

## OFT Annual Report and Accounts 2013 to 2014

### Annexe G

#### Freedom of Information/Data Protection – 1 April 2013 to 31 March 2014

Under the Freedom of Information Act (FoIA), anybody can request information from a public authority, such as the OFT. The FoIA also requires such authorities to make information available through a publication scheme; the OFT's publication scheme set out a full list of published OFT information and details relating to its accessibility (much being available on the OFT website free of charge).

Our aim has been to be open and transparent about our work and provide as much information as possible, subject to legal constraints on our ability to disclose certain information received in the course of carrying out our duties. The law restricts enforcers' freedom to give details such as whether or not investigations are being undertaken (unless the information is already in the public domain), and whether complaints have been received about a trader. Such information is exempt from disclosure under the FoIA. Other information may also fall within exemptions under the FoIA, depending on the circumstances, for example where disclosing it would amount to an actionable breach of confidence, but in most other cases, we may withhold information only where we believe that doing so would better serve the public interest than disclosing it.

The FoIA statistics below have been collated in accordance with the requirements of the Ministry of Justice.

In total, the OFT received 324 requests for information under the FoIA.

Of these:

Number of Requests granted in full	-	113
Number of requests where advice and assistance were provided to the requester	-	35
Number of requests that were refused in full because the OFT does not hold any of it	-	25
Number of requests which were considered Vexatious	-	0

Number of requests refused because the cost of the response would exceed the cost threshold	-	11
Number of requests withdrawn	-	0
Number of requests where the OFT refused to provide some of the information	-	47
Number of requests where the OFT refused all of the information requested	-	93

We responded to 94 per cent of these requests within the statutory 20 working day period. We also received and responded to 15 appeals ('internal reviews') against non-disclosure of information; in all these cases the OFT's original decision was upheld, apart from one where it was partially upheld.

Where we decide not to disclose information following internal review, the requester has a right of appeal to the Information Commissioner's Office (ICO). During this period there were 7 such appeals to the ICO.

We also received 11 DPA requests in this time and all were dealt with within the statutory period.