Education	156	0	29	127	70	33	24	0	55%	19%
Office of Fair Trading	50	3	7	40	9	10	21	0	23%	53%
Office of Gas and Electricity Markets (OFGEM)	46	13	11	21	12	5	3	2	57%	14%
Office of Rail Regulation	51	0	4	47	41	6	0	0	87%	0%
Office of Water Services (OFWAT)	19	1	6	12	7	5	0	0	*	*
Ordnance Survey	39	2	3	34	25	8	0	1	74%	0%
Royal Mint	3	0	0	3	2	0	1	0	*	*
Rural Payments Agency	36	6	2	28	22	0	2	4	79%	7%
Serious Fraud Office	8	0	2	6	4	0	2	0	*	*
Treasury Solicitor's Department	59	3	0	56	54	0	2	0	96%	4%

**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 further detail-

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

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

5 - This table counts as "resolvable" all requests where a response has not yet been provided. This assumption is likely to be generally true but may be incorrect in a small number of cases.

It should also be noted that requests where a response has not yet been provided are more likely to involve considerations which are complex and finely balanced. As a result, it cannot be assumed that these requests will be granted and refused in the same proportions as "resolvable" requests in general.

**TABLE 4**

**Exemptions and exceptions<sup>1</sup> applied by monitored bodies\* when withholding non-trivial information requests received from 1 July - 30 September 2006**

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>639</b>	<b>933</b>	<b>1,572</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	32	17	<b>49</b>
S(23) - Information supplied by, or relating to, bodies dealing with security matters	36	2	<b>38</b>
S(24) - National security	30	1	<b>31</b>
S(26) - Defence	13	0	<b>13</b>
S(27) - International relations	45	17	<b>62</b>
S(28) - Relations within the United Kingdom	5	0	<b>5</b>
S(29) - The economy	1	2	<b>3</b>
S(30) - Investigations and proceedings conducted by public authorities	11	213	<b>224</b>
S(31) - Law enforcement	38	92	<b>130</b>
S(32) - Court records, etc	19	8	<b>27</b>
S(33) - Audit functions	2	1	<b>3</b>
S(34) - Parliamentary privilege	1	0	<b>1</b>
S(35) - Formulation of Government policy, etc	116	8	<b>124</b>
S(36) - Prejudice to effective conduct of public affairs	63	1	<b>64</b>
S(37) - Communications with Her Majesty, etc and honours	10	1	<b>11</b>
S(38) - Health and Safety	23	5	<b>28</b>
S(39) - Environmental information	<sub>-3</sub>	<sub>-3</sub>	<sub>-3</sub>
S(40) - Personal information	207	359	<b>566</b>
S(41) - Information provided in confidence	44	179	<b>223</b>
S(42) - Legal professional privilege	25	36	<b>61</b>
S(43) - Commercial interests	101	23	<b>124</b>
S(44) - Prohibitions on disclosure	9	78	<b>87</b>
<b>Number of requests where each exception (listed in Part 3 of EIRs) was applied</b>			
3(a) - Exempt personal data	1	3	<b>4</b>
4(b) - Manifestly unreasonable	1	0	<b>1</b>
4(c) - Too general	1	0	<b>1</b>
4(d) - Work in progress / incomplete data	1	0	<b>1</b>
4(e) - Internal communications	3	0	<b>3</b>
5(a) - Adverse effect on international relations, defence, national security, public safety	5	1	<b>6</b>
5(b) - Adverse effect on course of justice or conduct of enquiries	0	0	<b>0</b>
5(c) - Adverse effect on intellectual property rights	0	0	<b>0</b>
5(d) - Impinges on confidentiality of a public authority's work	2	0	<b>2</b>
5(e) - Impinges on confidentiality of commercial or industrial information	6	2	<b>8</b>
5(f) - Adverse effect on interests of person who provided the information	3	0	<b>3</b>
5(g) - Adverse effect on protection of environment to which information relates	0	0	<b>0</b>

**Notes**

\* - A full list of monitored bodies is shown in Appendix B. This also includes details of those departments of state whose figures included non-routine information requests received by one or more of their agencies, as well those received by the departments themselves. **The Health and Safety Executive were able to provide details of exemption usage for the first time in Q3 2006.** As a consequence of this body's inclusion, the above figures reporting overall exemption usage are higher than they have been in recent past quarters.

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 falls 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 5**

**Outcomes of Internal Reviews<sup>1</sup> of non-trivial information requests received by monitored bodies<sup>2</sup> from 1 January – 30 September 2006<sup>3</sup>, where the requested information was initially withheld**

	<b>Departments of State only</b>	<b>Other monitored bodies<sup>2</sup></b>	<b>TOTAL</b>
<b>Total number of Internal Reviews</b> (of requests where information was withheld)	679	174	<b>853</b>
<b>Number of Internal Reviews with known outcome at time of monitoring</b>	<b>481</b>	<b>149</b>	<b>630</b>
Of Internal Reviews with known outcome, number where:			
Initial handling of request upheld in full	374	101	<b>475</b>
Initial handling of request upheld in part	76	35	<b>111</b>
Initial handling overturned	31	13	<b>44</b>
<b>Percentage of Internal Reviews where initial handling was upheld in full</b>	<b>78%</b>	<b>68%</b>	<b>75%</b>

**Notes**

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

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

3. This table covers **the whole of 2006** to date.

**TABLE 6**

**Outcomes of Appeals to the Information Commissioner<sup>1</sup> about the refusal of information requests received by monitored bodies<sup>2</sup> from 1 January – 30 September 2006<sup>3</sup>**

	Departments of State only	Other monitored bodies <sup>2</sup>	TOTAL
<b>Total number of requests where initial handling was appealed</b>	248	62	310
<b>Number of requests where appeal outcome is known at time of monitoring</b>	<b>43</b>	<b>11</b>	<b>54</b>
Of appeals with known outcome, number where:			
Initial handling of request upheld in full	29	10	39
Initial handling of request upheld in part	9	1	10
Initial handling overturned	5	0	5
<b>Percentage of appeals where initial handling was upheld in full</b>	<b>67%</b>	<b>91%</b>	<b>72%</b>

**Notes**

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

3. This table covers **the whole of 2006** to date.

**TABLE 7**

**Duration of deadline extensions to allows for the consideration of Public Interest<sup>1</sup> which were applied to information requests received by monitored bodies<sup>2</sup> from 1 January – 30 September 2006<sup>3</sup>**

	Departments of State only		Other monitored bodies <sup>2</sup>		TOTAL	
<b>Total number of requests subject to deadline extensions to allow for the consideration of the Public Interest</b>	<b>1,162</b>		<b>249</b>		<b>1,411</b>	
<b>Of these, number which had been processed in full at the time of monitoring</b>	<b>934</b>		<b>121</b>		<b>1,055</b>	
Of these fully-processed requests, where the extension to the deadline was:	<u>Number</u>	<u>Cumulative Percentage</u>	<u>Number</u>	<u>Cumulative Percentage</u>	<u>Number</u>	<u>Cumulative Percentage</u>
5 days or less	74	8%	6	5%	<b>80</b>	<b>8%</b>
Between 6 and 10 days	119	21%	17	19%	<b>136</b>	<b>20%</b>
Between 11 and 15 days	107	32%	16	32%	<b>123</b>	<b>32%</b>
Between 16 and 20 days	203	54%	39	64%	<b>242</b>	<b>55%</b>
Between 21 and 30 days	143	69%	17	79%	<b>160</b>	<b>70%</b>
Between 31 and 40 days	83	78%	15	91%	<b>98</b>	<b>80%</b>
More than 40	205	100%	11	100%	<b>216</b>	<b>100%</b>

**Notes**

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

2. Please note that A full list of monitored bodies is shown in Appendix B. This also includes details of those departments of state whose figures included non-routine information requests received by one or more of their agencies, as well those received by the departments themselves. **Please note that some "other monitored bodies" were not able to provide data for inclusion in this table - the figures for this group of bodies are therefore incomplete.**

3. This table covers **the whole of 2006** to date.

**TABLE A**  
**Number of non-routine information requests received during each calendar quarter of 2005 and 2006**

Government body	Total requests received							
	2005				2006			
	Q1: Jan–Mar	Q2: Apr–June	Q3: July–Sept	Q4: Oct–Dec	Q1: Jan–Mar	Q2: Apr–June	Q3: July–Sept	Q4: Oct–Dec
<b>TOTAL for all monitored bodies</b>	<b>13,603</b>	<b>8,440</b>	<b>8,065</b>	<b>7,729</b>	<b>9,398</b>	<b>7,976</b>	<b>7,641</b>	
<b>TOTAL for Departments of State only</b>	<b>7,733</b>	<b>3,828</b>	<b>3,826</b>	<b>3,975</b>	<b>4,916</b>	<b>4,293</b>	<b>4,137</b>	
<b>TOTAL for other monitored bodies</b>	<b>5,870</b>	<b>4,612</b>	<b>4,239</b>	<b>3,754</b>	<b>4,482</b>	<b>3,683</b>	<b>3,504</b>	
<b>Departments of State</b>								
Attorney General's Office	80	15	12	13	13	17	22	
Cabinet Office	764	203	179	191	244	194	177	
Communities and Local Government	393	182	186	155	185	169	150	
Department for Constitutional Affairs #	273	121	90	105	200	168	178	
Department for Education and Skills	245	95	78	130	165	110	104	
Department for Environment, Food and Rural Affairs	344	176	122	126	161	91	128	
Department for International Development	94	57	56	52	85	73	52	
Department for Transport #	591	302	344	282	439	448	400	
Department for Work and Pensions #	437	264	407	381	403	285	304	
Department of Culture, Media and Sport #	185	83	84	97	152	92	88	
Department of Health	424	236	240	305	388	347	346	
Department of Trade and Industry	341	192	131	175	201	159	111	
Deputy Prime Minister's Office	0	0	0	0	0	15	20	
Foreign and Commonwealth Office	574	256	229	256	316	260	220	
HM Treasury	277	169	310	396	307	304	264	
Home Office #	710	337	409	448	673	670	733	
Ministry of Defence #	1,843	1,039	851	784	905	818	761	
Northern Ireland Office	80	30	40	38	55	41	43	
Privy Council Office	16	25	20	13	8	12	8	
Scotland Office	36	23	38	18	10	7	16	
Wales Office	26	23	0	10	6	13	12	

**TABLE A continued**  
**Number of non-routine information requests received during each calendar quarter of 2005 and 2006**

Government body	Total requests received							
	2005				2006			
	Q1: Jan–Mar	Q2: Apr–June	Q3: July–Sept	Q4: Oct–Dec	Q1: Jan–Mar	Q2: Apr–June	Q3: July–Sept	Q4: Oct–Dec
<b>Other bodies included in monitoring</b>								
Central Office of Information	21	6	3	0	2	4	6	
Charity Commission	94	43	61	66	42	54	57	
Crown Prosecution Service	143	84	92	79	83	75	68	
Debt Management Office	78	55	83	59	90	64	117	
Export Credits Guarantee Department	34	2	15	13	18	14	22	
Food Standards Agency	102	71	58	66	89	37	35	
Health and Safety Executive	2,085	1,754	1,558	1,666	1,599	1,484	1,349	
HM Land Registry	94	35	27	25	28	12	25	
HM Revenue and Customs +	511	246	245	249	317	277	279	
National Archives	1,925	1,681	1,560	1,046	1,624	1,150	1,029	
National Savings and Investments	8	2	5	18	8	15	11	
Office for National Statistics	71	35	28	28	31	31	39	
Office for Standards in Education	133	205	145	102	129	131	156	
Office of Fair Trading	108	82	46	62	107	69	50	
Office of Gas and Electricity Markets (OFGEM)	156	142	131	73	87	53	46	
Office of Rail Regulation	48	19	24	33	54	43	51	
Office of Water Services (OFWAT)	32	20	12	20	25	22	19	
Ordnance Survey	56	26	31	36	45	35	39	
Royal Mint	3	3	2	2	2	2	3	
Rural Payments Agency	74	59	53	49	48	44	36	
Serious Fraud Office	19	9	12	19	8	6	8	
Treasury Solicitor's Department	75	33	48	43	46	61	59	

**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.  
+ HM Revenue and Customs was created on 1 April 2005, as a merger of the Inland Revenue and HM Customs and Excise. Figures shown in this table for Q1 2005 are for its two predecessor departments combined.

**TABLE B**  
**Proportion of requests answered "in time" during each calendar quarter of 2005 and 2006** (see footnote)

Government body	Proportion of requests answered "in time" (see footnote)							
	2005				2006			
	Q1: Jan–Mar	Q2: Apr–June	Q3: July–Sept	Q4: Oct–Dec	Q1: Jan–Mar	Q2: Apr–June	Q3: July–Sept	Q4: Oct–Dec
<b>TOTAL for all monitored bodies</b>	<b>83%</b>	<b>88%</b>	<b>90%</b>	<b>89%</b>	<b>90%</b>	<b>92%</b>	<b>93%</b>	
<b>TOTAL for Departments of State only</b>	<b>75%</b>	<b>80%</b>	<b>86%</b>	<b>87%</b>	<b>86%</b>	<b>88%</b>	<b>92%</b>	
<b>TOTAL for other monitored bodies</b>	<b>93%</b>	<b>95%</b>	<b>94%</b>	<b>91%</b>	<b>95%</b>	<b>96%</b>	<b>94%</b>	
<b>Departments of State</b>								
Attorney General's Office	78%	*	*	*	*	*	100%	
Cabinet Office	80%	87%	91%	94%	92%	95%	92%	
Communities and Local Government	75%	73%	78%	84%	78%	91%	87%	
Department for Constitutional Affairs #	88%	73%	94%	90%	93%	90%	92%	
Department for Education and Skills	89%	93%	94%	95%	59%	84%	96%	
Department for Environment, Food and Rural Affairs	80%	90%	93%	92%	89%	86%	91%	
Department for International Development	76%	89%	100%	100%	99%	99%	98%	
Department for Transport #	88%	88%	87%	84%	88%	92%	93%	
Department for Work and Pensions #	91%	88%	93%	93%	90%	91%	94%	
Department of Culture, Media and Sport #	91%	75%	77%	85%	87%	89%	85%	
Department of Health	57%	71%	79%	85%	82%	88%	95%	
Department of Trade and Industry	67%	80%	86%	89%	95%	95%	94%	
Deputy Prime Minister's Office	*	*	*	*	*	*	*	
Foreign and Commonwealth Office	83%	80%	91%	93%	91%	92%	90%	
HM Treasury	41%	64%	79%	79%	89%	93%	97%	
Home Office #	40%	60%	79%	82%	92%	81%	91%	
Ministry of Defence #	81%	83%	85%	86%	81%	85%	91%	
Northern Ireland Office	86%	67%	95%	89%	80%	87%	81%	
Privy Council Office	*	100%	*	*	*	*	*	
Scotland Office	75%	87%	82%	*	*	*	*	
Wales Office	92%	96%	*	*	*	*	*	

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

**TABLE B continued**  
**Proportion of requests answered "in time" during each calendar quarter of 2005 and 2006 (see footnote)**

Government body	Proportion of requests answered "in time" (see footnote)							
	2005				2006			
	Q1: Jan-Mar	Q2: Apr-June	Q3: July-Sept	Q4: Oct-Dec	Q1: Jan-Mar	Q2: Apr-June	Q3: July-Sept	Q4: Oct-Dec
<b>Other bodies included in monitoring</b>								
Central Office of Information	95%	*	*	*	*	*	*	*
Charity Commission	93%	93%	95%	82%	69%	93%	96%	
Crown Prosecution Service	99%	90%	90%	100%	89%	96%	94%	
Debt Management Office	100%	100%	100%	100%	100%	100%	100%	
Export Credits Guarantee Department	91%	*	*	*	*	*	41%	
Food Standards Agency	96%	96%	100%	97%	100%	100%	97%	
Health and Safety Executive	90%	95%	95%	88%	95%	96%	92%	
HM Land Registry	99%	100%	96%	100%	96%	*	96%	
HM Revenue and Customs +	86%	82%	78%	75%	83%	90%	84%	
National Archives ^	99%	99%	96%	99%	99%	98%	99%	
National Savings and Investments	*	*	*	*	*	*	*	
Office for National Statistics	100%	97%	100%	96%	97%	97%	95%	
Office for Standards in Education	89%	91%	83%	89%	96%	97%	97%	
Office of Fair Trading	98%	93%	100%	97%	89%	90%	92%	
Office of Gas and Electricity Markets (OFGEM)	92%	94%	96%	100%	94%	91%	93%	
Office of Rail Regulation	100%	*	100%	100%	100%	100%	100%	
Office of Water Services (OFWAT)	100%	*	*	*	100%	100%	*	
Ordnance Survey	98%	100%	97%	94%	98%	91%	95%	
Royal Mint	*	*	*	*	*	*	*	
Rural Payments Agency	73%	97%	96%	100%	94%	89%	78%	
Serious Fraud Office	*	*	*	*	*	*	*	
Treasury Solicitor's Department	97%	100%	98%	95%	100%	98%	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 E + HM Revenue and Customs was created on 1 April 2005, as a merger of the Inland Revenue and HM Customs and Excise. Q1 2005 figures for this department reflect the combined FoI work of its two predecessor departments.

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

^ - 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 requests granted in full during each calendar quarter of 2005 and 2006 (see footnote)

Government body	Proportion of requests granted in full							
	2005				2006			
	Q1: Jan-Mar	Q2: Apr-June	Q3: July-Sept	Q4: Oct-Dec	Q1: Jan-Mar	Q2: Apr-June	Q3: July-Sept	Q4: Oct-Dec
<b>TOTAL for all monitored bodies</b>	<b>54%</b>	<b>59%</b>	<b>58%</b>	<b>58%</b>	<b>59%</b>	<b>61%</b>	<b>61%</b>	
<b>TOTAL for Departments of State only</b>	<b>51%</b>	<b>55%</b>	<b>61%</b>	<b>60%</b>	<b>61%</b>	<b>62%</b>	<b>60%</b>	
<b>TOTAL for other monitored bodies</b>	<b>58%</b>	<b>63%</b>	<b>54%</b>	<b>56%</b>	<b>56%</b>	<b>59%</b>	<b>61%</b>	
<b>Departments of State</b>								
Attorney General's Office	19%	*	*	*	*	*	*	*
Cabinet Office	29%	46%	38%	54%	45%	39%	44%	
Communities and Local Government	58%	52%	72%	67%	61%	72%	62%	
Department for Constitutional Affairs #	46%	40%	48%	40%	40%	38%	39%	
Department for Education and Skills	51%	50%	70%	62%	51%	67%	70%	
Department for Environment, Food and Rural Affairs	59%	55%	62%	64%	50%	60%	64%	
Department for International Development	62%	41%	88%	63%	83%	70%	89%	
Department for Transport #	76%	66%	74%	74%	78%	78%	76%	
Department for Work and Pensions #	68%	69%	85%	83%	83%	81%	75%	
Department of Culture, Media and Sport #	54%	56%	42%	61%	57%	63%	52%	
Department of Health	59%	66%	82%	73%	70%	68%	69%	
Department of Trade and Industry	21%	34%	44%	54%	54%	48%	41%	
Deputy Prime Minister's Office	*	*	*	*	*	*	*	
Foreign and Commonwealth Office	20%	30%	36%	33%	43%	42%	30%	
HM Treasury	29%	28%	26%	38%	46%	61%	59%	
Home Office #	28%	36%	50%	38%	49%	39%	40%	
Ministry of Defence #	67%	69%	68%	68%	69%	70%	74%	
Northern Ireland Office	26%	*	47%	71%	49%	64%	47%	
Privy Council Office	*	*	*	*	*	*	*	
Scotland Office	18%	*	19%	*	*	*	*	
Wales Office	*	*	*	*	*	*	*	

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

**TABLE C continued**

**Proportion of resolvable requests granted in full during each calendar quarter of 2005 and 2006** (see footnote)

Government body	Proportion of requests granted in full							
	2005				2006			
	Q1: Jan-Mar	Q2: Apr-June	Q3: July-Sept	Q4: Oct-Dec	Q1: Jan-Mar	Q2: Apr-June	Q3: July-Sept	Q4: Oct-Dec
<b>Other bodies included in monitoring</b>								
Central Office of Information	*	*	*	*	*	*	*	*
Charity Commission	90%	67%	79%	71%	53%	51%	35%	
Crown Prosecution Service	26%	15%	20%	40%	33%	34%	47%	
Debt Management Office	100%	100%	100%	98%	99%	100%	100%	
Export Credits Guarantee Department	50%	*	*	*	*	*	*	
Food Standards Agency	36%	35%	36%	39%	40%	29%	59%	
Health and Safety Executive ^	38%	45%	43%	45%	42%	50%	54%	
HM Land Registry	92%	85%	96%	76%	83%	*	86%	
HM Revenue and Customs +	*	56%	47%	48%	52%	46%	47%	
National Archives	84%	90%	66%	79%	72%	79%	74%	
National Savings and Investments	*	*	*	*	*	*	*	
Office for National Statistics	60%	41%	36%	*	59%	62%	47%	
Office for Standards in Education	69%	61%	54%	37%	49%	48%	55%	
Office of Fair Trading	28%	25%	24%	33%	59%	37%	23%	
Office of Gas and Electricity Markets (OFGEM)	87%	90%	95%	88%	73%	63%	55%	
Office of Rail Regulation	88%	*	*	96%	81%	80%	87%	
Office of Water Services (OFWAT)	73%	*	*	*	*	*	*	
Ordnance Survey	85%	*	82%	84%	66%	61%	74%	
Royal Mint	*	*	*	*	*	*	*	
Rural Payments Agency	38%	47%	61%	59%	69%	71%	79%	
Serious Fraud Office	*	*	*	*	*	*	*	
Treasury Solicitor's Department	37%	56%	44%	59%	70%	82%	96%	

# - 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.

+ HM Revenue and Customs was created on 1 April 2005, as a merger of the Inland Revenue and HM Customs and Excise. Q1 2005 figures for this department reflect the combined FoI work of its two predecessor departments.

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

^ - Health and Safety Executive data up to and including Q1 of 2006 was revised in mid-2006 following a recategorisation of case outcome records. Revised data for the early part of this period (Q1 and Q2 of 2005) has been estimated.

**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 (FoI Act) and the Environmental Information Regulations 2004 (EIRs). They are collected and published by the Department for Constitutional Affairs, with assistance from Freedom of Information officers across central government.
2. The FoI 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 Department for Constitutional Affairs is the lead department responsible for the FoI Act. Further information is available on the Freedom of Information pages of our website at:

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

3. The (amended) EIRs also came into force on 1 January 2005, to coincide with the FoI 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 the Department for Constitutional Affairs in early and mid November 2006. They relate to information requests received during the period 1 July– 30 September 2006. The collection of monitoring data began on the 21st working day after the last day of this period (i.e. on 29 October 2006), since 20 working days is the statutory deadline for public authorities to respond to information requests under both the FoI Act and the EIRs. The large majority of data were received during the middle two weeks of November 2006.
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 **43** central government bodies. At the commencement of the Act there were 43, but from Q2 of 2005 until Q2 of 2006 there were 42, following the creation of HM Revenue and Customs (a merger of the previously separate Inland Revenue and HM Customs and Excise) on 1 April 2005. The total has since reverted to 43 following the abolition

of the Office of the Deputy Prime Minister, and the creation of Communities and Local Government as a separate entity from the Deputy Prime Minister's office. A full list of monitored bodies is shown in **Appendix B**.

7. This is the seventh quarterly statistical bulletin on the implementation of the Freedom of Information Act. Please note that unless stated otherwise:
- figures on the initial processing of information requests (i.e. timeliness of response, outcome, etc.) are shown on a quarterly basis and relate to requests received during the period from 1 July 2006 to 30 September 2006, but—
  - figures on any follow-up activity (i.e. Internal Reviews and Appeals to the Information Commissioner) are shown on a "year to date" basis and, in this bulletin, relate to requests received during the period from 1 January 2006 to 30 September 2006;

This difference is because review and appeal work for a single request can quite properly take several months to complete, particularly where the issues involved are complex and finely balanced. As a consequence, it would not be practical to collect these data for discrete quarterly time periods.

These quarterly statistical bulletin now contain figures on the duration of deadline extensions to allow for consideration of the question of 'public interest'. For similar reasons, these are also presented on a "year to date" basis.

8. This publication has been prepared jointly by the Economics and Statistics Division and the Information Rights Division of the Department for Constitutional Affairs.
9. 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 DCA's press office: **Tel: 020 7210 8692**

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

Information Rights Division  
Department for Constitutional Affairs  
6<sup>th</sup> Floor  
Selborne House  
54-60 Victoria Street  
London  
SW1E 6QW

**Tel: 020 7210 8034**

E-mail: [informationrights@dca.gsi.gov.uk](mailto:informationrights@dca.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 in Department for Constitutional Affairs' (DCA) 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 early August 2006. The returns were collected and analysed by the Department for Constitutional Affairs, 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 periodic "Machinery of Government" changes make it difficult to define the list precisely.

### **Coverage within the UK**

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

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

A full list of the bodies covered by the monitoring is shown below.

### **Departments of State**

- Attorney General's Office
- Cabinet Office
- Communities and Local Government
- 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
- Deputy Prime Minister's Office
- Foreign and Commonwealth Office
- HM Treasury
- Home Office
- Ministry of Defence
- Northern Ireland Office

Privy Council Office  
Scotland Office  
Wales Office

### Other monitored bodies

Central Office of Information  
Charity Commission  
Crown Prosecution Service  
Debt Management Office  
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

### Notes

1. The following departmental changes have occurred since the full implementation of the Freedom of Information Act.

The Inland Revenue and HM Customs and Excise formally merged from 1 April 2005 to form **HM Revenue and Customs**. The first statistical bulletin in this series (covering January – March 2005) reported separate statistics for the two predecessor departments.

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 inherits the major part of its responsibilities. The Deputy Prime Minister no longer has responsibility for this Department. However, in the short term, FoI requests relating to the Deputy Prime Minister and his work have continued to be administered and monitored by CLG staff. In these statistics, this change has been handled as follows:

All requests received by the ODPM prior to 7 May, 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 since 7 May are counted against the Deputy Prime Minister's Office (DPMO).

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 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
- 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 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





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