

Freedom of Information Statistics in Central Government for Q3 2020

This bulletin presents headline statistics for Freedom of Information (FOI) requests in central government for July to September 2020, including key breakdowns by monitored body.

Key statistics:

From July to September 2020 there were **11,042 FOI requests received** across all monitored bodies*. This is a decrease of 1,894 (-14.6%) from the same quarter in 2019 and represents the lowest number of FOI requests received in Q3 since 2016 (10,561).

Across all monitored bodies, **86% of requests were responded to in time**, down from 91% from the same period in 2019.

Of the 11,042 FOI requests received, 7,993 were resolvable. Of these, **40% were granted in full and 35% were withheld in full**. This is the same proportion for those granted in full and down from 40% for those withheld in full in the same period in 2019. The remaining resolvable requests were not yet processed or were partially withheld.

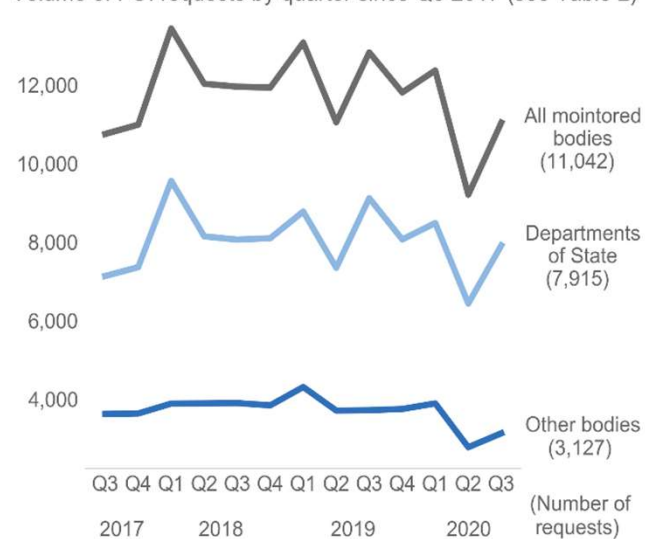
Of the 4,008 requests withheld in full or in part, 31% were withheld due to the cost of response exceeding the limit, 2% were withheld as vexatious or repeated, and the remaining 67% fell under other exemptions.

Coronavirus (COVID-19)

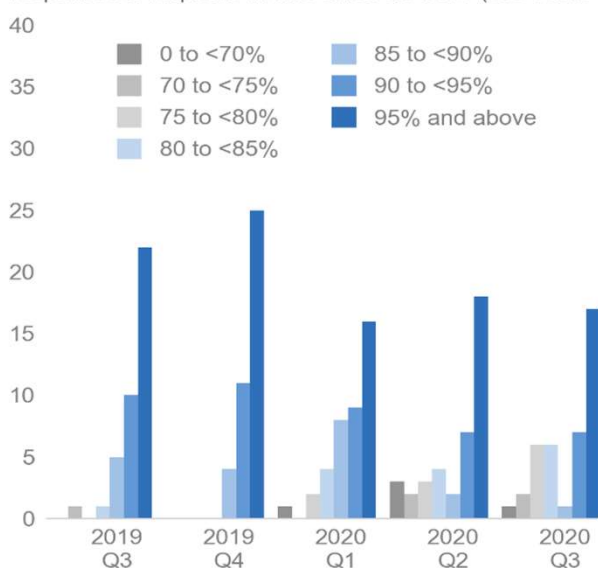
These data are affected by the coronavirus (COVID-19) pandemic in the UK. Take caution when interpreting these data and comparing them with previous time periods. More information is available in the notes section on page 11.

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

Volume of FOI requests by quarter since Q3 2017 (see Table 2)



Number of monitored bodies by their percentage of responses to requests in time since Q3 2019 (see Table 4)



Cabinet Office



Q3 July to September 2020

Published 16 December 2020

Next publication in April 2021

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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 quarterly statistics report on:

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

Corrections and Revisions

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

Further analysis and methodology

Summary information on the scope and methodology of monitoring is available at the end of this bulletin, with full details available in the quality and methodology information document³ published on the gov.uk website, along with previous versions of this bulletin: <https://www.gov.uk/government/collections/government-foi-statistics>

National Statistics

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

All official statistics should comply with the Code of Practice for Official Statistics⁴. They are awarded National Statistics status following an assessment by the UK Statistics Authority's regulatory arm. The Authority considers whether the statistics meet the highest standards of Code compliance, including the value they add to public decisions and debate. FOI statistics were most recently assessed by the Authority during 2016, with continuing designation granted in June 2017.

Request for Feedback

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

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/ukksi/2004/3391/made

³ Quality and Methodology Information Document:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/609515/FOI_Statistics_Quality_and_Methodology_Information_document.pdf

⁴ Code of Practice for Official Statistics:
<https://www.statisticsauthority.gov.uk/wp-content/uploads/2018/02/Code-of-Practice-for-Statistics.pdf>

Volumes

See Tables 1, 2

From July to September 2020 there were **11,042 FOI requests received** across all monitored bodies. This is a decrease of 1,894 (-14.6%) from the same quarter in 2019 and represents the lowest number of FOI requests received in Q3 since 2016 (10,561).

The majority (7,915) of these requests were at Departments of State, with the remaining 3,127 being received by other monitored bodies.

The Department for Health and Social Care, the Ministry of Defence, the Ministry of Justice, and the Home Office accounted for just under half (48%) of requests to Departments of State; while the Health and Safety Executive, National Archives and HM Revenue & Customs accounted for 60% of requests to other monitored bodies.

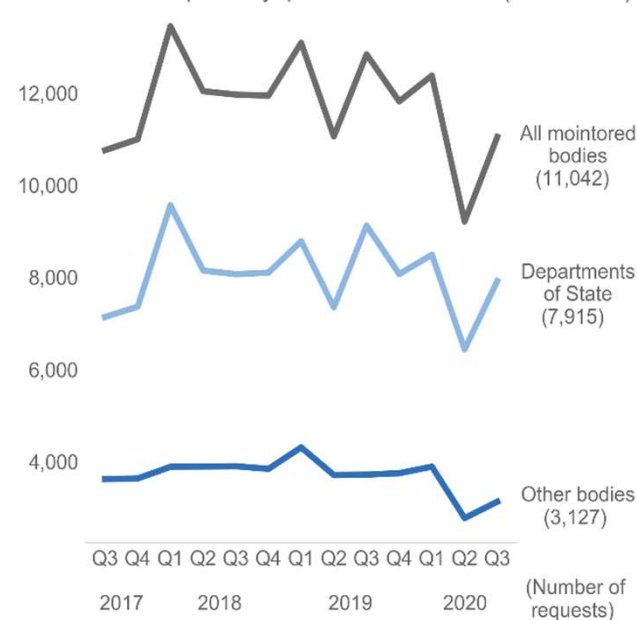
The majority (24) of monitored bodies saw a decrease in the number of FOI requests received, compared to the same period in 2019.

The Department for Health and Social Care had the largest increase in requests (+394) amongst all monitored bodies compared to the same period in 2019. The National Archives had the largest decrease across the same period (-453). The Department for Work and Pensions (-421) and Ministry of Justice (-326) saw similarly large drops in volume of requests.

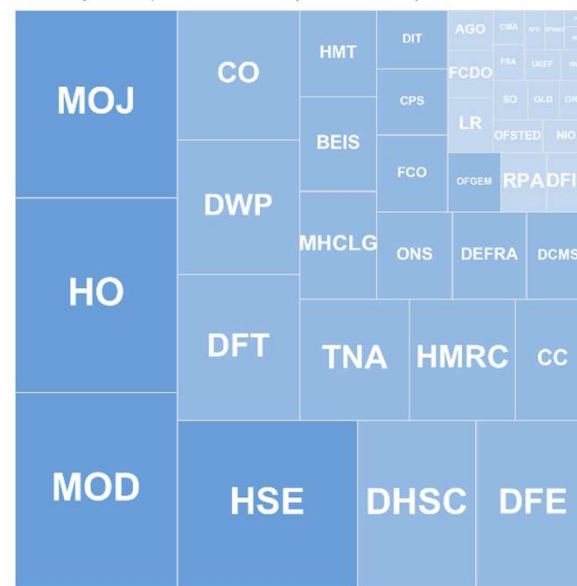
Statistical Note

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

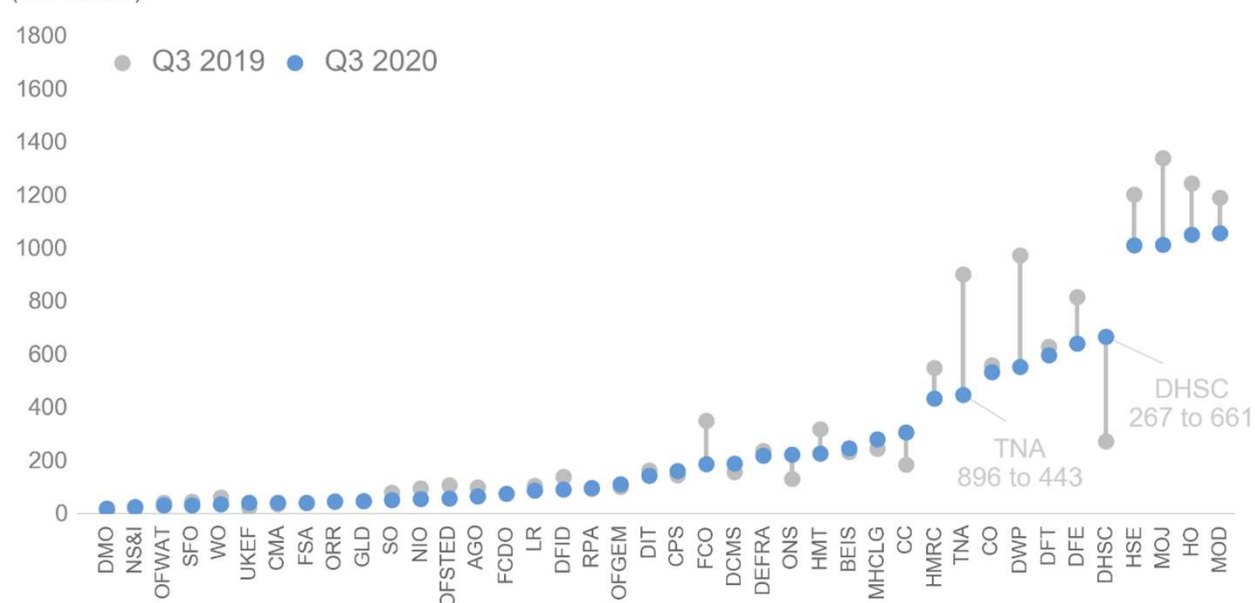
Volume of FOI requests by quarter since Q3 2017 (see Table 2)



Proportion of FOI requests across all monitored bodies in Q3 July to September 2020 (see Table 1)



Volume of FOI requests across all monitored bodies in Q3 July to September 2020 compared to Q3 July to September 2019 (see Table 2)



Timeliness

See Tables 3, 4

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.

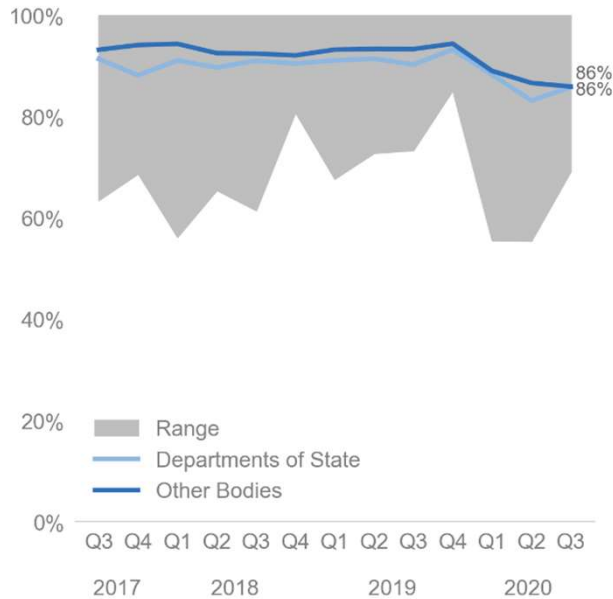
Across all monitored bodies, 86% of requests were responded to in time, down from 91% from the same period in 2019.

- Across all Departments of State 86% of requests were responded to in time, down from 90% from the same period in 2019.
- Across all other monitored bodies 86% of requests were responded to in time, down from 94% from the same period in 2019.

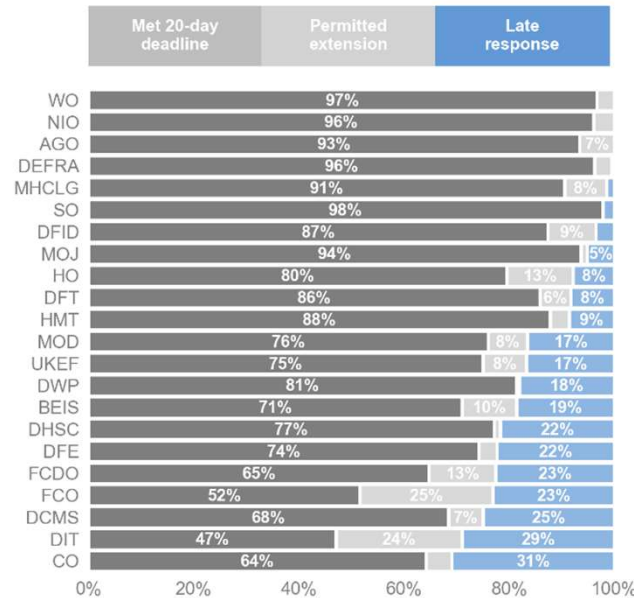
Statistical Note

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

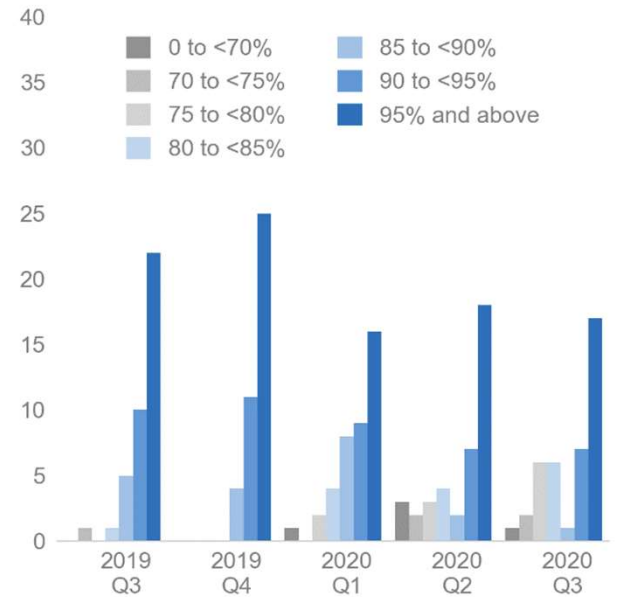
Percentage of responses to FOI requests in time across all monitored bodies since Q3 2017



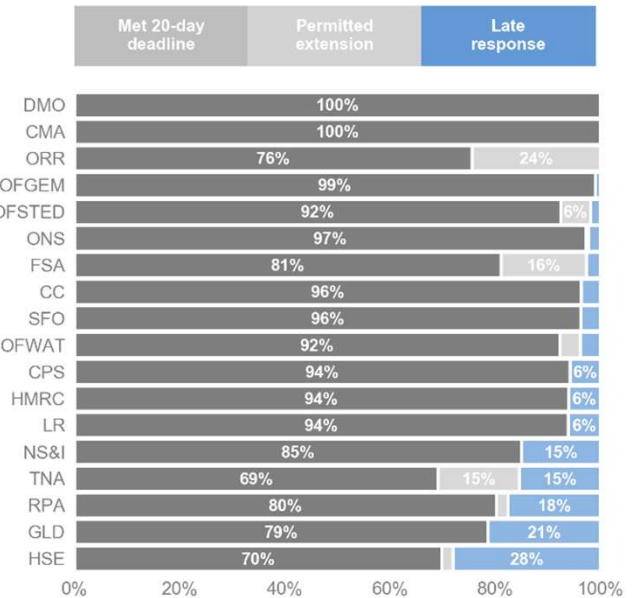
Departments of State: Timeliness of response to FOI requests (see Table 3)



Number of monitored bodies by their percentage of responses to requests in time since Q3 2019 (see Table 4)



Other monitored bodies: Timeliness of response to FOI requests (see Table 3)





Outcomes of FOI requests

Important Note: Additional measures for FOI outcomes

This bulletin provides additional statistics on FOI request outcomes.

Prior to the Q4 2018 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 page 7 that excludes 'procedural refusals' from resolvable requests and requests that have been 'fully-withheld'.

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

Outcomes

See Table 5, and dataset

11,042 "non-routine"* requests were received in July to September 2020. Of these:

7,993 (72%) were resolvable.

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

Of these:

- 3,208 were granted in full.
- 4,008 were withheld in full** or in part, where:
 - 33 were vexatious, as defined in Section 14 of the Act.
 - 67 were repeated, as defined in Section 14 of the Act.
 - 1,236 had a cost of response which exceeded the limit as defined in Section 12 of the Act.
 - 2,672 involved information subject to one of the exemptions and exceptions listed under Sections 22-44.
- 777 were not yet processed.

3,047 (28%) requests were not resolvable.

Of these:

- 809 requests required further clarification prior to responding, and monitored bodies provided "advice and assistance" on how to reformulate the request.
- 2,238 involved information not held by the responding body.

2 (0.0%) were on hold at the time of monitoring.

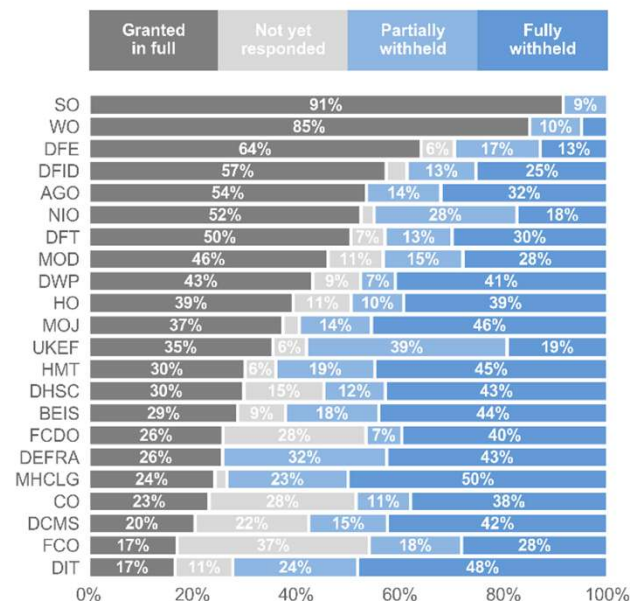
* See definition on page 10

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

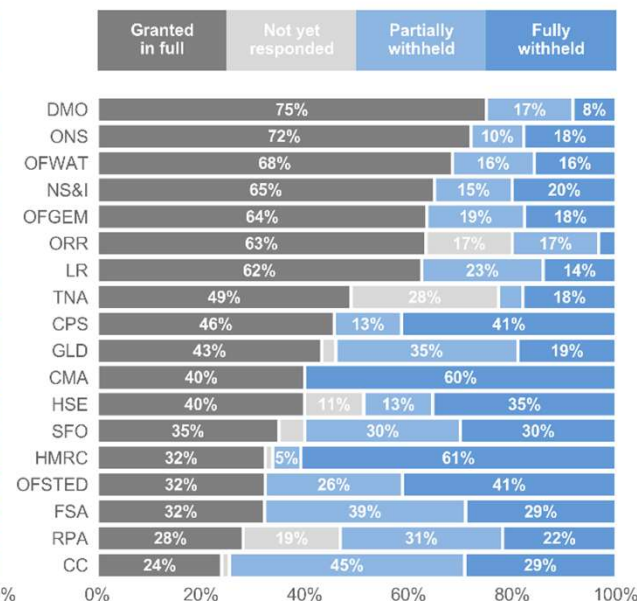
Outcomes of FOI requests received in Q3 July to September 2020 (see Table 5 and dataset)



Departments of State: Outcomes of FOI requests as a percentage of resolvable requests (see Table 5)



Other monitored bodies: Outcomes of FOI requests as a percentage of resolvable requests (see Table 5)



Outcomes

See Table 5, and dataset

11,042 "non-routine"* requests were received in July to September 2020. Of these:

6,657 (60%) were resolvable excluding procedural refusals.

Of these:

- 3,208 were granted in full.
- 2,672 were withheld in full or in part, involving information subject to one of the exemptions and exceptions listed under Sections 22-44.
- 777 were not yet processed.

1,336 (12%) were procedural refusals.

Of these:

- 33 were vexatious, as defined in Section 14 of the Act.
- 67 were repeated, as defined in Section 14 of the Act.
- 1,236 had a cost of response which exceeded the limit as defined in Section 12 of the Act.

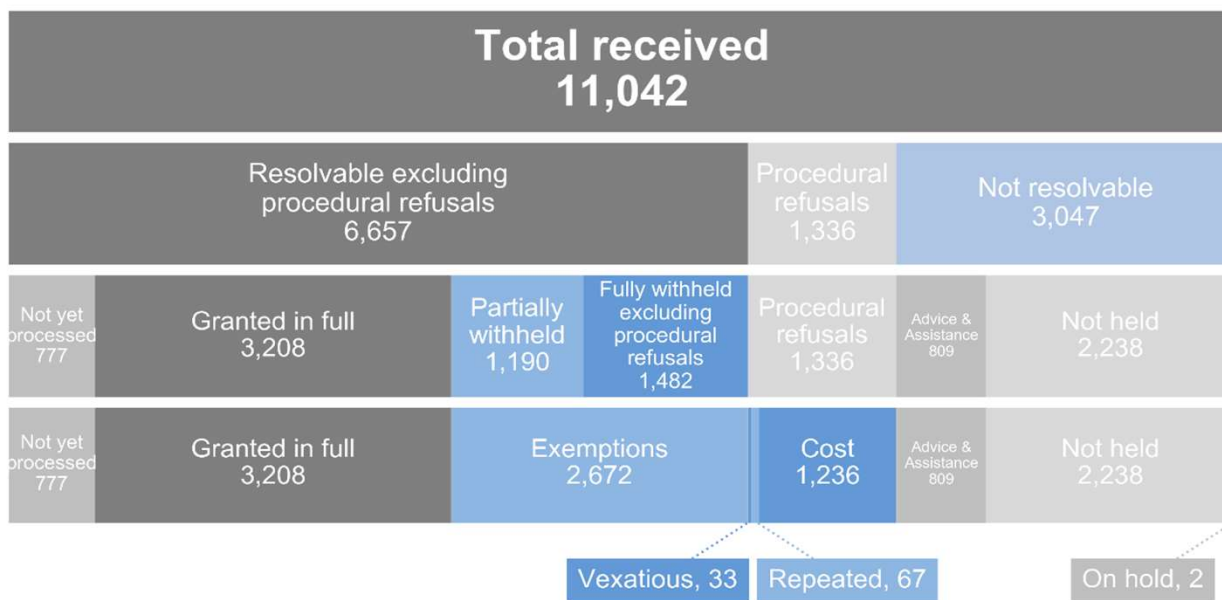
3,047 (28%) requests were not resolvable.

Of these:

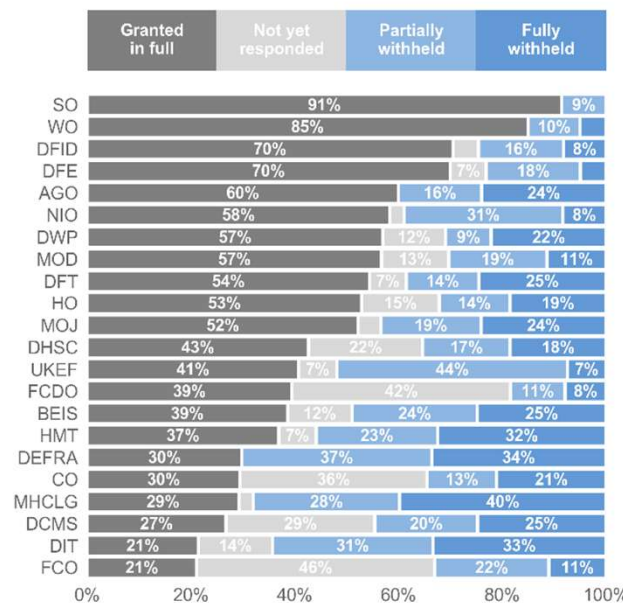
- 809 requests required further clarification prior to responding, and monitored bodies provided "advice and assistance" on how to reformulate the request.
- 2,238 involved information not held by the responding body.

2 (0.0%) were on hold at the time of monitoring.

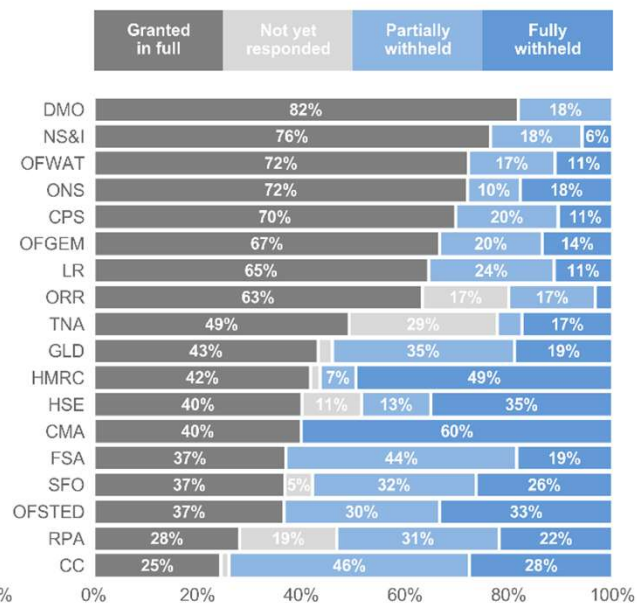
Outcomes of FOI requests received in Q3 July to September 2020 (see Table 5 and dataset)



Departments of State: Outcomes of FOI requests as a percentage of resolvable requests (see Table 5)



Other monitored bodies: Outcomes of FOI requests as a percentage of resolvable requests (see Table 5)



* See definition on page 10

Exemptions

See Table 8 and dataset

Exemptions

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

Of the 4,008 requests withheld in full or in part, **31% were withheld due to the cost of response** exceeding the statutory limit, 2% as vexatious or repeated, and the remaining 67% concerned exempt information. Of these, **Section 40 (covering personal information) was by far the most commonly cited**, as in previous quarters.

Section 21

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

Across all monitored bodies 693 requests subject to a Section 21 exemption were reported.

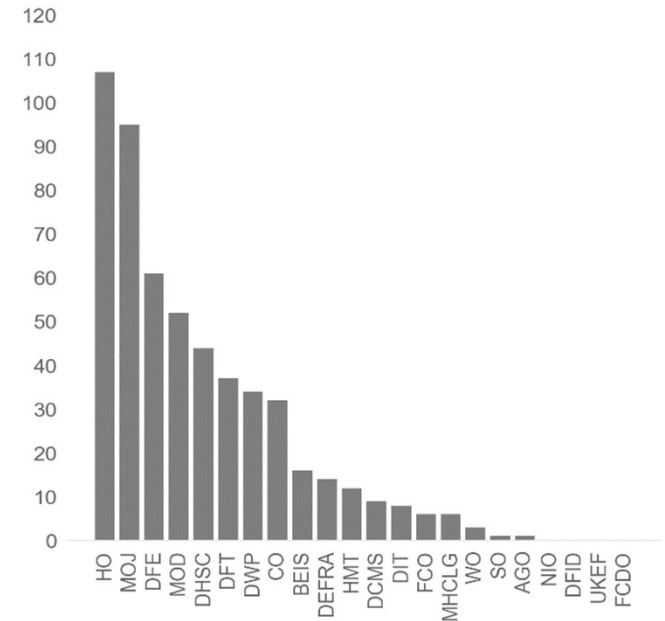
Statistical Notes

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

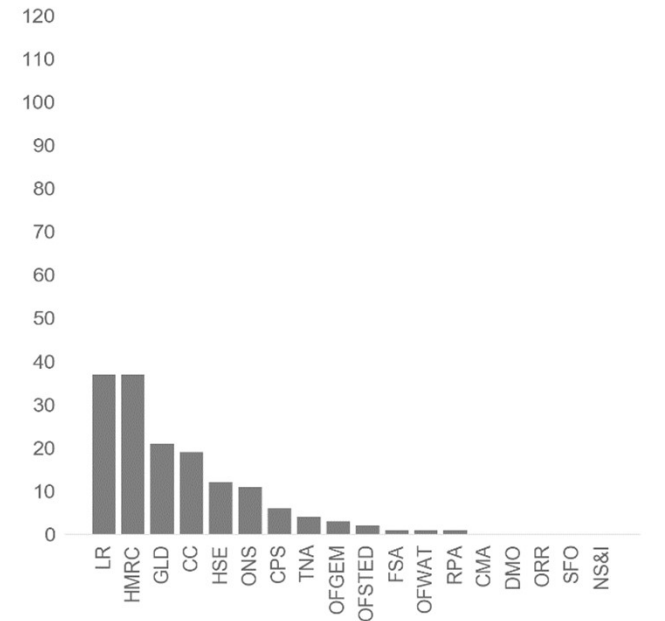
Use of exemptions¹ in Q3 July to September 2020, as a percentage of all exempted requests (see dataset)



Departments of State: Volume of requests subject to a Section 21 exemption in Q3 July to September 2020 (see Table 8)



Other monitored bodies: Volume of requests subject to a Section 21 exemption Q3 July to September 2020 (see Table 8)



¹ Note that exceptions under EIRs are not included here

Scope of monitoring

Bodies included in centrally monitored statistics

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

*FCO and DFID merged to form FCDO in September 2020 and are reported in these statistics separately as FCO and DFID prior to 2 September 2020 and as FCDO from 2 September 2020.

Notes

See the quality and methodology information document¹ 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.’

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

¹ Quality and Methodology Information Document: https://assets.publishing.service.gov.uk/government/uploads/system/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 document¹ for further detail

obligations under the FOI Act. For example, some bodies operate a centralised Freedom of Information secretariat that co-ordinates responses to all information requests received. Others give a greater degree of autonomy to individual work areas in the handling of information requests.

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

In summary:

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

Coverage

The statistics in this bulletin have been derived from monitoring returns completed by Freedom of Information officers in government departments during November 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 UK-wide 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: <http://www.gov.scot/About/Information/FOI/Reporting>. Note that there are several differences in the UK and Scottish FOI Acts which mean that the figures are not directly comparable.

Users and uses of the statistics

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

Coronavirus (COVID-19)

The impact of the coronavirus (COVID-19) pandemic will have affected a number of the statistics captured in this quarterly bulletin and in particular those on 'Timeliness' and 'Volumes'. These impacts will vary by organisation. Caution is advised when interpreting these statistics and in comparing them with previous time periods.

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