Freedom of Information Statistics in Central Government for 2019

This bulletin presents statistics on Freedom of Information (FOI) requests in central government for 2019, including key breakdowns by monitored body.

Key statistics:

In 2019 there were **49,439 FOI requests received** across all monitored bodies*. This is a decrease of 522 (-1%) on 2018.

Across all monitored bodies, **93% of requests** were responded to in time, up from 91% in 2018.

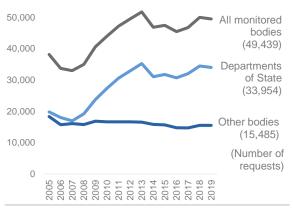
Of the 49,439 FOI requests received, 35,373 were resolvable. Of these **43% were granted in full, and 39% were withheld in full,** unchanged from 2018 levels. The remaining resolvable requests were not yet processed or were partially withheld.

Of the 19,311 requests withheld in full or in part, 31% were withheld due to the cost of response exceeding the statutory limit, 3% were withheld as vexatious or repeated, and the remaining 67% fell under other exemptions.



* A full list of monitored bodies included in these statistics is provided on page 20

Number of FOI requests by year since 2005 (see Table 1 (Expanded)) 60.000



Number of monitored bodies by their percentage of responses to requests in time since 2015 (see Table 5 and dataset)







2019 Annual Published 29 April 2020 Next publication in April 2021

Contacts

Lead Statistician: Marcus John-Baptiste Email: <u>foistatistics@cabinetoffice.gov.uk</u>

> Press enquiries: Ria Provin Tel: 078 0287 2657 Email: <u>Ria.Provin@cabinetoffice.gov.uk</u>

Contents

Introduction 2 Volume of requests 3-5 Timeliness of response 6-8 Outcomes of requests 9-13 Use of exemptions 14-17 Internal reviews and ICO appeals 18-19 Scope of monitoring 20 Notes 21-22

Introduction

The FOI Act 2000¹ and the associated Environmental Information Regulations² 2004 allow individuals to request information from public bodies.

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

The annual statistics report on:

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

Corrections and Revisions

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

Further analysis and methodology

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

National Statistics

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

All official statistics should comply with the Code of Practice for Official Statistics³. They are awarded National Statistics status following an assessment by the UK Statistics Authority's regulatory arm. The Authority considers whether the statistics meet the highest standards of Code compliance, including the value they add to public decisions and debate. FOI statistics were most recently assessed by the Authority during 2016, with continuing designation granted in June 2017.

Request for Feedback

We always welcome user feedback on our publications. We can be contacted at: <u>foistatistics@cabinetoffice.gov.uk</u>

¹ Full text of the FOI Act: www.legislation.gov.uk/ukpga/2000/36/contents

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

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



Volumes

- There were 49,439 FOI requests received across all monitored bodies in 2019
- The number of requests has decreased by 522 (-1%) from 2018
- There were 1,647 requests treated under the Environmental Information Regulations

The number of requests in 2019 was 49,439

- During 2019 there were 49,439 FOI requests received across all monitored bodies. This is a slight decrease of 522 (-1%) from 2018.
- Over two thirds of these (33,954) were at Departments of State
- The remaining 15,485 were received by other monitored bodies.

'Non routine' requests 1

The statistics in this bulletin relate to 'non-routine' information requests where:

i) It was necessary to take a considered view on how to handle the request under the terms of the Freedom of Information Act, and

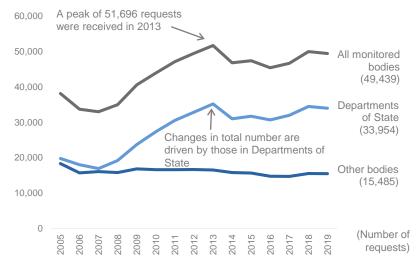
ii) Freedom of Information officers were informed of the request and logged it in their case management systems.

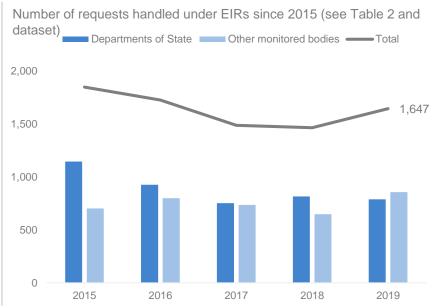
The number of requests handled under EIRs has risen by 12%

Environmental Information Regulations requests (EIRs)¹ Any recorded information that falls within the definition of 'environmental information' will be subject to the regulations in addition to the FOI act.

- Departments of State handled 790 requests under EIRs. A decrease of 27 (-3%) on 2018
- Over 2019, the number of requests handled under EIRs for other monitored bodies rose by 208 (+32%) since 2018.
- Since 2018, the number of FOI requests handled under EIRs has increased by 181 (+12%).

Number of FOI requests by year since 2005 (see Table 1 (Expanded))





¹ Please see the FOI Statistics quality and methodology information document for more information: https://www.gov.uk/government/statistics/foi-statistics-supporting-documents

4 FOI Statistics Bulletin 2019 Annual

Four departments received over half of FOI requests made to Departments of State

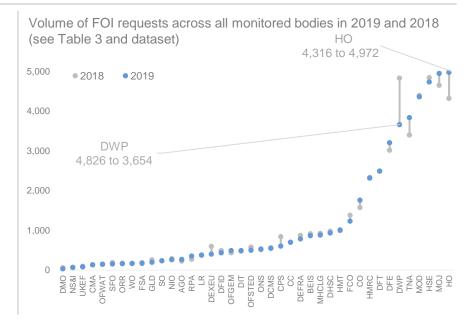
- During 2019, DWP, MOD, MOJ and HO made up the four largest Departments of State in terms of number of FOI requests for the sixth year in a row.
- Combined, they make up over half (53%) of FOI requests made to Departments of State.
- The Health and Safety Executive and The National Archives account for over half (55%) of requests to other monitored bodies.

Proportion of all FOI requests across all monitored bodies in 2019 (see Table 2)



The number of requests received decreased for 13 bodies, and increased for 27

- The proportion of requests accounted for by each monitored body has remained fairly stable over time.
- The largest decrease in requests amongst all monitored bodies since 2018 occurred at the Department for Work and Pensions (-1,172).
- The Home Office saw the largest increase on 2018 (+656).





Timeliness

- 93% of FOI requests were responded to in time
- The majority of monitored bodies (63%) responded to 95% or more of requests in time
- Across all monitored bodies the percentage of requests responded to in time ranged from 79% to 100%

93% of requests were responded to in time, up from 91% in 2018

Timeliness

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

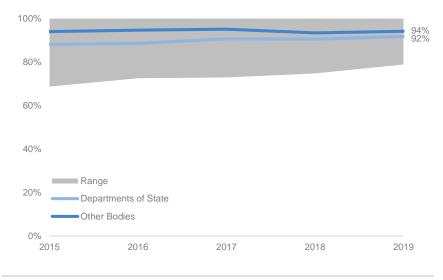
'In time' responses are those processed within the statutory deadline (20 working days) or subject to a permitted deadline extension, including:

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

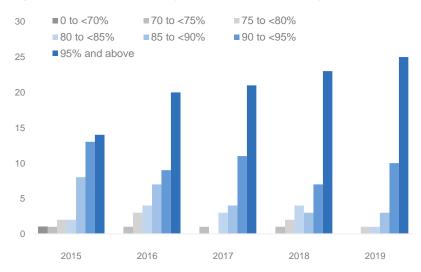
Across all monitored bodies, 93% of requests were responded to in time, up from 91% in 2018.

- Across all Departments of State 92% of requests were responded to in time, up from 91% in 2018.
- Across all other monitored bodies 94% of requests were responded to in time, up from 93% in 2018.
- Across all monitored bodies the percentage of requests responded to in time ranged from 79% to 100%.
- 25 monitored bodies responded to 95% or more of requests in time, up from 23 bodies in 2018.
- Some monitored bodies showed large changes in timeliness between 2018 and 2019 (see next page).

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



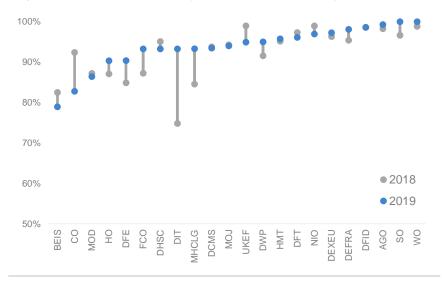
Number of monitored bodies by their percentage of responses to requests in time since 2015 (see Table 5 and dataset)



Statistical Note

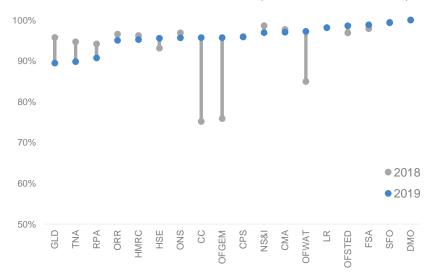
Where monitored bodies only receive a small number of requests they can demonstrate higher variability in their statistics.

FOI Statistics Bulletin 2019 Annual



Departments of State: Percentage of requests responded to in time by department in 2019 and 2018 (see Table 5 and dataset)

Other monitored bodies: Percentage of requests responded to in time by other monitored bodies in 2019 and 2018 (see Table 5 and dataset)



Timeliness of response to FOI requests in 2019 (see Table 4)

Departments of State

Other monitored bodies

	Met 20-day deadline	Permitted extension	Late R	esponse					
WO		99%							
SO	97%								
AGO	96%								
DFID		91% 8							
DEFRA		95%							
DEXEU		93%							
NIO DFT		91%		6	5%				
HMT		93% 94%							
DWP		94% 95%			5%				
UKEF		95% 81%		14%	5%				
MOJ		94%		1470	6%				
DCMS		<u> </u>		6%					
MHCLG		81%		12%	7%				
DIT		86%		7%	7%				
DHSC		90%		170	7%				
FCO									
DFE		87%			7% 10%				
HO		81%			10%				
MOD		79%	8		1%				
CO		78% 5% 17%							
BEIS		67%	12%	21%					
DMO		100%							
0 - 0									
SFO		96%							
SFO FSA		96% 92%			6%				
FSA					6%				
		92%			6% 				
FSA OFSTED LR OFWAT		92% 97%			6% 				
FSA OFSTED LR		92% 97% 96%			6% 				
FSA OFSTED LR OFWAT CMA NS&I		92% 97% 96% 94% 97% 97%			6% 				
FSA OFSTED LR OFWAT CMA NS&I CPS		92% 97% 96% 94% 97% 97% 94%							
FSA OFSTED LR OFWAT CMA NS&I CPS OFGEM		92% 97% 96% 94% 97% 97% 94% 93%							
FSA OFSTED LR OFWAT CMA NS&I CPS OFGEM CC		92% 97% 96% 94% 97% 97% 94% 93% 93%							
FSA OFSTED LR OFWAT CMA NS&I CPS OFGEM CC ONS		92% 97% 96% 94% 97% 97% 94% 93% 93% 95% 96%							
FSA OFSTED LR OFWAT CMA NS&I CPS OFGEM CC ONS HSE		92% 97% 96% 94% 97% 97% 94% 93% 93% 95% 95%							
FSA OFSTED LR OFWAT CMA NS&I CPS OFGEM CC ONS HSE HMRC		92% 97% 96% 94% 97% 97% 94% 93% 93% 95% 95% 95%							
FSA OFSTED LR OFWAT CMA NS&I CPS OFGEM CC ONS HSE HMRC ORR		92% 97% 96% 94% 97% 97% 93% 93% 95% 95% 95% 95% 91%							
FSA OFSTED LR OFWAT CMA NS&I CPS OFGEM CC ONS HSE HMRC ORR RPA		92% 97% 96% 94% 97% 97% 97% 93% 95% 95% 95% 95% 95% 91% 88%			5% 9%				
FSA OFSTED LR OFWAT CMA NS&I CPS OFGEM CC ONS HSE HMRC ORR		92% 97% 96% 94% 97% 97% 93% 93% 95% 95% 95% 95% 91%	23%						



Outcomes of FOI requests

Important Note: Additional measures for FOI outcomes

This bulletin provides additional statistics on FOI request outcomes.

Prior to the 2018 annual bulletin only the headline measure was presented where 'procedural refusals' within the statistics are classified as resolvable requests that have been fully withheld. 'Resolvable requests' are defined as all those where it is possible to make a substantive decision on whether to release the requested information. They exclude requests which are lapsed or 'on-hold', where the information is not held, and where it was necessary to provide advice and assistance since in each of these cases it would not have been possible to resolve the request in the form it was asked.

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

To better understand the impact on the statistics of classifying 'procedural refusals' as resolvable requests that have been 'fully-withheld', additional statistics are now presented on pages 12 and 13 that excludes 'procedural refusals' from resolvable requests and requests that have been 'fully-withheld'.

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

FOI outcomes: Headline measure classifying procedural refusals as resolvable requests that have been 'fully-withheld'

Almost three quarters of the 49,439 requests received in 2019 were resolvable, of which 43% were granted in full

49,439 requests were received in 2019. Of these:

35,373 (72%) of requests were resolvable.

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

- 15,168 were granted in full.
- 19,311 were withheld in full or in part, where:
- 276 were vexatious, as defined in Section 14 of the Act.
- 239 were repeated, as defined in Section 14 of the Act.
- 5,952 had a cost of response which exceeded the statutory limit as defined in Section 12 of the Act.
- 12,844 involved information subject to one of the exemptions and exceptions listed under Sections 22-44.
- 894 were not yet processed.

14,054 (28%) of requests were not resolvable.

Of these:

- 4,239 requests required further clarification prior to responding, and monitored bodies provided "advice and assistance" on how to reformulate the request.
- 9,815 involved information not held by the responding body.

12 (0.02%) were on hold at the time of monitoring.

Outcomes of FOI requests received in 2019 (see Tables 2, 6, 8, and dataset)



10 FOI Statistics Bulletin 2019 Annual

FOI outcomes: Headline measure classifying procedural refusals as resolvable requests that have been 'fully-withheld'

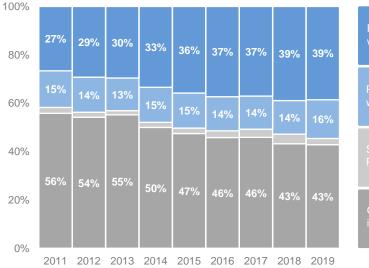
There is wide variation in the outcome of FOI requests across monitored bodies

Of resolvable requests:

- 43% were granted in full, unchanged since 2018.
- 16% were partially withheld, up from 14% in 2018.
- 39% were fully withheld, unchanged since 2018.

These outcomes varied across monitored bodies:

- Requests were granted in full 75% or more of the time at three bodies.
- · Four monitored bodies granted 25% or fewer requests in full.



Outcomes of FOI requests as a percentage of resolvable requests since 2015 (see Table 7a and dataset)

Fully withheld Partially withheld Still being Processed Granted in full

CPS

ORR

CMA

OFSTED

CC

0%

20%

40%

Outcomes of FOI requests as a percentage of resolvable requests in 2019 (see Table 6)

		Granted Not yet in full responded			Partially withheld			Fully withheld		d	
	WO	73%					5%	6	21%	, 0	
	SO	63%				12%			25%		
	DFE	58%				20% 22			22%	5	
	DFT	5			14%			31%			
	DWP	52		6%			42%				
	DFID	48%		10%				41%			
	MOD	46%			6%		16% 31%				
ate	AGO	45%		8%		47%					
Sta	MHCLG	39%			18%	% 41%					
of	HO	39%		10% 47%							
Its	MOJ	39%		11%	6			50 %			
Departments of State	NIO	38%		9%				54%			
artn	DEXEU	37%				31% 31%					
de	HMT	36%		17				46%			
õ	BEIS	34%	22%				43%				
	DHSC	33%	20%				46%				
	DIT	31%	25%				44%				
	DEFRA	30%	25%				45%				
	CO	27%	7% 14%				52%				
	DCMS	25%	25%				49%				
	FCO		24% 31%				42%				
	UKEF	23% 43% 30%									
	ONS			0.00/			_			00/	400/
	NS&I			80%						0%	10%
		79% 76%						9%	15%	7% 5%	
LR OFWAT							4.00				
	FSA	70%				<u> </u>					
	OFGEM	59% 55%			19%		25%		70		
	SFO	55% 48%						270	<u>25%</u> 37%		
es	HSE	45%				30%			317	24%	
odi	RPA	43%	1				25%				
Other bodies	DMO	41%			52%			7%			
the	HMRC	41%					54%				170
Ò	TNA	41%		11	%	1	15% 33%				
	GLD	40%			27%			33%			

Cabinet Office National Statistics

60%

65%

53%

41%

42%

80%

22%

100%

11 FOI Statistics Bulletin 2019 Annual

FOI outcomes: Additional measure excluding procedural refusals from resolvable requests that have been 'fully-withheld'

58% of the 49,439 requests received in 2019 were resolvable excluding procedural refusals, of which 52% were granted in full

49,439 requests were received in 2019. Of these:

28,906 (58%) of requests were resolvable excluding procedural refusals. Of these:

- 15,168 were granted in full.
- 12,844 were withheld in full or in part, involving information subject to one of the exemptions and exceptions listed under Sections 22-44.
- 894 were not yet processed.

6,467 (13%) of requests were procedural refusals.

Of these:

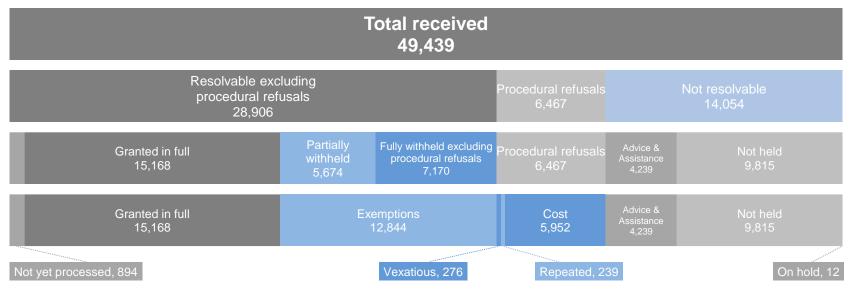
- 276 were vexatious, as defined in Section 14 of the Act.
- 239 were repeated, as defined in Section 14 of the Act.
- 5,952 had a cost of response which exceeded the statutory limit as defined in Section 12 of the Act.

14,054 (28%) of requests were not resolvable. Of these:

- 4,239 requests required further clarification prior to responding, and monitored bodies provided "advice and assistance" on how to reformulate the request.
- 9,815 involved information not held by the responding body.

12 (0.02%) were on hold at the time of monitoring.

Outcomes of FOI requests received in 2019 (see Tables 2, 6, 8, and dataset)



12 FOI Statistics Bulletin 2019 Annual

FOI outcomes: Additional measure excluding procedural refusals from resolvable requests that have been 'fully-withheld'

State

of

Departments

Other bodies

There is wide variation in the outcome of FOI requests across monitored bodies

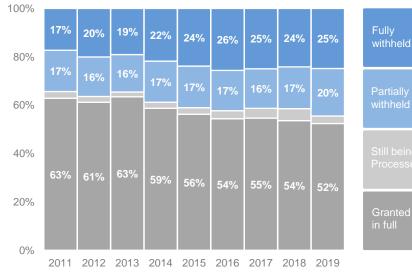
Of resolvable requests excluding procedural refusals:

- 52% were granted in full, down from 54% in 2018.
- 20% were partially withheld, up from 17% in 2018.
- 25% were fully withheld, up from 24% 2018.

These outcomes varied across monitored bodies:

- Requests were granted in full 75% or more of the time at five bodies.
- Only one monitored body granted 25% or fewer requests in full.

Outcomes of FOI requests as a percentage of resolvable requests excluding procedural refusals since 2015 (see Table 7b and dataset)



Outcomes of FOI requests as a percentage of resolvable requests excluding procedural refusals in 2019 (see Table 6)

	Granted in full			Partially withheld		Fully withheld			
WO		85	%			6% 9%			
SO		79%			1	5% 6%			
DFID		74%			16%				
DWP		68%		8% 24%					
DFE		67%			23%	9%			
DFT		62%		16%	%	20%			
MOD		58%		8%	21%	13%			
MOJ		57%		16%	2	6%			
NIO		56%		13%	309	%			
НО		55%	6	% 14%	2	6%			
AGO	5	2%	9	%	38%				
DHSC	50	1%		31%		18%			
HMT	489	%		23%	2	7%			
MHCLG	46%	, 0	21	%	32%	6			
BEIS	45%			29%		24%			
DEXEU	42%		36%		21%				
DIT	42%				2	26%			
DEFRA	39%		<u>33%</u> 32%			%			
DCMS	38%			38%		21%			
CO	34%	9%	17%		40%				
FCO	31%	6%	40%			23%			
UKEF	26%		49%			21%			
NS&I		81%		15%					
ONS		81%		10% 9					
LR		79%			9%				
OFWAT		71%			10%	19%			
FSA		68%		20%	25%	6%			
CPS		58%				22%			
OFGEM			<u>19%</u> 18%		23%				
SFO		56%				26%			
HMRC		53%				40%			
HSE	45%	,		30%	2	24%			
RPA		44%				24%			
GLD	43%		29	%	%				
DMO	43%	43%			54%				
TNA	41%		11%	15%	33%	33%			
ORR	33%			9%	18%				
CMA	32%		30%	% 38%					
		28% 34%							
CC	28%		34%		30 /0				
CC OFSTED		4%	34%	62%	30 /0				

FOI Statistics Bulletin 2019 Annual

13



Use of exemptions

- Section 40 (personal information) was cited in almost half of exemptions
- 2,649 requests were exempted under Section 21

Section 40 (personal information) was cited in 49.7% of exemptions

Exemptions

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

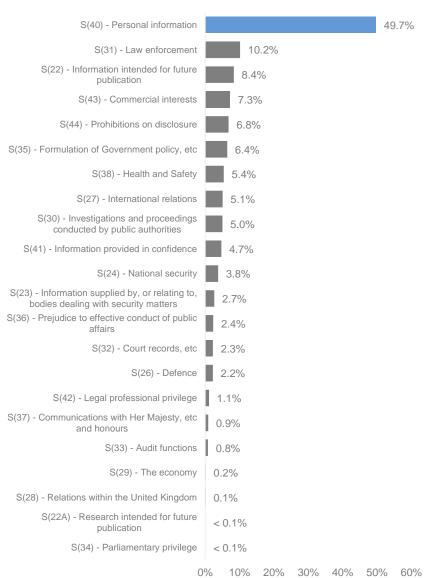
Of the 19,311 requests withheld in full or in part in 2019, 12,844 cited exemptions relating to the nature of the requested information as a cause for withholding the information, as listed under Sections 22-44 of the FOI act.

- Section 40 (covering personal information) was by far the most commonly cited exemption as in previous years, listed in 50% of exemptions.
- Section 31 (covering law enforcement) was cited in 10% of exemptions.
- Overall, no other exemption was cited in more than 10% of exemptions.

Use of exemptions differed across monitored bodies, reflecting the nature of the requests received (see the next page for a graph of the most frequently cited exemption for each body):

- Section 40 was the most commonly used exemption for 19 Departments of State and 11 other monitored bodies, including those with the largest volume of requests.
- Three Departments of State most frequently cited Section 35, covering formulation of government policy.
- Four other monitored bodies most frequently cited Section 44, covering prohibitions on disclosure.

Use of exemptions¹ in 2019, as a percentage of exempted requests (see dataset)



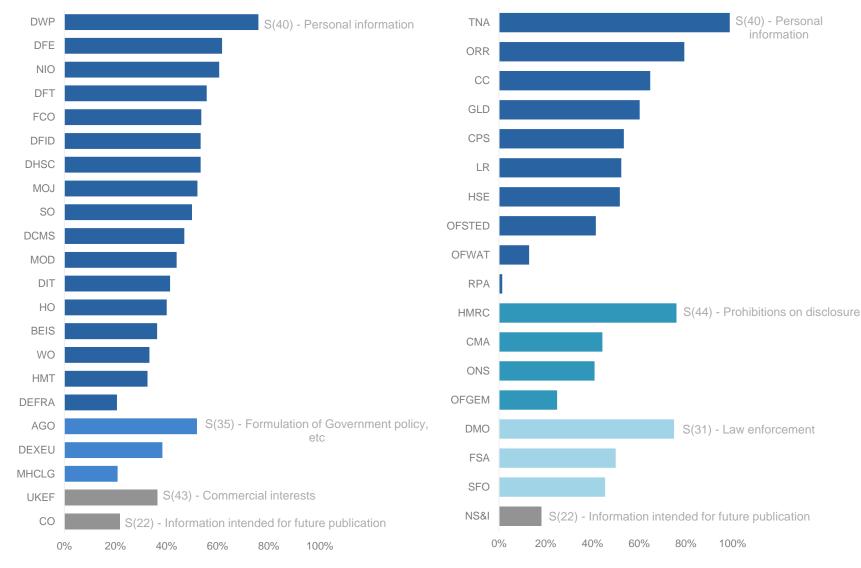
Statistical Note

Percentages for exemptions may sum to more than 100 as each request may cite multiple exemptions.

¹ Note that exceptions under EIRs are not included here

Most commonly used exemption¹ in 2019, as a percentage of exempted requests (see dataset)

Departments of State



Other monitored bodies

¹ Note that exceptions under EIRs are not included here

2,649 requests were exempted under Section 21

Section 21

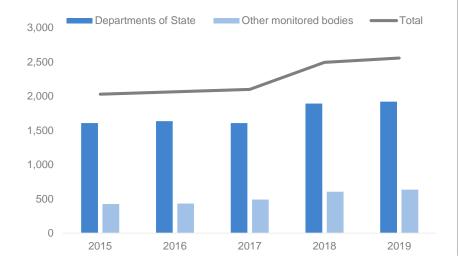
A Section 21 exemption can be used under the FOI Act when information is reasonably available by other means. Requests where a Section 21 exemption was the sole exemption used are reported separately because the FOI Act is not meant to act as a means to access data in the public domain.

- Across all monitored bodies 2,649 requests subject to a Section 21 exemption were reported.
- The number of reported Section 21 exemptions has continued to rise, increasing from 2,493 in 2018 to 2,555 in 2019.

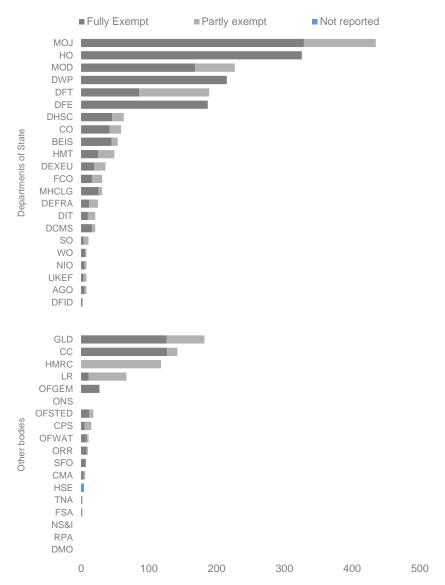
Statistical Note

Requests exempted under Section 21 are not counted in any other figures.

Number of requests subject to a Section 21 exemption in 2015-2019 (see Table 12 and dataset)



Number of requests subject to a Section 21 exemption in 2019 (see Table 10)



FOI Statistics Bulletin 2019 Annual



Internal reviews and known complaints to the ICO

The following section previously referred to "ICO appeals". This has now been amended to "known complaints to the ICO"

We have made this change so that the description of what is being reported on in these annual statistics is now more clearly defined and accurate. This is because:

-Statistics for how many complaints are referred to the ICO about the handling of requests is held by the ICO and reported on in their annual report (a parliamentary paper).

-Departments are not necessarily always aware of all the cases about them that are referred to the ICO. This is because the ICO has the discretion whether or not to accept a case and some of those will be ineligible for investigation (e.g. they are premature/or out of scope) or will be withdrawn before a department is made aware.

-The figures that departments report on are the number of cases where a complaint has been made to the ICO and the departments are made aware of that complaint. They are not therefore a complete picture of all possible complaints.

-The terminology used in the revised wording is that used in legislation and by the ICO. Decisions made by the ICO may be appealed to the upper tribunal and as such it is important to keep this legal distinction.

In addition, for this publication, no outcomes data for 2019 ICO complaints have been presented or collected. Outcomes data for the 2019 ICO complaints shown in this section will be collected and presented in the 2020 annual publication. We will then continue to present the outcomes data one year in arrears. This change has been made so that the proportion of complaints that have a reported outcome will be higher and more meaningful than in previous years.

13% of withheld requests were internally reviewed

Internal reviews

Requesters 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.

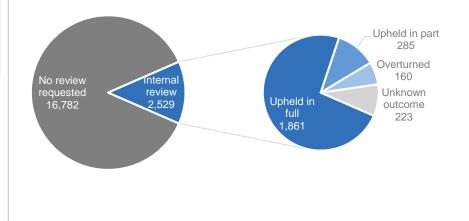
- An internal review was initiated for 2,529 (13%) of the 19,311 requests where information was initially withheld in 2019.
- Of these, the decision was overturned fully or partially in 445 cases (19% of those with a known outcome).
- Of reviews with a known outcome, 58% were completed within 20 days.
- Of the 543 internal reviews with an unknown outcome at the time of end of year monitoring in 2018, 51 were still incomplete at the time of end of year monitoring in 2019 (see Table 15).

There were 479 known complaints to the ICO in 2019

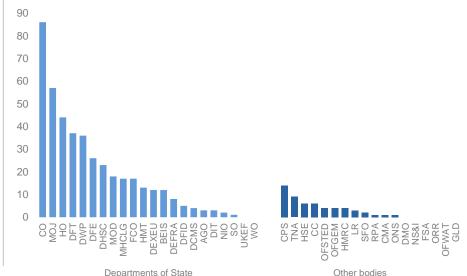
Known complaints to the Information Commissioner's Office (ICO) Requesters who remain dissatisfied with the outcome of a public authority's Internal Review can apply to the Information Commissioner for a decision on whether or not a public authority has handled their request properly.

- In total there were 479 known complaints to the ICO in 2019.
- For further details, and how to make a complaint: www.ico.gov.uk
- See also the Annual Tribunal statistics: www.justice.gov.uk/statistics/tribunals/annual-stats
- Outcomes data for the 2019 ICO complaints shown here will be collected and reported in the 2020 annual publication

Internal reviews of FOI requests where information was initially withheld in 2019 (see Table 11)



Number of cases known to be referred to the ICO in 2019 for FOI requests where information was initially withheld (see Table 14)



Cabinet Office National Statistics

19 FOI Statistics Bulletin 2019 Annual

Scope of monitoring

Bodies included in centrally monitored statistics

Кеу			Rural Payments Agency (RPA)		Defence Electronics and Components Agency
Departments of State (N=22)	Bodies included in monitoring by parent department (N=23)	Department for Environment Food and Rural Affairs (DEFRA)	Animal and Plant Health Agency		Defence Equipment and Support
Other Monitored bodies (N=13)	Bodies monitored seperately from parent department (N=5)		Centre for Environment, Fisheries	Ministry of Defence (MOD)	Defence Science and Technology Laboratory
	Unmonitored bodies (N=22)		and Rural Affairs Veterinary Medicines Directorate		Submarine Delivery Agency
	Crown Prosecution Service (CPS)	Department for Exiting the			UK Hydrographic Office
Attorney General's Office (AGO)	Serious Fraud Office (SFO)	European Union (DEXEU)			HM Courts and Tribunals Service
	Crown Prosecution Service Inspectorate	Department for International Development (DFID)			Legal Aid Agency
	Advisory Conciliation and Arbitration Service	Department for International Trade (DIT)		Ministry of Justice (MOJ)	HM Prison and Probation Service
	Companies House		Driver and Vehicle Licensing Agency		The Office of the Public Guardian
Business, Energy and Industrial	Insolvency Service	Department for Transport (DFT)	Driver and Vehicle Standards		Criminal Injuries Compensation Authority
Strategy (BEIS)	Met Office		Agency Maritime and Coastguard Agency		Autionty
	UK Intellectual Property Office			Northern Ireland Office (NIO)	
	UK Space Agency		Vehicle Certification Agency	UK Export Finance (UKEF)	
	Crown Commercial Service	Department for Work and Pensions (DWP)	Health and Safety Executive (HSE)	Scotland Office (SO)	
Cabinet Office (CO)	Government Equalities Office	Department for Health and Social	Medicines and Healthcare Products Regulatory Authority	Wales Office (WO)	
	Government Property Agency	Care (DHSC)	Public Health England	HM Revenue and Customs (HMRC)	Valuation Office
Ministry of Housing, Communities and Local Government (MHCLG)	Planning Inspectorate				Valuation Office
	Queen Elizabeth II Conference Centre	Foreign and Commonwealth Office (FCO)	FCO Services	Charity Commission (CC)	Competitions and Marketing Authority (CMA)
Department for Digital, Culture	cente	(100)	Wilton Park Executive	Food Standards Agency (FSA)	
Media and Sport (DCMS)	Education and Skills Funding	HM Treasury (HMT)	Debt Management Office (DMO)	The National Archives (TNA)	Office for National Statistics (ONS)
	Agency		Office for Budget Responsibility	Office for Standards in Education, Children's Service and Skills (OFSTED)	Office of Gas and Electricity Markets (OFGEM)
	Standards and Testing Agency		Government Internal Audit Agency	Office of Rail and Road (ORR)	Land Registry (LR)
	Teaching Regulation Agency Institute for Apprenticeships and Technical Education		National Infrastructure Commission	Water Services Regulation Authority (OFWAT)	National Savings and Investments (NS&I)

Cabinet Office National Statistics

20 FOI Statistics Bulletin 2019 Annual

Notes

See the quality and methodology information document for further detail

Defining the scope of FOI monitoring

Section 1 of the Freedom of Information Act 2000² 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 2004³ states that (subject to certain conditions):

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

Following their introduction on 1 April 2005, the above provisions apply to all relevant requests for information made to public authorities, no matter how routine and straightforward they may be.

Government departments supply large amounts of information, both on request and proactively, as an established and routine part of their business. This includes information released in the form of leaflets, correspondence exchanges, reports and other published material, and through websites and departmental FOI Publication Schemes. All information released on request is covered by the Freedom of Information Act, however it would be both uninformative and fundamentally unfeasible to count all such activity in departmental FOI monitoring returns.

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

1. It was necessary to take a considered view on how to handle the request under the terms of the Freedom of Information Act, and

2. Departmental Freedom of Information officer(s) were informed of the request and logged it in their case management systems.

More information can be found in our quality and methodology information document:

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

Defining a request

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

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

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

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

- (i) Which results in the release of one or more documents (in any media) or inclusion of extracts of documents in the information released; or
- (ii) Results in information being withheld under an exemption or exception from the right of access (either the Freedom of Information Act or the Environmental Information Regulations); or
- (iii) The request is not processed because the department estimates the cost of complying would exceed the appropriate limit in accordance with section 12 of the Freedom of Information Act; or
- (iv) The request is not processed because the department is relying on the provisions of section 14 of the Freedom of Information Act; or
- (v) Where a search is made for information sought in the request and it is found that none is held.'

¹ Quality and Methodology Information Document: https://assets.publishing.service.gov.uk/government/uploads/attachment_data/file/609515/FOI_Statistics_Quality_and_Methodology_Information_document.pdf ² Full text of the FOI Act: www.legislation.gov.uk/ukpga/2000/36/contents ³ Full text of the EIR regulations: http://www.legislation.gov.uk/uksi/2004/3391/made

Notes (continued)

See the quality and methodology information document for further detail

Consistency of the statistics

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

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

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

In summary:

- These statistics cover both 'non-routine' information requests, and 'routine' information requests which are answered under a Section 21 exemption. This does not give a representative picture of all requests for information received in government.
- (ii) There is likely to be a degree of inconsistency between monitored bodies' interpretations of the definition of an 'information request' for monitoring purposes. This should be borne in mind when using these statistics.

Coverage

The statistics in this bulletin have been derived from monitoring returns completed by Freedom of Information officers in government departments during February – March 2020.

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

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

The Freedom of Information (Scotland) Act 2002 applies to public bodies over which the Scottish Parliament has devolved jurisdiction, and as such lies outside the scope of the monitoring work on which this bulletin is based. However, Scottish parts of UK-wide bodies which are ordinarily under the remit of the Scottish Parliament act (such as the Forestry Commission) are subject to the UKwide 2000 act rather than Scottish Government's 2002 Act. A full list of the bodies covered by the monitoring statistics in 2019 can be found on page 8.

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

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

Users and uses of the statistics

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

¹ Quality and Methodology Information Document: https://assets.publishing.service.gov.uk/government/uploads/attachment_data/file/609515/FOI_Statistics_Quality_and_Methodology_Information_document.pdf