

# **Freedom of Information Act 2000**

## **2009 Annual Statistics on implementation in central government**

Ministry of Justice  
Statistics bulletin

Published 29 April 2010







Ministry of  
**JUSTICE**

# **Freedom of Information Act 2000 – Annual Statistics on implementation in central government**

2009

Ministry of Justice  
Statistics bulletin

Also available on the Ministry of Justice website at

[www.justice.gov.uk/publications/freedomofinformationquarterly.htm](http://www.justice.gov.uk/publications/freedomofinformationquarterly.htm)



## Contents

Introduction	3
Executive summary	4
Commentary	5
Volume of FoI requests	5
Timeliness of response to requests	6
Outcomes of requests	7
Use of fees	8
Use of exemptions and exceptions	9
Duration of public interest test extensions	10
Internal reviews	11
Appeals to the Information Commissioner	12
Performance tables	13
Notes on the tables	34
Annex A: Important note on the scope and consistency of the statistics	35
Annex B: Government bodies included in these statistics	38
Explanatory notes	43



## Introduction

The Freedom of Information Act 2000 (“Fol Act”) and the associated Environmental Information Regulations<sup>1</sup> 2004 came fully into force on 1 January 2005. This report provides statistics about the handling of all ‘non-routine’ information requests received by central government in 2009. Monitoring statistics are presented for a total of 43 central government monitored bodies, including all major Departments of State.

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.

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

The Ministry of Justice publishes quarterly statistical bulletins containing data on the initial handling of requests by the monitored departments. The bulletins can be found on the Ministry of Justice website:

[www.justice.gov.uk/publications/freedomofinformationquarterly.htm](http://www.justice.gov.uk/publications/freedomofinformationquarterly.htm)

---

<sup>1</sup> Environmental Information Regulations (EIRs) give certain rights of access to environmental information. More on EIRs can be found on Defra’s website: [www.defra.gov.uk/corporate/policy/opengov/eir/index.htm](http://www.defra.gov.uk/corporate/policy/opengov/eir/index.htm)

## Executive summary

- In 2009, monitored central government bodies received a total of 40,548 non-routine FOI and EIR requests – a 16 per cent increase on the number received in 2008.
- The number of requests received by all the monitored bodies averaged about 10,100 per quarter during 2009. Departments of State received 59 per cent of the requests, while the other monitored bodies received the remaining 41 per cent.
- 82 per cent of requests received a substantive response within the 20 working-day limit<sup>2</sup>. A further 5 per cent of requests were subject to a Public Interest Test extension.
- 58 per cent of “resolvable” requests (those where it was possible to give a substantive decision on whether to release the information being sought) were granted in full in 2009. 23 per cent of resolvable requests resulted in the information being fully withheld.
- Of the 40,548 requests received during the year, 3 per cent were subject to a fee being levied. Of these, 99 per cent were in relation to requests received by the National Archives. The average amount of paid fee was £54
- 8,754 requests received during 2009 were refused, either in full or in part, where one or more exemption or exception was applied. The most commonly applied exemptions were under section 40 (personal information) and section 30 (investigations and proceedings conducted by public authorities), however, the profile of exemption usage differed between Departments of State and other monitored bodies.
- A total of 1,502 Internal Reviews were requested across all monitored bodies in relation to information requests received in 2009, on the grounds that some or all of the requested information was withheld.
- There were 206 appeals made to the Information Commissioner’s Office (ICO) relating to the refusal of information requests by monitored bodies in 2009 and where the monitored body in question had been notified of the appeal – an increase on the 153 made in 2008.

---

<sup>2</sup> 20 working days generally, 30 working days for The National Archives



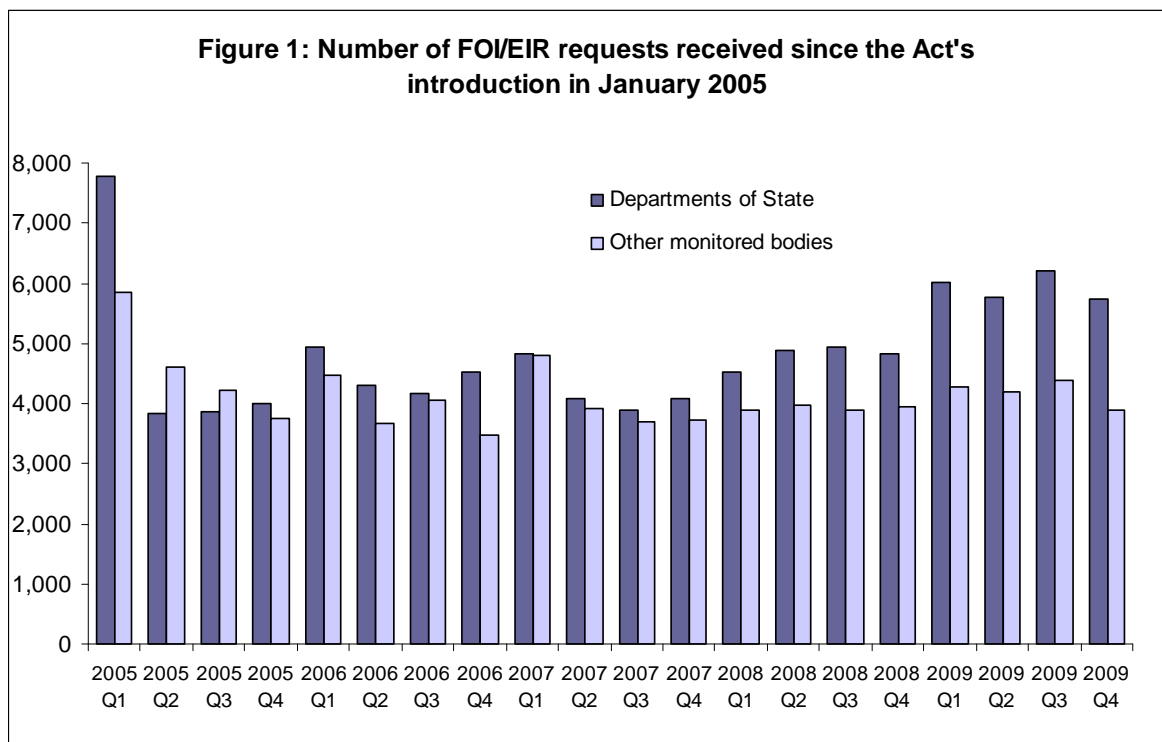
## Commentary

### Volume of Fol requests

Monitored central government bodies received a total of 40,548 “non-routine” Fol and EIR requests during 2009, the fifth year of the Act’s operation. This is 16% more than the 34,950 requests received in 2008.

Departments of State received 23,721 of these requests, an increase of 24 per cent compared to 2008. Other monitored bodies received the remaining 16,827 requests, which was 7 per cent more than they received in 2008.

Figure 1 shows the trends in the number of Fol/EIR requests received by Departments of State and other monitored bodies since the Act’s introduction in 2005. There was a marked initial peak in requests in the first quarter of 2005, immediately following the Act’s implementation. Since then, the number of requests received has increased for Departments of State with an upward trend since 2007. This is in contrast to other monitoring bodies volumes that have remained relatively stable at about 4,000 per quarter.



## Timeliness of response to requests

The FoI Act and EIRs both require public bodies to respond to written requests for information within 20 working days of receipt (30 days for the National Archives), with limited exceptions such as to allow additional time for the consideration of public interest.

During 2009, 86 per cent of requests were answered “in time”, in that they either received an answer within the standard 20-day deadline or were subject to a permitted deadline extension. Some 82 per cent of requests received a substantive response inside the 20 working day limit. These percentages are slightly lower than the corresponding figures for 2008, showing that the performance of monitored bodies as a whole in providing timely responses to FoI / EIR requests fell slightly compared to the previous year. Five per cent of requests received during 2009 were subject to a public interest test extension.

The proportion of requests answered within the 20-day limit was 75 per cent for Departments of State, compared with 91 per cent for other monitored bodies. However, Departments of State were more than twice as likely to use the permitted extension of the 20-day deadline to allow for consideration of the balance of the public interest. As a result, the proportion of requests answered “in time” in 2009 was slightly more closely matched, at 81 per cent for Departments of State and 94 per cent for other monitored bodies. Table A shows that timeliness was consistently at these levels throughout the year.

		Q1 2009	Q2 2009	Q3 2009	Q4 2009
Departments of State	Response within 20 working days	75%	76%	75%	76%
	Response "in time"	81%	82%	81%	82%
Other monitored bodies	Response within 20 working days	92%	90%	90%	91%
	Response "in time"	95%	93%	93%	94%
<b>All monitored bodies</b>	<b>Response within 20 working days</b>	<b>82%</b>	<b>82%</b>	<b>81%</b>	<b>82%</b>
	<b>Response "in time"</b>	<b>86%</b>	<b>86%</b>	<b>86%</b>	<b>87%</b>

## Outcomes of requests

Of the 40,548 requests received by monitored bodies during 2009, at the end of the year a total of 75 requests were on hold or had lapsed because a fee had been charged but not paid (see below for more information on fees). If lapsed and on hold requests are discounted because the obligation to respond does not apply, there were 40,473 requests received during 2009 where a formal response was needed. Some 96 per cent of these requests had received a response at the time of monitoring.

There were 7,569 requests in 2009 which sought information that was not held by the Government department in question, and 2,780 requests which were responded to with requests for clarification ('advice and assistance') because the body handling the request needed further information in order to identify the information being sought. As a result, the remaining 30,124 requests were assumed to be "resolvable", in that it was possible to give a substantive decision on whether to release the information being sought.

Of the "resolvable" requests received during the year, 58 per cent were granted in full, 14 per cent were withheld in part and 23 per cent were withheld in full. The remaining 5 per cent of "resolvable" requests had not yet received a substantive response at the time of monitoring.

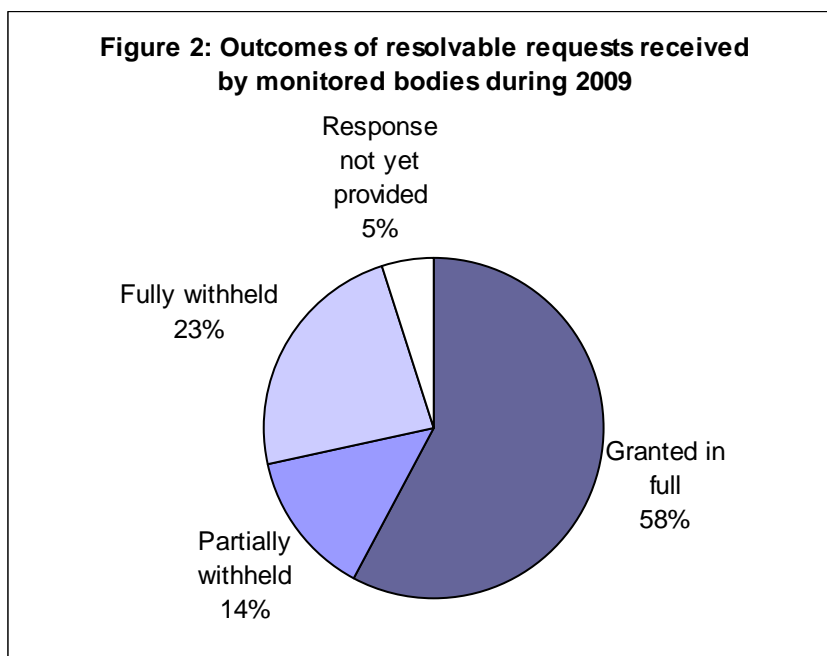


Table B shows the quarterly proportions of “resolvable” requests which were granted in full by Departments of State and other monitored bodies during the year. Following the Act’s introduction in January 2005, the percentage of resolvable requests released in full across all monitoring bodies has consistently remained between 55 and 65 per cent.

	Q1 2009	Q2 2009	Q3 2009	Q4 2009
Departments of State	55%	56%	54%	55%
Other monitored bodies	59%	55%	57%	55%
<b>All monitored bodies</b>	56%	55%	55%	55%

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

### Use of fees

The FoI Act makes provision (at Section 9) for public authorities to charge a fee for providing information requested under the Act. Authorities can charge a fee both for those requests that fall outside the ‘appropriate limit’ and for certain disbursements that are incurred when handling a request. Full guidance on fees and what public authorities are permitted to charge for can be located on the Ministry of Justice website at [www.justice.gov.uk/guidance/foi-step-by-step-fees.htm](http://www.justice.gov.uk/guidance/foi-step-by-step-fees.htm)

Of the 40,548 requests received by monitored bodies during the year, 1,016 (3 per cent) were subject to a fee being levied by the authority involved. For 638 of these requests (63 per cent of the fee-charged requests), the fee had been paid and the request processed and 7 requests (1 per cent) were “on hold” awaiting fee payment. A further 303 requests were processed by the receiving monitored body without the fee being paid. The remaining 68 requests (7 per cent) were deemed to have “lapsed” because the fee was not paid within the required deadline.

The total fees received by monitored bodies for answering FoI / EIR requests during 2009 was £34,727, and the average value of paid fees was £54.

The only monitored body to charge fees for FoI / EIR work as a matter of routine is the National Archives (TNA), which accounted for over 99 per cent of all fee charged requests in 2009, and of all the fee monies received. TNA operates a separate fees regime under section 19 of the FoI Act. One of its principal functions is to provide information to the public. Without a separate fees regime there would

be a danger that users of TNA would exploit the FoI Act to require TNA to undertake extensive research in a manner that would impede its ability to function.

Apart from TNA, it was extremely rare for monitored bodies to charge fees for responding to FoI requests. There were only 7 such requests in total during 2009 across all the other monitored bodies, meaning that less than one request in a thousand incurred a fee if the National Archives' requests are excluded.

### **Use of exemptions and exceptions**

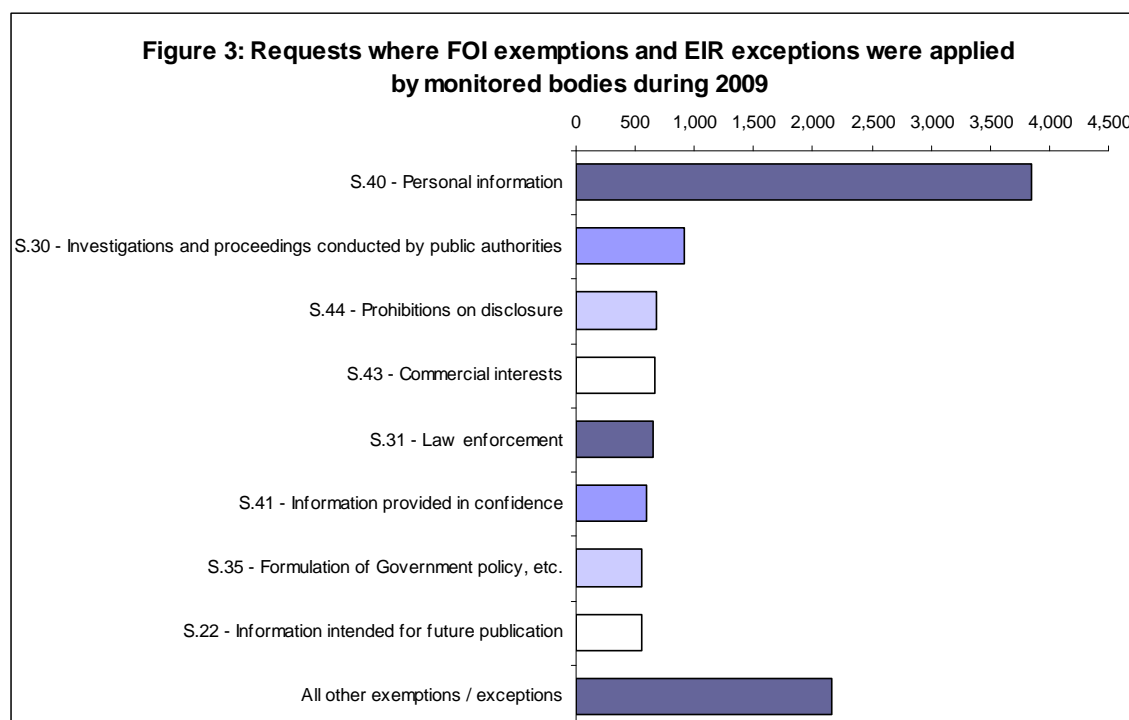
Under the FoI Act, a public authority can only refuse to provide requested information that it holds if:

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

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

One or more of these exemptions or exceptions was applied to a total of 8,754 requests across all monitored bodies during 2009. 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 3,853 requests, Section 30 (investigations and proceedings conducted by public authorities), which was applied to 909 requests, and Section 44 (prohibitions on disclosure), which was applied to 673 requests.

Figure 3 illustrates the profile of exemption and exception usage across all monitored bodies during 2009.



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

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

By contrast, other monitored bodies were more likely than Departments of State to use the following exemptions to the requirement to release information: Section 30 (investigations and proceedings conducted by public authorities), Section 41 (information provided in confidence) and Section 44 (prohibitions on disclosure). This similarly reflects the roles of the other monitored bodies, either as regulators or as administrative bodies whose roles and functions are prescribed in legislation.

### **Duration of public interest test extensions**

Under some exemptions of the FoI Act, defined as qualified exemptions, a public authority receiving an information request is required to consider whether or not the public interest in disclosing the information outweighs the public interest in

withholding it. Under the Act, a public authority is permitted to extend the 20-day time limit for responding to requests, in order to make this public interest test consideration.

Of the 1,551 requests received by monitored bodies in 2009 where a statutory extension was applied to the response deadline and for which extension duration data are available, 1,323 had been processed in full by the time of monitoring. Of these, 58 per cent completed the public interest test consideration in 20 working days or less, while 21 per cent took longer than 40 working days. Some monitored bodies were not able to provide information on the duration of deadline extensions. The above statistics may, therefore, not reflect the complete picture across all monitored bodies.

### **Internal reviews**

Applicants are able to ask a public authority for an Internal Review if they are not content with the public authority's initial decision on whether or not to release requested information, if their request was not dealt with within 20 working days or if they felt a fee was wrongly charged. This process should be a fair and thorough review of the initial decision.

Across all monitored bodies, a total of 1,502 Internal Reviews were reported as having been initiated on information requests initially received during 2009 on the grounds that some or all of the requested information was originally withheld. This is considerably higher than the number in the previous year (959). The outcomes of 1,255 of these Internal Reviews were known at the time of monitoring. The initial handling of the request under review was upheld fully in 75 per cent of these cases, and upheld partially in a further 15 per cent of cases. In the remaining 10 per cent, the requester's complaint was upheld and the initial handling of the request was overturned at the Internal Review stage.

Departments of State were more likely to receive Internal Reviews than other monitored bodies. Departments of State received 51 Internal Reviews per 1,000 information requests received during 2009, compared to 18 Internal Reviews per 1,000 requests among other monitored bodies. The proportion of Internal Reviews where the initial request handling was upheld in full was almost the same among the other monitored bodies (75 per cent) and the Departments of State (76 per cent).

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". Statistics were also collected on the time taken to conduct these Internal Reviews. Most monitored bodies were able to provide this information, but not all. Monitored

bodies able to provide data had 1,454 Internal Reviews on requests initially received in 2009. Of these, 1,209 had been completed by the time the statistics were collected. Some 43 per cent of these Internal Reviews took 20 working days or less, while 42 per cent took between 21 and 40 working days. A further 15 per cent took longer than 60 working days.

### **Appeals to the Information Commissioner**

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

Formal complaints to the ICO often relate to complex and difficult issues and are not subject to any statutory time limit. Data have been collected on appeals where some or all of the information requested has been withheld from the applicant, but not for those relating to purely procedural matters, and where the body receiving the original request has been notified of the appeal by the ICO. They may therefore be different to the ICO's own figures on FoI appeals casework.

During 2009, there were 206 appeals to the ICO relating to the refusal of information requests by monitored bodies, an increase compared to the 153 in the previous year. Only 78 of these appeals had been completed at the time of monitoring. Of these, the public authority's initial handling of the request was fully upheld in 51 cases (65 per cent), and was partially upheld in a further 11 (14 per cent). In the remaining 16 (21 per cent) of cases, the applicant's complaint was upheld.

Some 160 of the 206 appeals to the ICO were in relation to requests originally received by Departments of State, suggesting that they are markedly more likely than other monitored bodies have information requests appealed. There was a similar finding in relation to Internal Reviews.



## Performance tables

- Table 1 Number of non-routine information requests received by monitored bodies during 2009, and their status at the time of end-of-year monitoring
- Table 2 Timeliness of response to non-routine information requests received by monitored bodies during 2009 (based on aggregated quarterly data)
- Table 3 Initial outcomes of non-routine information requests received by monitored bodies during 2009
- Table 4 Statutory reasons given by monitored bodies for fully withholding non-routine information requested during 2009
- Table 5 Exemptions (Fol) and exemptions (EIRs) applied by monitored bodies when withholding non-routine information requested during 2009
- Table 6 Outcomes of Internal Reviews of non-routine information requests received by monitored bodies during 2009, where the requested information was initially withheld
- Table 7 Duration of completed Internal Reviews of non-routine information requests received by monitored bodies during 2009, where the requested information was initially withheld
- Table 8 Outcomes of appeals to the Information Commissioner's Office (ICO) about the handling of non-routine information requests received by monitored bodies during 2009
- Table 9 Duration of deadline extensions to allow for the consideration of Public Interest which were applied to non-routine information requests received by monitored bodies during 2009
- Table 10 Summary statistics, 2007 to 2009
- Table 11 Volume of referrals to the Clearing House in 2009

The Ministry of Justice also publishes quarterly Fol monitoring reports giving detailed quarter-by-quarter statistics on caseload, timeliness and outcomes. These are available from the Ministry of Justice website.

TABLE 1

Number of non-routine information requests received by monitored bodies during 2009, and their status at the time of end-of-year monitoring<sup>1</sup>

Government body	Total requests received	Request status at time of monitoring <sup>1</sup>			
		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>40,548</b>	<b>38,967</b>	<b>75</b>	<b>1,506</b>	<b>900</b>
<b>TOTAL for Departments of State only</b>	<b>23,721</b>	<b>22,568</b>	<b>4</b>	<b>1,149</b>	<b>483</b>
<b>TOTAL for other monitored bodies</b>	<b>16,827</b>	<b>16,399</b>	<b>71</b>	<b>357</b>	<b>417</b>
<b>Departments of State</b>					
Attorney General's Office	105	105	0	0	0
Cabinet Office	981	920	0	61	1
Communities and Local Government	840	833	4	3	167
Department for Business, Innovation and Skills <sup>4</sup>	961	929	0	32	5
Department for Children, Schools and Families	854	851	0	3	1
Department for Culture, Media and Sport #	599	588	0	11	1
Department for Environment, Food and Rural Affairs	577	570	0	7	135
Department for International Development	329	320	0	9	3
Department for Transport #	2,461	2,442	0	19	100
Department for Work and Pensions #	2,350	2,295	0	55	2
Department of Energy and Climate Change	315	303	0	12	39
Department of Health	1,897	1,859	0	38	6
Export Credits Guarantee Department	49	49	0	0	2
Foreign and Commonwealth Office	1,136	1,083	0	53	5
HM Treasury	1,451	1,404	0	47	3
Home Office	2,498	2,406	0	92	0
Ministry of Defence #	2,918	2,292	0	626	7
Ministry of Justice #	2,899	2,835	0	64	5
Northern Ireland Office	258	246	0	12	1
Scotland Office	176	171	0	5	0
Wales Office	67	67	0	0	0

TABLE 1 continued

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>Other bodies included in monitoring</b>					
Central Office of Information	50	50	0	0	0
Charity Commission	559	558	0	1	0
Child Maintenance and Enforcement Commission	195	193	0	2	0
Crown Prosecution Service	519	519	0	0	0
Debt Management Office	20	20	0	0	0
Food Standards Agency	130	129	0	1	1
Health and Safety Executive	6,531	6,373	1	157	114
HM Land Registry	150	150	0	0	0
HM Revenue and Customs	1,484	1,462	0	22	2
National Archives	3,738	3,505	68	165	3
National Savings and Investments	132	132	0	0	0
Office for National Statistics	131	131	0	0	0
Office for Standards in Education	1,199	1,199	0	0	0
Office of Fair Trading	508	508	0	0	2
Office of Gas and Electricity Markets (OFGEM)	170	170	0	0	3
Office of Rail Regulation	235	233	0	2	2
Ordnance Survey	205	203	2	0	0
Royal Mint	29	29	0	0	0
Rural Payments Agency	326	322	0	4	289
Serious Fraud Office	95	95	0	0	0
Treasury Solicitor's Department	294	294	0	0	0
Water Services Regulation Authority (OFWAT)	127	124	0	3	1

**Notes**

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

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

1 - Monitoring returns were submitted to the Ministry of Justice (MoJ) during February 2010

2 - Requests "on hold" are those where a fee has been charged but no payment has been received at the time of monitoring. These requests are effectively suspended since public authorities are not obliged to respond until payment has been made.

Where a fee is charged and the deadline for payment expires, the request is deemed to have "lapsed" as no further action is required from the public authority.

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

4 - The Department for Business, Innovation and Skills (BIS) was created on 5 June 2009. The figures shown in this and other tables relate to requests received by the department between this date and the end of the year. Before this date BIS includes requests received by Department for Business, Enterprise and Regulatory Reform and the Department for Innovation, Universities and Skills.

TABLE 2

Timeliness of response to non-routine information requests received by monitored bodies during 2009 (based on aggregated quarterly data)

Government body	Total requests received (excluding on-hold and lapsed <sup>1</sup> )	Timeliness of response			Percentage of requests meeting 20-day deadline	Percentage of requests "in time" (i.e. meeting deadline or with permitted extension)
		20-day deadline met	Permitted extension <sup>2</sup> to 20-day deadline	Late response (i.e. 20-day deadline missed)		
<b>TOTAL for all monitored bodies</b>	<b>40,185</b>	<b>32,798</b>	<b>1,933</b>	<b>5,454</b>	<b>82%</b>	<b>86%</b>
<b>TOTAL for Departments of State only</b>	<b>23,731</b>	<b>17,851</b>	<b>1,486</b>	<b>4,394</b>	<b>75%</b>	<b>81%</b>
<b>TOTAL for other monitored bodies</b>	<b>16,454</b>	<b>14,947</b>	<b>447</b>	<b>1,060</b>	<b>91%</b>	<b>94%</b>
<b>Departments of State</b>						
Attorney General's Office	102	92	5	5	90%	95%
Cabinet Office	981	827	80	74	84%	92%
Communities and Local Government	838	735	60	43	88%	95%
Department for Business, Innovation and Skills	985	660	107	218	67%	78%
Department for Children, Schools and Families	854	678	30	146	79%	83%
Department for Culture, Media and Sport #	604	497	99	8	82%	99%
Department for Environment, Food and Rural Affairs	577	433	69	75	75%	87%
Department for International Development	329	280	36	13	85%	96%
Department for Transport #	2,482	2,212	81	189	89%	92%
Department for Work and Pensions #	2,346	1,806	19	521	77%	78%
Department of Energy and Climate Change	286	216	16	54	76%	81%
Department of Health	1,897	1,748	63	86	92%	95%
Export Credits Guarantee Department	49	46	1	2	94%	96%
Foreign and Commonwealth Office	1,137	873	212	52	77%	95%
HM Treasury	1,451	1,335	103	13	92%	99%
Home Office	2,495	1,474	226	795	59%	68%
Ministry of Defence #	2,918	1,533	190	1,195	53%	59%
Ministry of Justice #	2,899	2,041	42	816	70%	72%
Northern Ireland Office	255	204	34	17	80%	93%
Scotland Office	179	104	8	67	58%	63%
Wales Office	67	57	5	5	85%	93%

2009 annual statistics on implementation in central government

TABLE 2 continued

Government body	Total requests received (excluding on-hold and lapsed <sup>1</sup> )	Timeliness of response			Percentage of requests meeting 20-day deadline	Percentage of requests "in time" (i.e. meeting deadline or with permitted extension)
		20-day deadline met	Permitted extension <sup>2</sup> to 20-day deadline	Late response (i.e. 20-day deadline missed)		
<b>Other bodies included in monitoring</b>						
Central Office of Information	50	50	0	0	100%	100%
Charity Commission	557	518	2	37	93%	93%
Child Maintenance and Enforcement Commission	195	131	0	64	67%	67%
Crown Prosecution Service	519	505	4	10	97%	98%
Debt Management Office	20	20	0	0	*	*
Food Standards Agency	129	118	9	2	91%	98%
Health and Safety Executive	6,491	5,935	95	461	91%	93%
HM Land Registry	150	136	0	14	91%	91%
HM Revenue and Customs	1,426	1,222	6	198	86%	86%
National Archives ^	3,458	3,097	281	80	90%	98%
National Savings and Investments	131	127	1	3	97%	98%
Office for National Statistics	131	121	3	7	92%	95%
Office for Standards in Education	1,199	1,160	7	32	97%	97%
Office of Fair Trading	508	483	0	25	95%	95%
Office of Gas and Electricity Markets (OFGEM)	179	154	3	22	86%	88%
Office of Rail Regulation	235	215	13	7	91%	97%
Ordnance Survey	205	197	2	6	96%	97%
Royal Mint	29	24	0	5	83%	83%
Rural Payments Agency	315	270	19	26	86%	92%
Serious Fraud Office	106	74	0	32	70%	70%
Treasury Solicitor's Department	294	288	2	4	98%	99%
Water Services Regulation Authority (OFWAT)	127	102	0	25	80%	80%

Notes

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

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

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

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

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

2 - "Permitted extensions" include:

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

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

**TABLE 3**  
**Initial outcomes of non-routine information requests received by monitored bodies during 2009**

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>40,473</b>	<b>2,780</b>	<b>7,569</b>	<b>30,124</b>	<b>17,408</b>	<b>4,162</b>	<b>7,048</b>	<b>1,506</b>	<b>58%</b>	<b>23%</b>
<b>TOTAL for Departments of State only</b>	<b>23,717</b>	<b>1,605</b>	<b>4,290</b>	<b>17,822</b>	<b>10,436</b>	<b>2,125</b>	<b>4,112</b>	<b>1,149</b>	<b>59%</b>	<b>23%</b>
<b>TOTAL for other monitored bodies</b>	<b>16,756</b>	<b>1,175</b>	<b>3,279</b>	<b>12,302</b>	<b>6,972</b>	<b>2,037</b>	<b>2,936</b>	<b>357</b>	<b>57%</b>	<b>24%</b>
<i>Departments of State</i>										
Attorney General's Office	105	13	39	53	30	4	19	0	57%	36%
Cabinet Office	981	103	270	608	175	42	330	61	29%	54%
Communities and Local Government	836	0	160	676	494	106	73	3	73%	11%
Department for Business, Innovation and Skills	961	70	198	693	337	134	190	32	49%	27%
Department for Children, Schools and Families	854	48	153	653	458	70	122	3	70%	19%
Department for Culture, Media and Sport #	599	81	89	429	287	53	78	11	67%	18%
Department for Environment, Food and Rural Affairs	577	22	74	481	359	74	41	7	75%	9%
Department for International Development	329	0	36	293	182	30	72	9	62%	25%
Department for Transport #	2,461	37	304	2,120	1,553	235	313	19	73%	15%
Department for Work and Pensions #	2,350	23	262	2,065	1,423	106	481	55	69%	23%
Department of Energy and Climate Change	315	17	44	254	109	79	54	12	43%	21%
Department of Health	1,897	6	386	1,505	1,077	195	195	38	72%	13%
Export Credits Guarantee Department	49	0	0	49	35	10	4	0	71%	8%
Foreign and Commonwealth Office	1,136	82	150	904	284	272	295	53	31%	33%
HM Treasury	1,451	182	478	791	415	56	273	47	52%	35%
Home Office	2,498	365	538	1,595	812	221	470	92	51%	29%
Ministry of Defence #	2,918	47	383	2,488	1,453	169	240	626	58%	10%
Ministry of Justice #	2,899	494	580	1,825	729	215	817	64	40%	45%
Northern Ireland Office	258	12	77	169	85	40	32	12	50%	19%
Scotland Office	176	0	54	122	96	13	8	5	79%	7%
Wales Office	67	3	15	49	43	1	5	0	88%	10%

2009 annual statistics on implementation in central government

TABLE 3 continued

Government body	Total requests received (excluding on-hold and lapsed <sup>1</sup> )	Requests where advice and assistance <sup>2</sup> provided	Requests where information not held	Total "resolvable" requests <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	50	0	16	34	34	0	0	0	100%	0%
Charity Commission	559	32	77	450	287	111	51	1	64%	11%
Child Maintenance and Enforcement Commission	195	6	11	178	115	11	50	2	65%	28%
Crown Prosecution Service	519	63	120	336	195	36	105	0	58%	31%
Debt Management Office	20	0	2	18	17	1	0	0	*	*
Food Standards Agency	130	0	9	121	38	59	23	1	31%	19%
Health and Safety Executive	6,530	277	1,925	4,328	2,264	926	981	157	52%	23%
HM Land Registry	150	4	2	144	135	3	6	0	94%	4%
HM Revenue and Customs	1,484	39	212	1,233	651	50	510	22	53%	41%
National Archives	3,670	516	540	2,614	1,654	209	586	165	63%	22%
National Savings and Investments	132	0	4	128	104	0	24	0	81%	19%
Office for National Statistics	131	1	38	92	60	15	17	0	65%	18%
Office for Standards in Education	1,199	0	158	1,041	566	251	224	0	54%	22%
Office of Fair Trading	508	91	14	403	116	71	216	0	29%	54%
Office of Gas and Electricity Markets (OFGEM)	170	14	21	135	92	26	17	0	68%	13%
Office of Rail Regulation	235	40	40	155	126	16	11	2	81%	7%
Ordnance Survey	203	35	17	151	106	31	14	0	70%	9%
Royal Mint	29	0	0	29	16	9	4	0	55%	14%
Rural Payments Agency	326	33	13	280	203	30	43	4	73%	15%
Serious Fraud Office	95	15	26	54	21	5	28	0	39%	52%
Treasury Solicitor's Department	294	9	18	267	93	163	11	0	35%	4%
Water Services Regulation Authority (OFWAT)	127	0	16	111	79	14	15	3	71%	14%

Notes

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

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

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

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

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

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

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

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

**TABLE 4**  
**Statutory reasons given by monitored bodies for fully withholding non-routine information requested during 2009**

Government body	Total "resolvable" requests <sup>1</sup>	Total requests where information was fully withheld	Reason for fully withholding information			
			Vexatious FoI request <sup>2</sup>	Repeated FoI request <sup>2</sup>	Cost of response would exceed cost limit <sup>3</sup>	Information is exempt / excepted <sup>4</sup>
<b>TOTAL for all monitored bodies</b>	<b>30,124</b>	<b>7,048</b>	<b>92</b>	<b>58</b>	<b>2,306</b>	<b>4,592</b>
<b>TOTAL for Departments of State only</b>	<b>17,822</b>	<b>4,112</b>	<b>84</b>	<b>42</b>	<b>2,030</b>	<b>1,956</b>
<b>TOTAL for other monitored bodies</b>	<b>12,302</b>	<b>2,936</b>	<b>8</b>	<b>16</b>	<b>276</b>	<b>2,636</b>
<b>Departments of State</b>						
Attorney General's Office	53	19	1	0	8	10
Cabinet Office	608	330	16	3	171	140
Communities and Local Government	676	73	0	0	26	47
Department for Business, Innovation and Skills	693	190	0	2	113	75
Department for Children, Schools and Families	653	122	18	0	41	63
Department for Culture, Media and Sport #	429	78	0	3	43	32
Department for Environment, Food and Rural Affairs	481	41	0	0	2	39
Department for International Development	293	72	1	0	51	20
Department for Transport #	2,120	313	2	6	187	118
Department for Work and Pensions #	2,065	481	0	2	53	426
Department of Energy and Climate Change	254	54	0	0	36	18
Department of Health	1,505	195	4	3	131	57
Export Credits Guarantee Department	49	4	1	0	3	0
Foreign and Commonwealth Office	904	295	6	2	160	127
HM Treasury	791	273	4	0	133	136
Home Office	1,595	470	24	11	283	152
Ministry of Defence #	2,488	240	4	0	89	147
Ministry of Justice #	1,825	817	3	9	487	318
Northern Ireland Office	169	32	0	1	10	21
Scotland Office	122	8	0	0	2	6
Wales Office	49	5	0	0	1	4



TABLE 4 continued

Government body	Total "resolvable" requests <sup>1</sup>	Total requests where information was fully withheld	Reason for fully withholding information			
			Vexatious FoI request <sup>2</sup>	Repeated FoI request <sup>2</sup>	Cost of response would exceed cost limit <sup>3</sup>	Information is exempt / excepted <sup>4</sup>
<b>Other bodies included in monitoring</b>						
Central Office of Information	34	0	0	0	0	0
Charity Commission	450	51	0	2	12	37
Child Maintenance and Enforcement Commission	178	50	0	1	7	42
Crown Prosecution Service	336	105	2	2	21	80
Debt Management Office	18	0	0	0	0	0
Food Standards Agency	121	23	0	0	10	13
Health and Safety Executive	4,328	981	1	4	20	956
HM Land Registry	144	6	0	0	2	4
HM Revenue and Customs	1,233	510	1	2	158	349
National Archives	2,614	586	0	0	0	586
National Savings and Investments	128	24	0	0	3	21
Office for National Statistics	92	17	0	0	5	12
Office for Standards in Education	1,041	224	0	2	8	214
Office of Fair Trading	403	216	1	0	11	204
Office of Gas and Electricity Markets (OFGEM)	135	17	0	0	6	11
Office of Rail Regulation	155	11	0	0	2	9
Ordnance Survey	151	14	0	1	2	11
Royal Mint	29	4	0	0	2	2
Rural Payments Agency	280	43	0	0	0	43
Serious Fraud Office	54	28	0	2	5	21
Treasury Solicitor's Department	267	11	2	0	2	7
Water Services Regulation Authority (OFWAT)	111	15	1	0	0	14

**Notes**

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

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

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

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

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

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

**TABLE 5**  
**Exemptions (FOI) and exceptions (EIRs) applied by monitored bodies when withholding non-routine information requested during 2009**

Government body	Total requests where one or more exemptions / exceptions were applied <sup>1</sup>	Exemptions listed in Part 2 of the FOI Act																			All EIR exemptions				
		S.22 - Information intended for future publication	S.23 - Information supplied by, or relating to, bodies dealing with security matters	S.24 - National security	S.26 - Defence	S.27 - International relations	S.28 - Relations within the United Kingdom	S.29 - The economy	S.30 - Investigations and proceedings conducted by public authorities	S.31 - Law enforcement	S.32 - Court records, etc.	S.33 - Audit functions	S.34 - Parliamentary privilege	S.35 - Formulation of Government policy, etc.	S.36 - Prejudice to effective conduct of public affairs	S.37 - Communications with Her Majesty, etc. and honours	S.38 - Health and Safety	S.39 - Environmental information	S.40 - Personal information	S.41 - Information provided in confidence		S.42 - Legal professional privilege	S.43 - Commercial interests	S.44 - Prohibitions on disclosure	
<b>TOTAL for all monitored bodies</b>	<b>8,754</b>	<b>554</b>	<b>178</b>	<b>98</b>	<b>81</b>	<b>354</b>	<b>10</b>	<b>73</b>	<b>909</b>	<b>644</b>	<b>203</b>	<b>16</b>	<b>1</b>	<b>556</b>	<b>293</b>	<b>53</b>	<b>251</b>		<b>3,853</b>	<b>589</b>	<b>247</b>	<b>666</b>	<b>673</b>	<b>308</b>	
<b>TOTAL for Departments of State only</b>	<b>4,081</b>	<b>478</b>	<b>150</b>	<b>96</b>	<b>81</b>	<b>287</b>	<b>9</b>	<b>69</b>	<b>46</b>	<b>235</b>	<b>153</b>	<b>2</b>	<b>1</b>	<b>524</b>	<b>267</b>	<b>46</b>	<b>112</b>		<b>1,622</b>	<b>217</b>	<b>174</b>	<b>542</b>	<b>77</b>	<b>239</b>	
<b>TOTAL for other monitored bodies</b>	<b>4,673</b>	<b>76</b>	<b>28</b>	<b>2</b>	<b>0</b>	<b>67</b>	<b>1</b>	<b>4</b>	<b>863</b>	<b>409</b>	<b>50</b>	<b>14</b>	<b>0</b>	<b>32</b>	<b>26</b>	<b>7</b>	<b>139</b>		<b>2,231</b>	<b>372</b>	<b>73</b>	<b>124</b>	<b>596</b>	<b>69</b>	
<b>Departments of State</b>																									
Attorney General's Office	14	1	0	0	0	1	0	0	0	4	1	0	0	9	1	0	0		3	4	5	0	0	0	
Cabinet Office	182	50	21	15	7	11	0	2	0	6	0	1	0	46	7	16	4		64	13	9	9	1	0	
Communities and Local Government	153	20	0	1	0	0	0	0	0	4	0	0	0	15	11	1	2		29	3	5	14	0	70	
Department for Business, Innovation and Skills	209	32	1	2	1	28	4	1	14	6	0	0	0	37	24	5	4		103	34	13	70	3	4	
Department for Children, Schools and Families	133	16	0	0	0	2	0	0	0	2	0	0	0	27	50	2	34		45	7	5	10	1	0	
Department for Culture, Media and Sport #	85	11	0	0	0	1	0	0	0	0	1	0	0	28	11	2	0		22	14	3	16	0	0	
Department for Environment, Food and Rural Affairs	113	7	0	0	0	0	0	0	0	3	0	0	0	3	5	0	1		19	4	1	10	1	68	
Department for International Development	50	10	1	3	3	15	0	0	0	4	0	0	0	9	12	1	8		25	2	2	9	0	0	
Department for Transport #	353	23	6	7	0	5	0	1	13	34	2	0	0	15	16	0	2		140	22	27	72	36	43	
Department for Work and Pensions #	532	26	0	0	0	0	0	1	4	9	0	0	0	8	7	0	0		414	6	1	63	1	0	
Department of Energy and Climate Change	97	5	0	1	0	6	0	0	0	0	0	0	0	14	9	0	0		53	25	3	43	0	26	
Department of Health	252	45	0	0	0	5	0	0	2	3	0	0	0	50	15	1	0		93	9	7	40	4	0	
Export Credits Guarantee Department	10	1	0	0	0	2	0	0	0	0	0	0	0	1	1	0	0		3	2	1	3	0	3	
Foreign and Commonwealth Office	399	27	66	20	4	133	1	1	1	8	2	0	1	46	14	3	11		110	21	17	19	1	0	
HM Treasury	192	19	0	0	0	8	0	62	0	1	2	0	0	101	19	3	0		41	17	40	35	11	5	
Home Office	373	57	32	27	0	28	1	0	3	107	2	1	0	47	36	1	20		146	15	16	53	3	2	
Ministry of Defence #	316	38	16	16	66	28	1	0	9	10	0	0	0	19	4	7	14		104	13	13	49	9	18	
Ministry of Justice #	533	80	3	0	0	12	0	0	0	30	143	0	0	29	13	2	6		180	4	3	24	4	0	
Northern Ireland Office	61	8	4	4	0	1	1	0	0	4	0	0	0	8	5	0	6		22	2	0	3	2	0	
Scotland Office	19	2	0	0	0	1	1	0	0	0	0	0	0	10	7	1	0		5	0	3	0	0	0	
Wales Office	5	0	0	0	0	0	0	1	0	0	0	0	0	2	0	1	0		1	0	0	0	0	0	

See EIR exceptions - final column

2009 annual statistics on implementation in central government

TABLE 5 continued

Government body	Total requests where one or more exemptions / exceptions were applied <sup>1</sup>	Exemptions listed in Part 2 of the FoI Act																All EIR exemptions					
		S.22 - Information intended for future publication	S.23 - Information supplied by, or relating to, bodies dealing with security matters	S.24 - National security	S.26 - Defence	S.27 - International relations	S.28 - Relations within the United Kingdom	S.29 - The economy	S.30 - Investigations and proceedings conducted by public authorities	S.31 - Law enforcement	S.32 - Court records, etc.	S.33 - Audit functions	S.34 - Parliamentary privilege	S.35 - Formulation of Government policy, etc.	S.36 - Prejudice to effective conduct of public affairs	S.37 - Communications with Her Majesty, etc. and honours	S.38 - Health and Safety		S.39 - Environmental information	S.40 - Personal information	S.41 - Information provided in confidence	S.42 - Legal professional privilege	S.43 - Commercial interests
<b>Other bodies included in monitoring</b>																							
Central Office of Information	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Charity Commission	148	3	0	0	0	0	0	0	2	32	9	0	0	0	0	0	0	66	31	8	7	0	0
Child Maintenance and Enforcement Commission	53	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	51	1	0	0	0	0
Crown Prosecution Service	116	4	0	0	0	0	0	0	62	2	1	0	0	2	1	0	5	83	3	13	4	5	0
Debt Management Office	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0
Food Standards Agency	72	4	0	0	0	1	0	0	6	2	0	0	0	11	0	0	8	38	1	6	11	3	5
Health and Safety Executive	1,882	4	0	0	0	0	0	758	140	19	0	0	0	0	0	0	0	859	180	15	18	11	0
HM Land Registry	7	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	3	0	1	1	1	0
HM Revenue and Customs	399	7	1	1	0	0	2	2	29	0	0	0	6	1	0	3	47	11	8	9	272	0	0
National Archives	795	0	22	1	0	64	0	0	35	18	0	0	3	1	6	77	640	53	1	0	0	0	0
National Savings and Investments	21	5	0	0	0	0	1	0	0	0	0	0	0	0	0	0	3	0	0	8	4	0	0
Office for National Statistics	27	14	0	0	0	0	0	0	0	0	0	0	3	2	0	0	7	2	0	2	12	0	0
Office for Standards in Education	465	21	0	0	0	0	0	10	32	1	14	0	0	4	0	46	298	70	2	14	6	0	0
Office of Fair Trading	275	4	0	0	0	1	0	1	57	0	0	0	3	3	0	0	18	10	8	8	240	0	0
Office of Gas and Electricity Markets (OFGEM)	37	0	0	0	0	0	0	0	0	0	0	0	1	2	0	0	7	0	3	8	16	0	0
Office of Rail Regulation	25	0	0	0	0	0	0	9	0	0	0	0	0	0	0	0	9	0	0	2	5	0	0
Ordnance Survey	42	1	0	0	0	0	0	0	0	0	0	0	2	4	0	0	20	3	1	11	0	0	0
Royal Mint	11	1	0	0	0	0	1	0	0	0	0	0	0	0	1	0	2	0	0	7	0	0	0
Rural Payments Agency	73	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	8	0	0	0	0	64	0
Serious Fraud Office	26	3	0	0	0	0	0	13	7	1	0	0	1	1	0	0	2	1	0	1	0	0	0
Treasury Solicitor's Department	170	0	0	0	2	0	0	0	72	1	0	0	0	6	0	0	69	6	5	9	0	0	0
Water Services Regulation Authority (OFWAT)	28	2	5	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	2	4	21	0	0

Notes

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

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

TABLE 6

Outcomes of Internal Reviews<sup>1</sup> of non-routine information requests received by monitored bodies during 2009, where the requested information was initially withheld

Government body	Total Internal Reviews	Internal Reviews with known outcome (at time of end-of-year monitoring)	Of Internal Reviews with known outcome, number where initial handling of request was:			Percentage of Internal Reviews where initial handling was upheld in full
			Upheld in full	Upheld in part	Overturned	
<b>TOTAL for all monitored bodies</b>	<b>1,502</b>	<b>1,255</b>	<b>946</b>	<b>189</b>	<b>120</b>	<b>75%</b>
<b>TOTAL for Departments of State only</b>	<b>1,204</b>	<b>972</b>	<b>735</b>	<b>150</b>	<b>87</b>	<b>76%</b>
<b>TOTAL for other monitored bodies</b>	<b>298</b>	<b>283</b>	<b>211</b>	<b>39</b>	<b>33</b>	<b>75%</b>
<b>Departments of State</b>						
Attorney General's Office	13	11	11	0	0	*
Cabinet Office	135	71	64	5	2	90%
Communities and Local Government	38	33	23	7	3	70%
Department for Business, Innovation and Skills	47	42	28	9	5	67%
Department for Children, Schools and Families	45	43	40	3	0	93%
Department for Culture, Media and Sport #	13	10	5	3	2	*
Department for Environment, Food and Rural Affairs	37	37	23	8	6	62%
Department for International Development	17	12	10	2	0	*
Department for Transport #	107	104	70	20	14	67%
Department for Work and Pensions #	116	113	86	21	6	76%
Department of Energy and Climate Change	14	13	8	4	1	*
Department of Health	89	81	60	12	9	74%
Export Credits Guarantee Department	5	4	3	1	0	*
Foreign and Commonwealth Office	84	48	37	6	5	77%
HM Treasury	49	33	26	5	2	79%
Home Office	141	102	71	16	15	70%
Ministry of Defence #	65	56	31	15	10	55%
Ministry of Justice #	173	146	129	10	7	88%
Northern Ireland Office	11	10	7	3	0	*
Scotland Office	2	0	0	0	0	*
Wales Office	3	3	3	0	0	*

TABLE 6 continued

Government body	Total Internal Reviews	Internal Reviews with known outcome (at time of end-of-year monitoring)	Of Internal Reviews with known outcome, number where initial handling of request was:			Percentage of Internal Reviews where initial handling was upheld in full
			Upheld in full	Upheld in part	Overturned	
<b>Other bodies included in monitoring</b>						
Central Office of Information	0	0	0	0	0	*
Charity Commission	12	12	6	4	2	*
Child Maintenance and Enforcement Commission	21	20	16	0	4	*
Crown Prosecution Service	36	35	31	2	2	89%
Debt Management Office	0	0	0	0	0	*
Food Standards Agency	8	7	4	1	2	*
Health and Safety Executive	48	46	27	13	6	59%
HM Land Registry	3	2	2	0	0	*
HM Revenue and Customs	86	81	71	4	6	88%
National Archives	21	19	14	4	1	*
National Savings and Investments	6	6	6	0	0	*
Office for National Statistics	4	3	2	1	0	*
Office for Standards in Education	13	13	9	1	3	*
Office of Fair Trading	12	12	7	3	2	*
Office of Gas and Electricity Markets (OFGEM)	5	4	3	1	0	*
Office of Rail Regulation	3	3	1	2	0	*
Ordnance Survey	0	0	0	0	0	*
Royal Mint	2	2	0	1	1	*
Rural Payments Agency	6	6	4	1	1	*
Serious Fraud Office	2	2	2	0	0	*
Treasury Solicitor's Department	10	10	6	1	3	*
Water Services Regulation Authority (OFWAT)	0	0	0	0	0	*

**Notes**

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

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

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

TABLE 7

Duration of completed Internal Reviews<sup>1</sup> of non-routine information requests received by monitored bodies during 2009, where the requested information was initially withheld

Government body	Total Internal Reviews <sup>2</sup>	Internal Reviews with known outcome (at time of end-of-year monitoring)	Of completed Internal Reviews, number where the duration of the review period was:				
			10 days or less	Between 11 and 20 days	Between 21 and 40 days	Between 41 and 60 days	More than 60 days
<b>TOTAL for all monitored bodies<sup>2</sup></b>	<b>1,454</b>	<b>1,209</b>	<b>145</b>	<b>376</b>	<b>366</b>	<b>145</b>	<b>177</b>
As a percentage of total requests received <sup>3</sup>	4.3%	3.6%	0.4%	1.1%	1.1%	0.4%	0.5%
<b>TOTAL for Departments of State only</b>	<b>1,204</b>	<b>972</b>	<b>122</b>	<b>284</b>	<b>287</b>	<b>116</b>	<b>163</b>
As a percentage of total requests received <sup>4</sup>	5.1%	4.1%	0.5%	1.2%	1.2%	0.5%	0.7%
<b>TOTAL for other monitored bodies<sup>2</sup></b>	<b>250</b>	<b>237</b>	<b>23</b>	<b>92</b>	<b>79</b>	<b>29</b>	<b>14</b>
As a percentage of total requests received <sup>3</sup>	2.4%	2.3%	0.2%	0.9%	0.8%	0.3%	0.1%
<b>Departments of State</b>							
Attorney General's Office	13	11	5	4	2	0	0
Cabinet Office	135	71	4	13	25	9	20
Communities and Local Government	38	33	0	26	6	1	0
Department for Business, Innovation and Skills	47	42	4	6	14	9	9
Department for Children, Schools and Families	45	43	0	4	12	16	11
Department for Culture, Media and Sport #	13	10	0	0	8	1	1
Department for Environment, Food and Rural Affairs	37	37	6	16	8	6	1
Department for International Development	17	12	1	9	2	0	0
Department for Transport #	107	104	17	47	31	4	5
Department for Work and Pensions #	116	113	26	46	35	3	3
Department of Energy and Climate Change	14	13	0	2	4	3	4
Department of Health	89	81	21	24	16	10	10
Export Credits Guarantee Department	5	4	0	1	1	0	2
Foreign and Commonwealth Office	84	48	8	9	14	7	10
HM Treasury	49	33	1	6	10	4	12
Home Office	141	102	2	3	33	20	44
Ministry of Defence #	65	56	4	4	27	7	14
Ministry of Justice #	173	146	20	62	36	15	13
Northern Ireland Office	11	10	0	2	3	1	4
Scotland Office	2	0	0	0	0	0	0
Wales Office	3	3	3	0	0	0	0

TABLE 7 continued

Government body	Total Internal Reviews	Internal Reviews with known outcome (at time of end-of-year monitoring)	Of completed Internal Reviews, number where the duration of the review period was:				
			10 days or less	Between 11 and 20 days	Between 21 and 40 days	Between 41 and 60 days	More than 60 days
<b>Other bodies included in monitoring</b>							
Central Office of Information	0	0	0	0	0	0	0
Charity Commission	12	12	1	9	2	0	0
Child Maintenance and Enforcement Commission	21	20	1	9	6	2	2
Crown Prosecution Service	36	35	2	13	10	7	3
Debt Management Office	0	0	0	0	0	0	0
Food Standards Agency	8	7	1	4	2	0	0
Health and Safety Executive <sup>5</sup>	-	-	-	-	-	-	-
HM Land Registry	3	2	1	1	0	0	0
HM Revenue and Customs	86	81	13	21	33	11	3
National Archives	21	19	0	4	7	3	5
National Savings and Investments	6	6	0	4	2	0	0
Office for National Statistics	4	3	0	0	0	2	1
Office for Standards in Education	13	13	1	7	5	0	0
Office of Fair Trading	12	12	0	5	5	2	0
Office of Gas and Electricity Markets (OFGEM)	5	4	0	3	1	0	0
Office of Rail Regulation	3	3	0	3	0	0	0
Ordnance Survey	0	0	0	0	0	0	0
Royal Mint	2	2	0	1	1	0	0
Rural Payments Agency	6	6	1	1	2	2	0
Serious Fraud Office	2	2	0	2	0	0	0
Treasury Solicitor's Department	10	10	2	5	3	0	0
Water Services Regulation Authority (OFWAT)	0	0	0	0	0	0	0

**Notes**

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

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

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

3 - Excluding "on-hold" and "lapsed" requests, and all requests received by those monitored bodies which were not able to provide data on Internal Review durations in 2009.

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

5 - The Health and Safety Executive was not able to provide data on Internal Review durations in 2009.

TABLE 8

Outcomes of appeals to the Information Commissioner's Office (ICO)<sup>1</sup> about the handling of non-routine information requests received by monitored bodies during 2009

Government body	Total ICO Appeals	ICO Appeals with known outcome (at time of end-of-year monitoring)	Of ICO Appeals with known outcome, number where initial handling of request was:		
			Upheld in full	Upheld in part	Overturned
<b>TOTAL for all monitored bodies</b>	<b>206</b>	<b>78</b>	<b>51</b>	<b>11</b>	<b>16</b>
<b>TOTAL for Departments of State only</b>	<b>160</b>	<b>61</b>	<b>42</b>	<b>7</b>	<b>12</b>
<b>TOTAL for other monitored bodies</b>	<b>46</b>	<b>17</b>	<b>9</b>	<b>4</b>	<b>4</b>
<b><i>Departments of State</i></b>					
Attorney General's Office	2	1	0	0	1
Cabinet Office	25	8	5	1	2
Communities and Local Government	6	0	0	0	0
Department for Business, Innovation and Skills	4	1	1	0	0
Department for Children, Schools and Families	9	3	2	1	0
Department for Culture, Media and Sport #	3	1	0	0	1
Department for Environment, Food and Rural Affairs	2	0	0	0	0
Department for International Development	0	0	0	0	0
Department for Transport #	15	7	5	0	2
Department for Work and Pensions #	6	2	2	0	0
Department of Energy and Climate Change	2	0	0	0	0
Department of Health	12	6	3	1	2
Export Credits Guarantee Department	1	1	0	1	0
Foreign and Commonwealth Office	14	6	5	0	1
HM Treasury	2	0	0	0	0
Home Office	5	2	2	0	0
Ministry of Defence #	7	4	3	1	0
Ministry of Justice #	40	19	14	2	3
Northern Ireland Office	5	0	0	0	0
Scotland Office	0	0	0	0	0
Wales Office	0	0	0	0	0



TABLE 8 continued

Government body	Total ICO Appeals	ICO Appeals with known outcome (at time of end-of-year monitoring)	Of ICO Appeals with known outcome, number where initial handling of request was:		
			Upheld in full	Upheld in part	Overtured
<b><i>Other bodies included in monitoring</i></b>					
Central Office of Information	0	0	0	0	0
Charity Commission	0	0	0	0	0
Child Maintenance and Enforcement Commission	1	1	0	1	0
Crown Prosecution Service	7	0	0	0	0
Debt Management Office	0	0	0	0	0
Food Standards Agency	1	1	0	1	0
Health and Safety Executive	8	4	3	0	1
HM Land Registry	2	1	1	0	0
HM Revenue and Customs	5	2	2	0	0
National Archives	2	1	0	0	1
National Savings and Investments	0	0	0	0	0
Office for National Statistics	2	1	1	0	0
Office for Standards in Education	1	1	1	0	0
Office of Fair Trading	6	3	0	1	2
Office of Gas and Electricity Markets (OFGEM)	3	1	0	1	0
Office of Rail Regulation	0	0	0	0	0
Ordnance Survey	0	0	0	0	0
Royal Mint	0	0	0	0	0
Rural Payments Agency	3	1	1	0	0
Serious Fraud Office	1	0	0	0	0
Treasury Solicitor's Department	4	0	0	0	0
Water Services Regulation Authority (OFWAT)	0	0	0	0	0

**Notes**

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

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

TABLE 9

Duration of deadline extensions to allow for the consideration of Public Interest<sup>1</sup> which were applied to non-routine information requests received by monitored bodies during 2009

Government body	Total requests extended <sup>2</sup>	Extended requests processed in full (at time of end-of-year monitoring)	Of extended requests processed in full, number where the extension to the deadline was:						
			5 days or less	Between 6 and 10 days	Between 11 and 15 days	Between 16 and 20 days	Between 21 and 30 days	Between 31 and 40 days	More than 40 days
<b>TOTAL for all monitored bodies</b>	<b>1,551</b>	<b>1,323</b>	<b>161</b>	<b>154</b>	<b>126</b>	<b>322</b>	<b>155</b>	<b>129</b>	<b>276</b>
As a percentage of total requests received <sup>3</sup>	5.1%	4.4%	0.5%	0.5%	0.4%	1.1%	0.5%	0.4%	0.9%
<b>TOTAL for Departments of State only</b>	<b>1,478</b>	<b>1,257</b>	<b>155</b>	<b>139</b>	<b>122</b>	<b>294</b>	<b>151</b>	<b>125</b>	<b>271</b>
As a percentage of total requests received <sup>4</sup>	6.2%	5.3%	0.7%	0.6%	0.5%	1.2%	0.6%	0.5%	1.1%
<b>TOTAL for other monitored bodies</b>	<b>73</b>	<b>66</b>	<b>6</b>	<b>15</b>	<b>4</b>	<b>28</b>	<b>4</b>	<b>4</b>	<b>5</b>
As a percentage of total requests received <sup>3</sup>	1.1%	1.0%	0.1%	0.2%	0.1%	0.4%	0.1%	0.1%	0.1%
<b>Departments of State</b>									
Attorney General's Office	4	4	0	0	1	2	0	0	1
Cabinet Office	80	41	1	6	4	9	6	6	9
Communities and Local Government	60	57	0	2	7	35	4	4	5
Department for Business, Innovation and Skills	98	89	1	7	9	33	8	9	22
Department for Children, Schools and Families	30	30	2	4	2	2	4	12	4
Department for Culture, Media and Sport #	88	88	4	7	9	10	14	20	24
Department for Environment, Food and Rural Affairs	69	66	9	10	7	18	8	5	9
Department for International Development	36	29	2	5	4	2	8	2	6
Department for Transport #	69	60	7	13	11	21	1	0	7
Department for Work and Pensions #	31	29	1	0	1	17	9	0	1
Department of Energy and Climate Change	37	33	1	8	6	16	0	1	1
Department of Health	63	61	3	6	0	29	8	5	10
Export Credits Guarantee Department	2	2	0	0	0	1	0	1	0
Foreign and Commonwealth Office	203	156	13	23	16	43	17	18	26
HM Treasury	103	90	2	20	7	11	11	9	30
Home Office	224	193	16	15	23	31	28	21	59
Ministry of Defence #	190	151	83	10	8	8	9	3	30
Ministry of Justice #	42	41	4	0	3	3	8	5	18
Northern Ireland Office	33	21	1	2	3	2	7	3	3
Scotland Office	11	11	1	1	0	1	1	1	6
Wales Office	5	5	4	0	1	0	0	0	0

2009 annual statistics on implementation in central government

TABLE 9 continued

Government body	Total requests extended <sup>2</sup>	Extended requests processed in full (at time of end-of-year monitoring)	Of extended requests processed in full, number where the extension to the deadline was:						
			5 days or less	Between 6 and 10 days	Between 11 and 15 days	Between 16 and 20 days	Between 21 and 30 days	Between 31 and 40 days	More than 40 days
<b>Other bodies included in monitoring</b>									
Central Office of Information	0	0	0	0	0	0	0	0	0
Charity Commission	2	2	1	1	0	0	0	0	0
Child Maintenance and Enforcement Commission	0	0	0	0	0	0	0	0	0
Crown Prosecution Service	4	4	2	0	1	1	0	0	0
Debt Management Office	0	0	0	0	0	0	0	0	0
Food Standards Agency	9	9	0	1	0	5	0	1	2
Health and Safety Executive <sup>5</sup>	-	-	-	-	-	-	-	-	-
HM Land Registry	0	0	0	0	0	0	0	0	0
HM Revenue and Customs	6	5	0	1	0	0	1	1	2
National Archives <sup>5</sup>	-	-	-	-	-	-	-	-	-
National Savings and Investments	1	1	0	0	0	0	1	0	0
Office for National Statistics	3	3	0	0	0	3	0	0	0
Office for Standards in Education	7	7	2	3	1	1	0	0	0
Office of Fair Trading	0	0	0	0	0	0	0	0	0
Office of Gas and Electricity Markets (OFGEM)	4	4	0	3	0	1	0	0	0
Office of Rail Regulation	12	10	0	5	1	1	1	1	1
Ordnance Survey	2	2	1	1	0	0	0	0	0
Royal Mint	0	0	0	0	0	0	0	0	0
Rural Payments Agency	20	16	0	0	0	15	0	1	0
Serious Fraud Office	1	1	0	0	0	1	0	0	0
Treasury Solicitor's Department	2	2	0	0	1	0	1	0	0
Water Services Regulation Authority (OFWAT)	0	0	0	0	0	0	0	0	0

Notes

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

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

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

3 - Excluding "on-hold" and "lapsed" requests, and all requests received by those other monitored bodies which were not able to provide data on PIT extension durations in 2009 (see footnote 5).

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

5 - The Health and Safety Executive and the National Archives were not able to provide data on PIT extension durations in 2009.

**TABLE 10**  
**Summary statistics, 2007 to 2009**

	Departments of State	Other monitored bodies	TOTAL
<b>Initial handling of requests</b>			
<b>Total number of non-routine information requests received by monitored bodies</b>			
2007	16,903	16,075	32,978
2008	19,175	15,775	34,950
2009	23,721	16,827	40,548
% change, 2008 to 2009	24%	7%	16%
<b>Proportion of requests received (excluding on-hold or lapsed<sup>1</sup>) where response was provided within 20-day deadline<sup>2</sup></b>			
2007	79%	90%	90%
2008	76%	89%	89%
2009	75%	91%	82%
<b>Proportion of requests received (excluding on-hold or lapsed<sup>1</sup>) where response was provided "in time"<sup>3</sup></b>			
2007	89%	93%	93%
2008	84%	93%	93%
2009	81%	94%	86%
<b>Proportion of "resolvable"<sup>4</sup> requests granted in full</b>			
2007	62%	64%	64%
2008	60%	61%	61%
2009	59%	57%	58%
<b>Proportion of "resolvable"<sup>4</sup> requests withheld in full<sup>5</sup></b>			
2007	22%	18%	18%
2008	21%	21%	21%
2009	23%	24%	23%
<b>Internal Reviews</b>			
<b>Total number of Internal Reviews<sup>6</sup> on non-routine information requests, where requested information was initially withheld</b>			
2007	659	198	857
2008	712	247	959
2009	1,204	298	1,502
<b>Proportion of Internal Reviews<sup>6</sup> with a known outcome where initial handling was upheld in full</b>			
2007	74%	74%	74%
2008	75%	81%	81%
2009	76%	75%	75%
<b>Appeals to the Information Commissioner</b>			
<b>Total number of appeals to the Information Commissioner's Office<sup>7</sup> on non-routine information requests received</b>			
2007	186	36	222
2008	117	36	153
2009	160	46	206

**Notes**

1 - 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.

2 - 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.

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

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

5 - "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.

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 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)

7 - 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.

2009 annual statistics on implementation in central government

**TABLE 11**  
**Monthly number of referrals made to the MOJ Central Clearing House by its customer bodies during 2009**

Referring Department	Month												Total
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	
Attorney General's Office	2	1	1	0	2	0	0	0	0	1	0	0	7
Cabinet Office	2	4	3	2	5	3	1	4	2	2	5	4	37
Charity Commission	0	0	0	0	0	0	1	0	0	0	0	0	1
Crown Prosecution Service	0	0	0	0	0	0	2	1	2	1	2	0	8
Department for Business, Innovation and Skills	10	19	7	2	2	3	3	5	11	3	3	4	72
Department for Children, Schools and Families	0	1	2	2	1	0	0	0	0	0	0	2	8
Department for Communities and Local Government	1	2	1	0	0	0	2	1	1	0	1	1	10
Department for Culture, Media and Sport	1	0	0	0	2	0	2	1	0	0	1	0	7
Department for Environment, Food and Rural Affairs	4	5	3	3	2	1	0	0	0	1	1	0	20
Department for Innovation, Universities and Skills	1	2	0	1	0	0	0	0	0	0	0	0	4
Department for International Development	2	1	1	0	0	0	0	0	2	0	0	1	7
Department for Transport	4	4	1	1	0	0	3	1	1	1	2	1	19
Department for Work and Pensions	1	1	1	1	0	0	0	1	0	1	1	0	7
Department of Health	2	4	1	1	1	0	3	0	2	1	2	1	18
Export Credits Guarantee Department	0	0	1	0	0	0	0	0	0	0	0	0	1
Food Standards Agency	1	1	0	0	0	0	0	0	0	0	0	0	2
Foreign and Commonwealth Office	19	3	17	11	7	6	4	11	8	6	13	1	106
Health and Safety Executive	1	3	2	1	0	1	2	1	2	1	0	2	16
HM Revenue and Customs	2	0	2	0	0	0	1	0	2	3	0	1	11
HM Treasury	1	2	3	2	2	1	0	1	0	0	0	0	12
Home Office	6	13	16	9	3	11	10	5	5	4	2	2	86
Ministry of Defence	7	17	5	7	4	6	3	1	2	6	2	2	62
Ministry of Justice	2	1	0	0	0	1	0	1	0	1	0	0	6
Northern Ireland Office	0	0	0	0	1	2	0	0	3	2	0	0	8
Office of Government Commerce	1	0	0	1	0	1	0	0	0	1	0	0	4
Scotland Office	6	6	0	3	1	0	0	0	0	0	0	1	17
Serious Fraud Office	0	0	3	1	1	0	2	0	0	0	0	0	7
The National Archives	3	2	3	0	1	0	4	0	1	2	1	0	17
Other	2	3	1	1	0	1	1	1	1	0	1	0	12

**Notes**

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

## Notes on the tables

### Consistency between tables

Statistical tables shown in this report are based on either:

- Aggregates of the four quarterly monitoring returns completed for 2009 (Table 2)
- Annual data for the whole of 2009 collected separately at the end of the year (all other Tables).

For a number of monitored bodies, there are minor discrepancies between these two data sources in their reported numbers of FoI / EIR requests received. As a result the data given in table 2 is not fully consistent with that given in the other tables of this report. This issue mostly affects tables 1, 3 and 9.

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

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

The overall magnitude of these discrepancies is small. By way of illustration, the reported total number of requests received by monitored bodies during the year (excluding on-hold and lapsed requests) is 40,467 from quarterly data, and 40,548 from annual data - a difference of about 0.2%.

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

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

### **Defining the scope of Freedom of Information monitoring**

Section 1 of the Freedom of Information Act 2000 (Fol) 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 Fol Publication Schemes. All information released on request is covered by the Freedom of Information Act. However, it would be both uninformative and fundamentally unfeasible to count all such activity in departmental Freedom of Information monitoring returns.

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

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

## **Defining a request**

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

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

1. Which meets the criteria in section 8 of the Freedom of Information Act and if the request falls under the Environmental Information Regulations it includes requests made in any form or context, including oral requests; and

2. Which is a request for information that is not already reasonably accessible to the applicant by other means; and

(i) Which results in the release of one or more documents (in any media) or inclusion of extracts of documents in the information released; or

(ii) Results in information being withheld under an exemption or exception from the right of access (either the Freedom of Information Act or the Environmental Information Regulations); or

(iii) The request is not processed because the department estimates the cost of complying would exceed the appropriate limit in accordance with section 12 of the Freedom of Information Act; or

(iv) The request is not processed because the department is relying on the provisions of section 14 of the Freedom of Information Act; or

(v) Where a search is made for information sought in the request and it is found that none is held.”

## **Consistency of the statistics**

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

However, there is considerable variation in the way these bodies are structured and managed, and in the mechanisms that they have put in place to meet their obligations under the Freedom of Information Act. For example, some bodies operate a centralised Freedom of Information secretariat that co-ordinates responses to all information requests received.



Others give a greater degree of autonomy to individual work areas in the handing 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. However the statistics reflect the management and implementation of the FOI Act by each monitored body and can be compared on this basis.

In summary, it is important to note that:

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

### **Use 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 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 covered by the figures.

## **Annex B: Government bodies included in these statistics**

The formal monitoring work covers over 40 government bodies, including all major departments of state.

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

### **Coverage within the UK**

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

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

A full list of the bodies listed in the monitoring statistics during 2009 is shown below.

### **Departments of State**

- Attorney General's Office
- Cabinet Office
- Communities and Local Government
- Department for Business, Innovation and Skills
- Department for Children, Schools and Families
- Department for Culture, Media and Sport
- Department for Environment, Food and Rural Affairs
- Department for International Development
- Department for Transport
- Department for Work and Pensions
- Department of Energy and Climate Change
- Department of Health
- Export Credits Guarantee Department
- Foreign and Commonwealth Office

HM Treasury  
Home Office  
Ministry of Defence  
Ministry of Justice  
Northern Ireland Office  
Scotland Office  
Wales Office

**Other monitored bodies**

Central Office of Information  
Charity Commission  
Child Maintenance and Enforcement Commission  
Crown Prosecution Service  
Debt Management Office  
Food Standards Agency  
Health and Safety Executive and Commission  
HM Land Registry  
HM Revenue and Customs  
National Archives  
National Savings and Investments  
Office for National Statistics  
Office for Standards in Education (OFSTED)  
Office of Fair Trading  
Office of Gas and Electricity Markets (OFGEM)  
Office of Rail Regulation  
Ordnance Survey  
Royal Mint  
Rural Payments Agency  
Serious Fraud Office  
Treasury Solicitor's Department  
Water Services Regulation Authority (OFWAT)

## **Additional notes**

1. The following departmental changes occurred during the course of 2009.

The **Department for Business, Innovation and Skills (BIS)** was created on 5 June 2009, bringing together the responsibilities previously held by BERR and DIUS. The Q2 statistics for BIS include requests received by BERR and DIUS between 1 April and 4 June. The figures in Tables A, B and C for earlier quarters relate to requests received by BERR.

2. Cabinet Office figures include requests that were addressed to 10 Downing Street.
3. The statistics on requests received by the Debt Management Office (DMO) have been counted on a different basis from Q1 2009 onwards compared to earlier quarters. It was identified that the figures for 2008 and earlier years included a significant number of public enquiries which do not fall under the definition of “non-routine” used for these monitoring statistics. For Q1 2009 onwards, the DMO’s figures only report on “non-routine” information requests as required, but it has not been possible to revise figures for previous quarters. This definitional difference should be borne in mind when comparing DMO’s statistics for 2009 with those for earlier periods.
4. The figures provided by a number of Departments of State count the non-routine information requests received by one or more of their agencies, as well those received by the departments themselves. The departments and agencies affected are shown below.

## **Department for Transport**

Figures include requests received by the following agencies:

Driving Standards Agency  
Driver and Vehicle Licensing Agency  
Government Cars Despatch 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**

Figures include requests received by the Criminal Records Bureau, the Borders and Immigration Agency, and the UK Passport Service. The latter agency was absorbed within the Identity and Passport Service from 1 April 2006.

### **Ministry of Defence**

Figures include requests received by the following agencies:

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

**Ministry of Justice**

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

## Explanatory notes

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

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

[www.foi.gov.uk/index.htm](http://www.foi.gov.uk/index.htm)

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

[www.defra.gov.uk/corporate/policy/opengov/eir/index.htm](http://www.defra.gov.uk/corporate/policy/opengov/eir/index.htm)

4. These statistics are derived from monitoring returns submitted to MoJ in February 2010. They relate to information requests received during the period 1 January to 31 December 2009. The collection of monitoring data began on the 21st working day after the last day of this period (i.e. on 1 February 2010), since 20 working days is the statutory deadline for public authorities to respond to information requests under both the Fol Act and the EIRs.

## Symbols and conventions

The following symbols have been used throughout the tables in this bulletin:

- = Not applicable
- 0 = Nil

## Contact points for further information

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.

Press enquiries on the contents of this bulletin should be directed to the Ministry of Justice press office:

### News desk

Tel: 020 3334 3536

Email: [newsdesk@justice.gsi.gov.uk](mailto:newsdesk@justice.gsi.gov.uk)

Other enquiries about these statistics should be directed to:

Justice Statistics Analytical Services  
Iain Bell – Head of Profession Statistics  
Ministry of Justice  
7th Floor  
102 Petty France  
London  
SW1H 9AJ  
Tel: 020 3334 3737  
Email: [statistics.enquiries@justice.gsi.gov.uk](mailto:statistics.enquiries@justice.gsi.gov.uk)

Other queries about the Freedom of Information Act 2000 should be directed to:

Information Directorate  
Ministry of Justice  
6th Floor  
102 Petty France  
London  
SW1H 9AJ  
Tel: 020 3334 3911  
Email: [informationrights@justice.gsi.gov.uk](mailto:informationrights@justice.gsi.gov.uk)

General enquiries about the statistical work of the Ministry of Justice can be e-mailed to: [statistics.enquiries@justice.gsi.gov.uk](mailto:statistics.enquiries@justice.gsi.gov.uk)

General information about the official statistics system of the UK is available from [www.statistics.gov.uk](http://www.statistics.gov.uk)





© Crown copyright  
Produced by the Ministry of Justice

Alternative formats are available on request from [statistics.enquiries@justice.gsi.gov.uk](mailto:statistics.enquiries@justice.gsi.gov.uk)