

# Freedom of Information Statistics in Central Government for Q4 2018

This bulletin presents headline statistics for Freedom of Information (FOI) requests in central government for October to December 2018, including key breakdowns by monitored body.

## Key statistics:

From October to December 2018 there were **12,066 FOI requests received** across all monitored bodies\*. This is an increase of 183 (+1.5%) from the same period in 2017. The number of requests this quarter fell slightly compared to last quarter when 12,123 were received.

Across all monitored bodies, **91% of requests were responded to in time**, an increase of one percentage point from the same period in 2017.

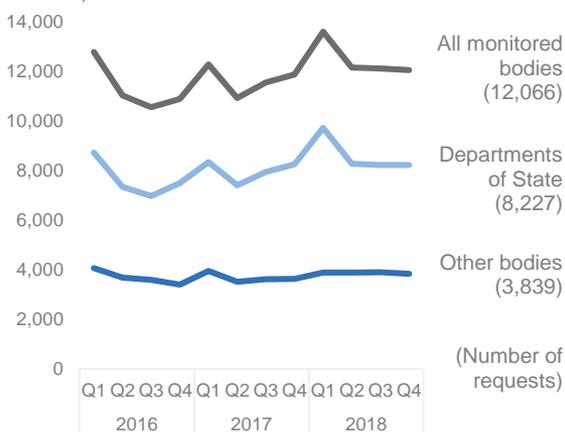
Of the 12,066 FOI requests received, 8,603 were resolvable. Of these, **43% were granted in full, and 36% were withheld in full**. This is down one percentage point for those granted in full and unchanged for those withheld in full on the same period in 2017. The remaining resolvable requests were not yet processed or were partially withheld.

Of the 4,291 requests withheld in full or in part, 31% were withheld due to the cost of response exceeding the limit, 5% were withheld as vexatious or repeated, and the remaining 64% fell under other exemptions.

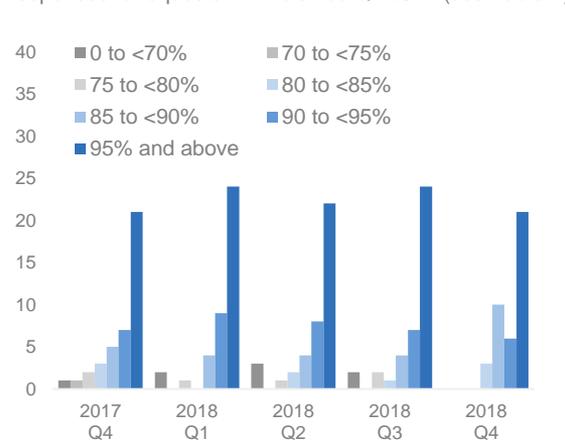


\* A full list of monitored bodies included in these statistics is provided on page 9

Volume of FOI requests by quarter since Q1 2016 (see Table 2)



Number of monitored bodies by their percentage of responses to requests in time since Q4 2017 (see Table 4)



Cabinet Office



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# Introduction

The FOI Act 2000<sup>1</sup> and the associated Environmental Information Regulations<sup>2</sup> 2004 allow individuals to request information from public bodies.

This bulletin presents FOI statistics for 40 central government bodies, including all major Departments of State, and a number of other bodies with significant regulatory, policy-making or information handling functions. A listing of all monitored bodies and associated acronyms is included in the section on scope at the end of this bulletin.

The quarterly statistics report on:

- The initial handling of FOI requests
- The number received during the quarter
- The timeliness of issuing a substantive response
- The rates of disclosure of requested information
- The exemptions applied when withholding information

## Corrections and Revisions

Monitored bodies review the figures provided in the quarterly monitoring, and may make internal revisions to the statistics after publication. The revised figures are then included in the annual end of year monitoring. As a result, the quarter to quarter statistics will not always sum to the annual figures. Where departments have made revisions to quarterly figures these will be noted in the statistical tables published in the annual report.

## Further analysis and methodology

Summary information on the scope and methodology of monitoring is available at the end of this bulletin, with full details available in the quality and methodology information document published on the gov.uk website, along with previous versions of this bulletin: <https://www.gov.uk/government/collections/government-foi-statistics>

## National Statistics

Freedom of Information statistics are designated National Statistics in accordance with the Statistics and Registration Service Act 2007. National Statistics status means that official statistics meet the highest standards of trustworthiness, quality, and public value.

All official statistics should comply with the Code of Practice for Official Statistics<sup>3</sup>. They are awarded National Statistics status following an assessment by the UK Statistics Authority's regulatory arm. The Authority considers whether the statistics meet the highest standards of Code compliance, including the value they add to public decisions and debate. FOI statistics were most recently assessed by the Authority during 2016, with continuing designation granted in June 2017.

## Request for Feedback

We always welcome user feedback on our publications. We can be contacted at: [foistatistics@cabinetoffice.gov.uk](mailto:foistatistics@cabinetoffice.gov.uk)

<sup>1</sup> Full text of the FOI Act:  
[www.legislation.gov.uk/ukpga/2000/36/contents](http://www.legislation.gov.uk/ukpga/2000/36/contents)

<sup>2</sup> Full text of the EIR regulations:  
[www.legislation.gov.uk/uksi/2004/3391/made](http://www.legislation.gov.uk/uksi/2004/3391/made)

<sup>3</sup> Code of Practice for Official Statistics:  
<https://www.statisticsauthority.gov.uk/wp-content/uploads/2018/02/Code-of-Practice-for-Statistics.pdf>

# Volumes

See Tables 2, 3

From October to December 2018 there were **12,066 FOI requests received** across all monitored bodies. This is an increase of 183 (+1.5%) from the same period in 2017. Just over two thirds (68%) of these requests (8,227) were at Departments of State, with the remaining 3,839 being received by other monitored bodies.

The Department for Work and Pensions, the Ministry of Defence, the Ministry of Justice, and the Home Office account for over half (52%) of requests to Departments of State; while the Health and Safety Executive and the National Archives account for over half of requests to other monitored bodies (54%).

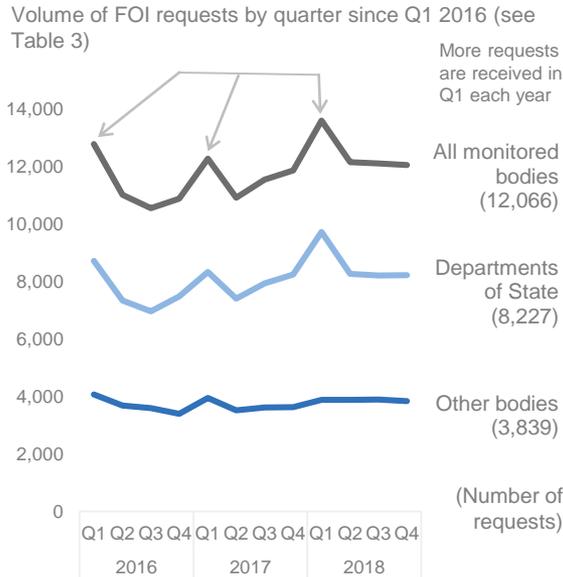
Despite fluctuations in the total volume of requests, the percentage of requests accounted for by each monitored body has remained fairly stable compared to the same quarter in previous years.

Overall, the number of requests at Departments of State decreased by 25 compared to an increase of 208 at other monitored bodies.

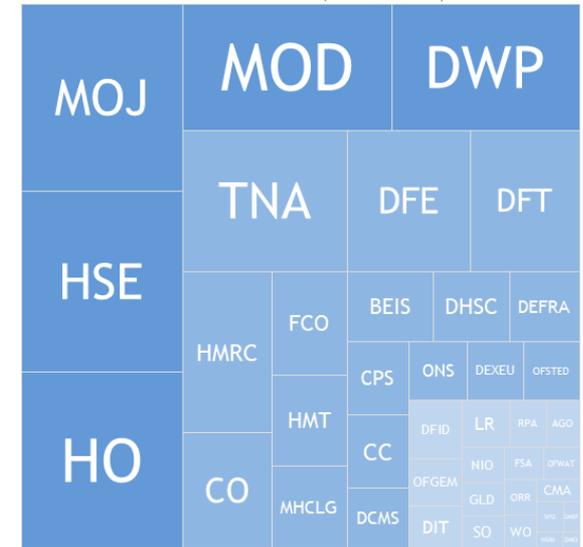
The Home Office had the largest increase in requests (+219) amongst all monitored bodies compared to the same period in 2017. The Department for Exiting the European Union had the largest decrease comparing across the same period (-141).

### Statistical Note

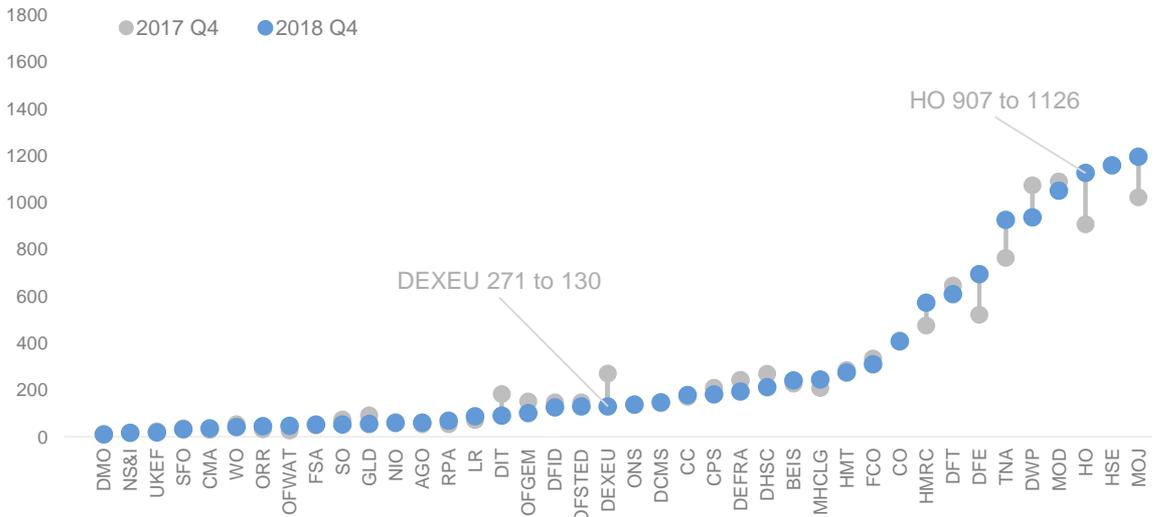
Comparisons are made to the same period in the previous year rather than the previous quarter due to consistent differences in the volume of requests per quarter each year.



Proportion of FOI requests across all monitored bodies in Q4 October to December 2018 (see Table 2)



Volume of FOI requests across all monitored bodies in Q4 October to December 2018 compared to Q4 October to December 2017 (see Table 3)



# Timeliness

See Tables 4, 5

## Timeliness

The FOI Act requires public bodies to respond to requests for information in a timely manner.

'In time' responses are those processed within the statutory deadline (20 working days) or subject to a permitted deadline extension, including:

- Additional time for public interest tests under the FOI act.
- Extensions under the Environmental Information Regulations for complex requests.
- 10 additional working days for archival records from the National Archives.

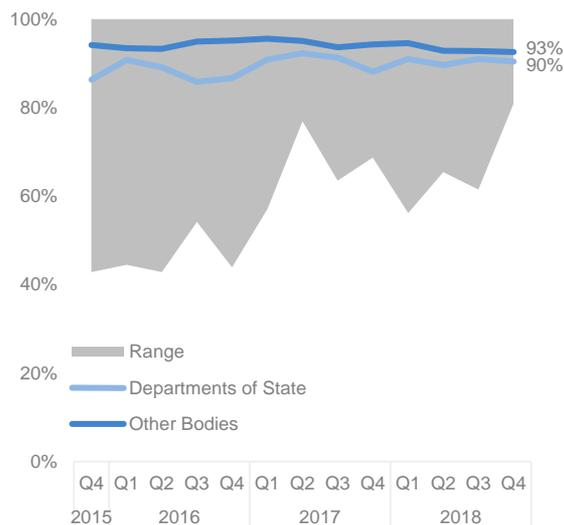
**Across all monitored bodies, 91% of requests were responded to in time**, an increase of one percentage point from the same period in 2017.

- Across all Departments of State 90% of requests were responded to in time, an increase of two percentage points from the same period in 2017.
- Across all other monitored bodies 93% of requests were responded to in time, a decrease of one percentage point on the same period in 2017.

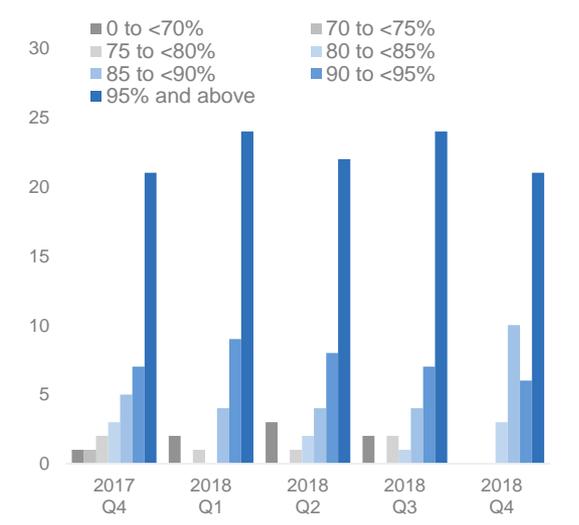
### Statistical Note

Where monitored bodies only receive a small number of requests they can demonstrate higher variability in quarterly statistics.

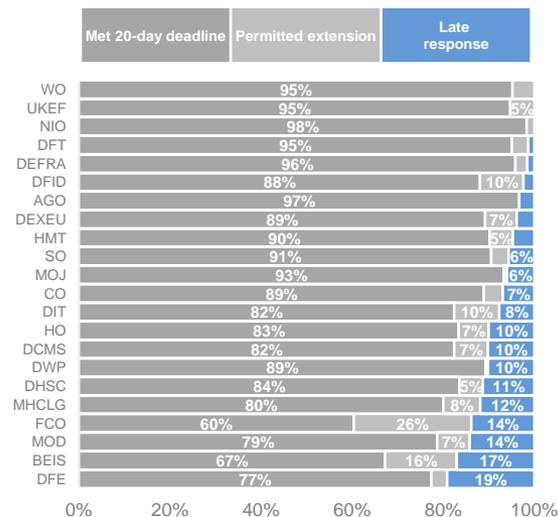
Percentage of responses to FOI requests in time across all monitored bodies since Q4 2015 (see Table 5)



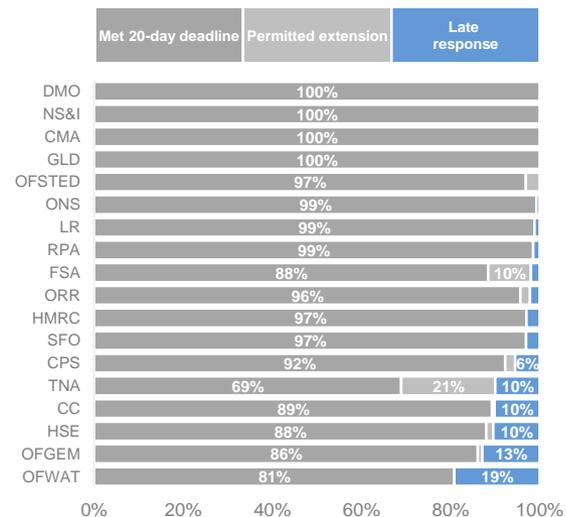
Number of monitored bodies by their percentage of responses to requests in time since Q4 2017 (see Table 5)



Departments of State: Timeliness of response to FOI requests (see Table 4)



Other monitored bodies: Timeliness of response to FOI requests (see Table 4)





# Outcomes of FOI requests

## Important Note: Additional measures for FOI outcomes

This bulletin, for the first time, provides additional statistics on FOI request outcomes. To date 'procedural refusals' within the statistics have been classified as resolvable requests that have been fully withheld. 'Resolvable requests' are defined as 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 is not held, and where it was necessary to provide advice and assistance since in each of these cases it would not have been possible to resolve the request in the form it was asked.

FOI requests that have been refused for being vexatious or repeated, along with those refused on cost grounds are treated and included in these statistics as resolvable requests that have been 'fully-withheld'. These types of refusals are referred to as 'procedural refusals' in these statistics.

To better understand the impact on the statistics of classifying 'procedural refusals' as resolvable requests that have been 'fully-withheld', additional statistics are now presented on page 7 that excludes 'procedural refusals' from resolvable requests and requests that have been 'fully-withheld'.

**The headline statistics for 'resolvable' requests and their outcomes will continue to include 'procedural refusals' as requests that have been 'fully-withheld'.**

# Outcomes

See Table 6, and dataset

12,066 "non-routine"\* requests were received in October to December 2018. Of these:

**8,603 (71%) were resolvable.**

Resolvable requests are those where it was possible to give a substantive decision on whether to release the requested information.

Of these:

- 3,716 were granted in full.
- 4,291 were withheld in full\*\* or in part, where:
  - 200 were vexatious, as defined in Section 14 of the Act.
  - 36 were repeated, as defined in Section 14 of the Act.
  - 1,317 had a cost of response which exceeded the limit as defined in Section 12 of the Act.
  - 2,738 involved information subject to one of the exemptions and exceptions listed under Sections 22-44.
  - 596 were not yet processed.

**3,442 (29%) requests were not resolvable.**

Of these:

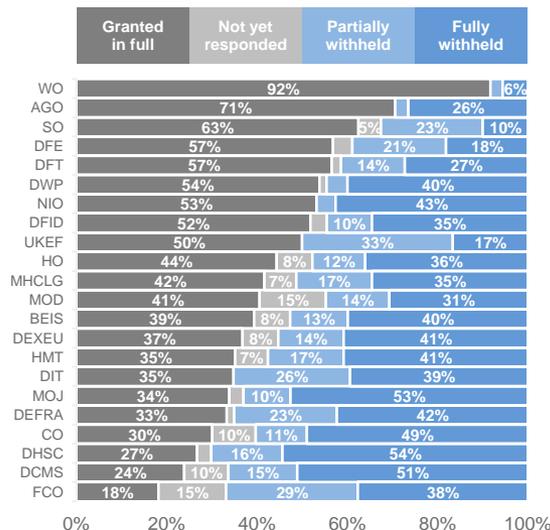
- 1,016 requests required further clarification prior to responding, and monitored bodies provided "advice and assistance" on how to reformulate the request.
- 2,426 involved information not held by the responding body.

**21 (0.2%) were on hold** at the time of monitoring.

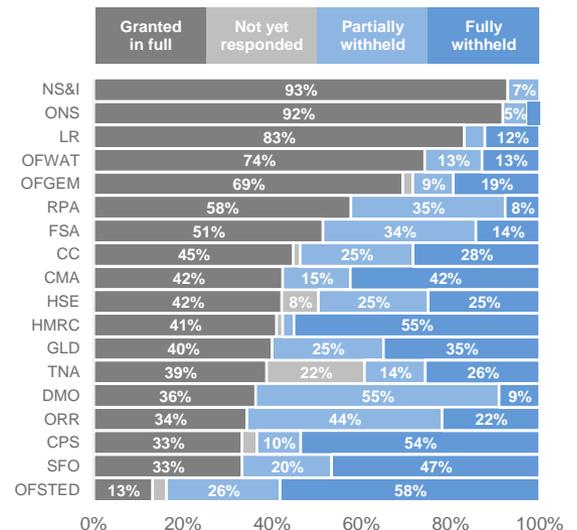
Outcomes of FOI requests received in Q4 October to December 2018 (see Table 6 and dataset)



Departments of State: Outcomes of FOI requests as a percentage of resolvable requests (see Table 6)



Other monitored bodies: Outcomes of FOI requests as a percentage of resolvable requests (see Table 6)



\* See definition on page 10

\*\* Fully withheld requests\* includes requests which were refused because it was estimated that the cost of complying with the request would exceed the appropriate limit or because the request was considered vexatious or repeated. Please note that requests refused on these grounds may include refusals where information is not held

# Outcomes

See Table 6, and dataset

12,066 "non-routine"\* requests were received in October to December 2018. Of these:

## 7,050 (58%) were resolvable excluding procedural refusals.

Of these:

- 3,716 were granted in full.
- 2,738 were withheld in full or in part, involving information subject to one of the exemptions and exceptions listed under Sections 22-44.
- 596 were not yet processed.

## 1,553 (13%) were procedural refusals.

Of these:

- 200 were vexatious, as defined in Section 14 of the Act.
- 36 were repeated, as defined in Section 14 of the Act.
- 1,317 had a cost of response which exceeded the limit as defined in Section 12 of the Act.

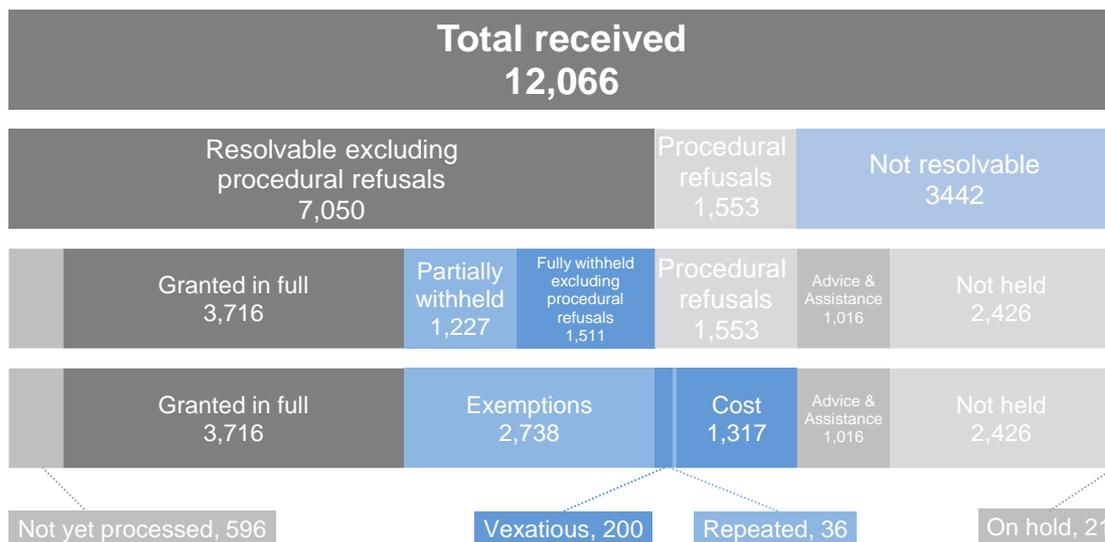
## 3,442 (29%) requests were not resolvable.

Of these:

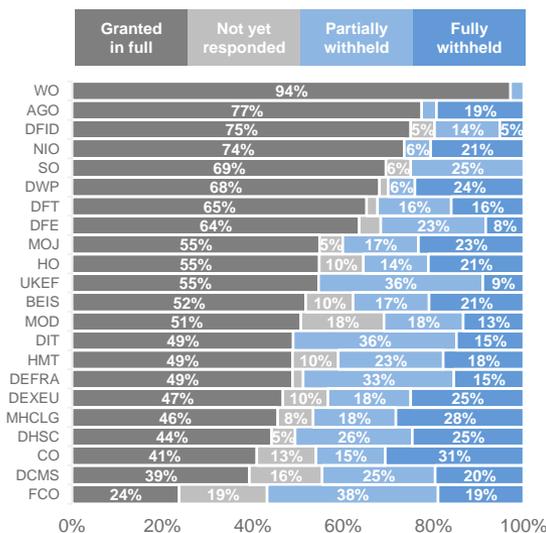
- 1,016 requests required further clarification prior to responding, and monitored bodies provided "advice and assistance" on how to reformulate the request.
- 2,426 involved information not held by the responding body.

## 21 (0.2%) were on hold at the time of monitoring.

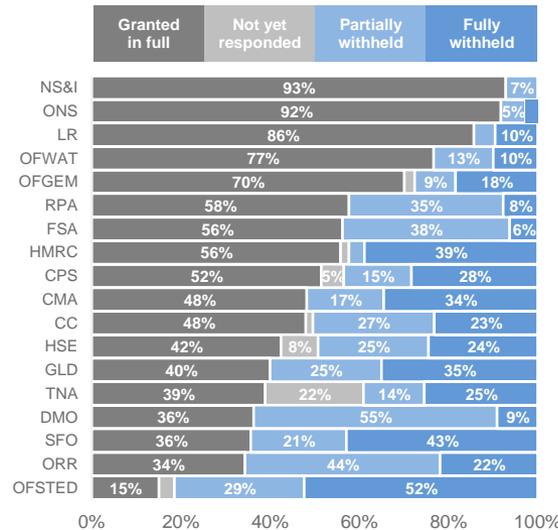
Outcomes of FOI requests received in Q4 October to December 2018 (see Table 6 and dataset)



Departments of State: Outcomes of FOI requests as a percentage of resolvable requests (see Table 6)



Other monitored bodies: Outcomes of FOI requests as a percentage of resolvable requests (see Table 6)



\* See definition on page 10

# Exemptions

See Table 11 and dataset

## Exemptions

Under the FOI Act, public bodies can only refuse to provide requested information that they hold if the information falls under one of the specific exemptions within the Act.

Of the 4,291 requests withheld in full or in part, **31% were withheld due to the cost of response** exceeding the statutory limit, 5% as vexatious or repeated, and the remaining 64% concerned exempt information. Of these, **Section 40 (covering personal information) was by far the most commonly cited**, as in previous quarters.

## Section 21

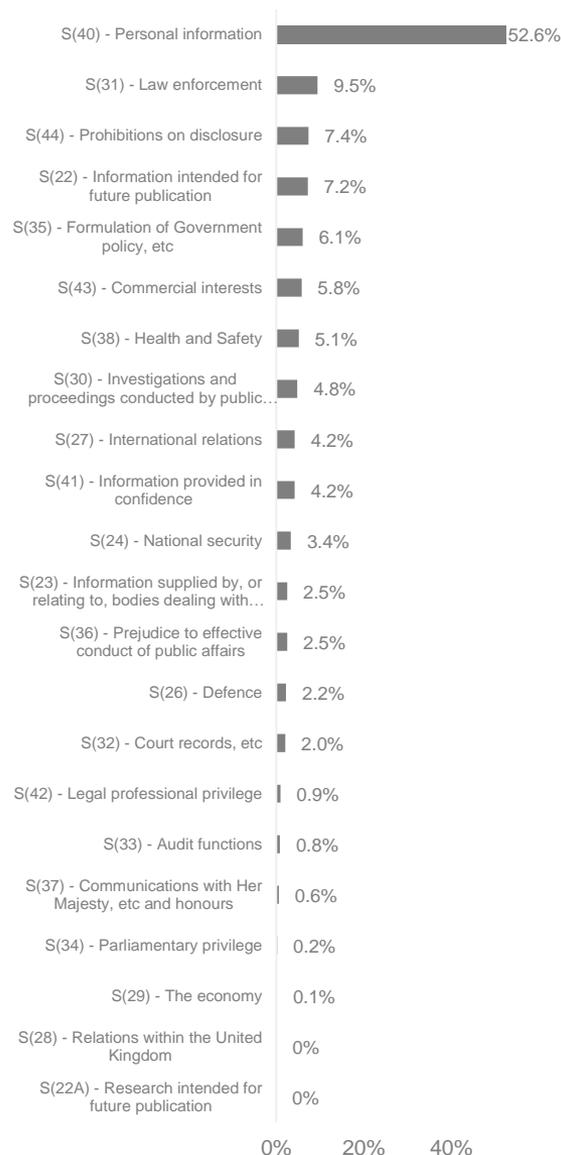
A Section 21 exemption can be used under the FOI Act when information is reasonably available by other means. Requests where a Section 21 exemption was the sole exemption used are reported separately because the FOI Act is not meant to act as a means to access data in the public domain.

Across all monitored bodies 677 requests subject to a Section 21 exemption were reported.

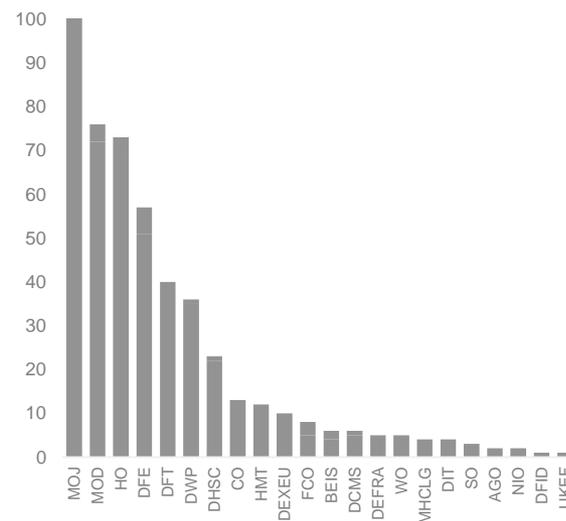
## Statistical Notes

Percentages for exemptions may sum to more than 100 as each request may cite multiple exemptions. Requests exempted under Section 21 are not counted in any other figures.

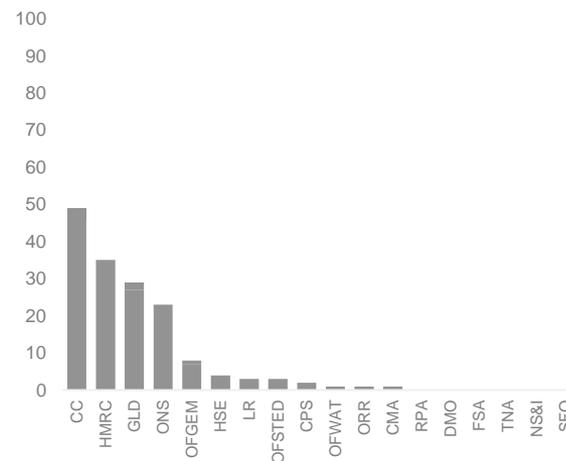
Use of exemptions<sup>1</sup> in Q4 October to December 2018, as a percentage of all exempted requests (see dataset)



Departments of State: Volume of requests subject to a Section 21 exemption in Q4 October to December 2018 (see Table 11)



Other monitored bodies: Volume of requests subject to a Section 21 exemption Q4 October to December 2018 (see Table 11)



<sup>1</sup> Note that exceptions under EIRs are not included here

# Scope of monitoring

## Bodies included in centrally monitored statistics

Key							
Departments of State (N=22)	Bodies included in monitoring by parent department (N=22)	Department for Environment Food and Rural Affairs (DEFRA)	Rural Payments Agency (RPA)	Ministry of Defence (MOD)	Defence Electronics and Components Agency		
Other Monitored bodies (N=12)	Bodies monitored separately from parent department (N=6)		Animal and Plant Health Agency		Defence Equipment and Support		
			Centre for Environment, Fisheries and Rural Affairs		Defence Science and Technology Laboratory		
	Unmonitored bodies (N=20)		Veterinary Medicines Directorate		UK Hydrographic Office		
Attorney General's Office (AGO)	Crown Prosecution Service (CPS)	Department for Exiting the European Union (DEXEU)		Ministry of Justice (MOJ)	HM Courts and Tribunals Service		
	Serious Fraud Office (SFO)	Department for International Development (DFID)	Government Equalities Office (GEO)		Legal Aid Agency		
	Crown Prosecution Service Inspectorate	Department for International Trade (DIT)			HM Prison and Probation Service		
Business, Energy and Industrial Strategy (BEIS)	Advisory Conciliation and Arbitration Service	Department for Education (DfE)	Driver and Vehicle Licensing Agency		The Office of the Public Guardian		
	Companies House		Driver and Vehicle Standards Agency		Criminal Injuries Compensation Authority		
	Insolvency Service		Maritime and Coastguard Agency				
	Met Office		Vehicle Certification Agency	Northern Ireland Office (NIO)			
	UK Intellectual Property Office	Department for Work and Pensions (DWP)	Health and Safety Executive (HSE)	UK Export Finance (UKEF)			
	UK Space Agency	Department for Health and Social Care (DHSC)	Medicines and Healthcare Products Regulatory Authority	Scotland Office (SO)			
Cabinet Office (CO)	Crown Commercial Service	Public Health England		Wales Office (WO)			
	Government Property Agency	Foreign and Commonwealth Office (FCO)	FCO Services	HM Revenue and Customs (HMRC)	Valuation Office		
Ministry of Housing, Communities and Local Government (MHCLG)	Planning Inspectorate		Wilton Park Executive	Charity Commission (CC)	Competitions and Marketing Authority (CMA)		
	Queen Elizabeth II Conference Centre	HM Treasury (HMT)		Food Standards Agency (FSA)	Government Legal Department (GLD)		
Department for Digital, Culture Media and Sport (DCMS)	Wilton Park Executive		The National Archives (TNA)	Office for National Statistics (ONS)			
Department for Education (DFE)	Education and Skills Funding Agency		Debt Management Office (DMO)	Office for Standards in Education, Children's Service and Skills (OFSTED)	Office of Gas and Electricity Markets (OFGEM)		
	Teaching Regulation Agency		National Savings and Investments (NS&I)	Office of Rail and Road (ORR)	Land Registry (LR)		
	Standards and Testing Agency	Government Internal Audit Agency	Water Services Regulation Authority (OFWAT)	Office of Qualifications and Examinations Regulation			
		Home Office (HO)	Government Actuaries's Department	National Crime Agency			
			UK Supreme Court				

# Notes

See the [quality and methodology information document](#) for further detail

## Defining the scope of FOI monitoring

Section 1 of the Freedom of Information Act 2000<sup>1</sup> 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<sup>2</sup> states that (subject to certain conditions):

'A public authority that holds environmental information shall make it available on request.'

Following their introduction on 1 April 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 FOI monitoring returns.

The statistics in this bulletin therefore relate to all 'non-routine' information requests that government departments have received, and those routine information requests that are handled under Section 21. 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.

More information can be found in our [quality and methodology information document](#):

<https://www.gov.uk/government/statistics/foi-statistics-supporting-documents>

## Defining a request

The full definition of an 'information request' for the purposes of inclusion in the Cabinet Office's monitoring returns is shown below:

'[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.'

<sup>1</sup> Full text of the FOI Act: [www.legislation.gov.uk/ukpga/2000/36/contents](http://www.legislation.gov.uk/ukpga/2000/36/contents)

<sup>2</sup> Full text of the EIR regulations: <http://www.legislation.gov.uk/uksi/2004/3391/made>

# Notes (continued)

See the quality and methodology information document for further detail

## Consistency of the statistics

The definition shown above has been widely disseminated to FOI officers in government. It is necessary to apply a definition of this sort to set a clear boundary to the coverage of our monitoring, and thereby obtain meaningful information from the process.

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 FOI 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.

Because of these differences, there could 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, the statistics effectively count those requests which have been dealt with by each monitored body formally under the FOI Act. As such, the statistics report on how many such requests for information each monitored body has received and how they have implemented the Act's requirements in providing responses. Direct comparisons between the statistics for different monitored bodies can therefore be made on this basis.

In summary:

- (i) These statistics cover both 'non-routine' information requests, and 'routine' information requests which are answered under a Section 21 exemption. This does 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.

## Coverage

The statistics in this bulletin have been derived from monitoring returns completed by Freedom of Information officers in government departments during February - March 2019.

The formal monitoring work covers a total of 40 central government bodies, including major Departments of State. The monitored bodies which are not Departments of State nonetheless have significant policy-making, regulatory or information-handling functions.

The Freedom of Information Act 2000 applies in England and Wales, Northern Ireland and Scotland (with exceptions, see below).

The Freedom of Information (Scotland) Act 2002 applies to public bodies over which the Scottish Parliament has devolved jurisdiction, and as such lies outside the scope of the monitoring work on which this bulletin is based. However, Scottish parts of UK-wide bodies which are ordinarily under the remit of the Scottish Parliament act (such as the Forestry Commission) are subject to the UK-wide 2000 act rather than Scottish Government's 2002 Act. A full list of the bodies covered by the monitoring statistics in 2018 can be found on page 8.

The Northern Ireland Office, Scotland Office and the Wales Office are included in these statistics as they fall under the jurisdiction of the UK-wide 2000 act. However, data is not collected from the Welsh Government or Northern Ireland Executive.

Statistics on FOI requests made to the Scottish Government can be found here: <http://www.gov.scot/About/Information/FOI/Reporting>. Note that there are several differences in the UK and Scottish FOI Acts which mean that the figures are not directly comparable.

## Users and uses of the statistics

The main users of these statistics are departmental FOI teams responsible for coordinating responses and requests, Ministers and officials with responsibility for developing information access policy, and other non-governmental bodies and individuals with an interest in the accessibility of government information. The statistics are used to monitor the implementation of the FOI Act by central government, both as a whole and by each individual body included in the figures.