



## MOD FOI/EIR Compliance Notes

### Initial Handling of Requests for information

#### CN11: Acknowledging and Clarifying Requests for Information

##### *Document history*

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##### *What this is about:*

This note provides an overview on how to acknowledge and clarify a request for information when you are unsure of the information that is being sought.

##### *Detail*

It is good practice to acknowledge the receipt of requests, so that applicants know their request has been received and is being handled. It is advisable to do this as soon as possible via the quickest written means possible.

- The acknowledgement should let the requester know who you are, that you will be handling their request and what legislative regime it is being handled under. If it is not FOI please refer to the relevant procedural guidance.
- It is also best practice to give the date by which a requester can expect a reply (this should be 20 working days from the day the request is received in the Department). ([See Section 5 - Template Letters](#))

If you are writing to the requester to ask them to clarify their request, you do not need to send a separate acknowledgement. If you are asking requesters to clarify their request you should do this as soon as possible.

#### **How to Clarify Requests for Information**

A valid request for information must describe the information requested. In the case of FOI requests this must be in writing (but not for EIR requests which can be made by telephone.)

- In some circumstances, applicants may not, at first, describe the information sufficiently for you to be clear about what they want and you may have to ask them for further clarification to identify the information that has been requested.
- “Clarification” of a request is quite distinct from “refinement” which is the process of modifying a request after the application of the section 12 exemption with the aim of helping the Department comply with a request within the appropriate cost limit. Avoid the use of the wrong terminology as this can lead to confusion.
- If you inform the requester that you are unable to comply with a request without clarification of the information being sought, then you are not obliged to comply until this is received.
- Where a request falls into this category, because it is ambiguous or does not describe adequately the information being sought, you are obliged to provide the applicant with advice and assistance to help them frame their request better but only so far as it is reasonable to do so.

## **MOD FOI/EIR Compliance Notes**

For further information – see the ICO's detailed guidance:

[http://www.ico.gov.uk/for\\_organisations/guidance\\_index/freedom\\_of\\_information\\_and\\_environmental\\_information.aspx](http://www.ico.gov.uk/for_organisations/guidance_index/freedom_of_information_and_environmental_information.aspx)