

# Freedom of Information

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## Headlines

- Councillors use FOI law to find out what is happening in their own council, p.17
- ICO publishes guidance for higher education authorities, p.19
- Role of FOI in Fox resignation, p.20

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## FOIA gets first appraisal

The Freedom of Information Act is about to undergo 'post-legislative scrutiny', examining how it is working in practice.

"Now that the Act has been in operation for nearly seven years it is right that it is examined to see how well it is operating," said Justice Minister Lord McNally, who announced the review during a recent speech.

The procedure will potentially have a crucial impact on the future development of freedom of information in the UK. Concerns have been raised by FOI campaigners on the one hand

and public bodies and private companies on the other, with the former concerned about how FOIA might be reigned in and the latter being nervous about how it might be further extended.

The Information Commissioner's Office is also concerned. Deputy Information Commissioner Graham Smith said that he was worried that FOI work might suffer disproportionately in an era of public spending cuts, a fear that many FOI officers share.

Lord McNally made it clear that the trade-off between costs and bene-

fits will be one important element in the scrutiny process. He said "the cost of Freedom of Information is something that the government is acutely aware of, especially in the current financial climate. I know that this is an issue of concern across the public sector.

"This is something we will be looking at during post-legislative scrutiny and officials at the Ministry of Justice are working with a broad range of public authorities across the public sector to assess the cost of compliance with the Freedom of Information Act to inform

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## FOIA is extended

The Freedom of Information (Designation as Public Authorities) Order 2011 came into force on 1st November 2011, adding three additional bodies as public authorities for the purposes of FOIA.

The Association of Chief Police Officers, the Financial Ombudsman Service and the Universities and Colleges Admissions Service are now all subject to FOIA's provisions. At the same time, the govern-

ment is consulting more than 200 further bodies about their inclusion in future orders, while pursuing primary legislation (the Protection of Freedoms Bill) to extend the scope of the Freedom of Information Act to more publicly owned companies.

Plans to extend FOIA were first detailed by the Deputy Prime Minister, Nick Clegg, during a speech he gave in January 2011. At that

time, Mr Clegg said that FOIA's scope was to be extended "to cover potentially hundreds more bodies".

During the debate of the Order, a number of points were made about its scope and the government's commitment to extend FOIA.

Conservative MP, Richard Shepherd, said "there are many other candidates for

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