

# Freedom of Information

Volume 12, Issue 4

March / April 2016

## Headlines

- Tribunal orders DWP to disclose Universal Credit reports, p.18
- Tribunal backs partial release of contract with BT for local broadband, p.19
- Council in FOI scrap over its ratings system for schools, p.20

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## It isn't over yet, say FOI critics

After months of controversy and speculation, the government has announced that there will be no legal changes to Freedom of Information legislation following its FOIA 'health check'.

When the Independent Commission on Freedom of Information was first formed in July 2015, and whilst it was considering evidence, it was widely predicted that the government would remove FOIA provisions seen as a 'nuisance'.

The 64 page report published on 1st March surprised everyone by setting out a mixture of

proposals — many of which would enhance FOIA.

The Commission firmly closed the lid on charging for FOIA requests, saying it would not be appropriate to introduce a request fee due to the potential deterrent effect this could have. This finding may come as a disappointment to many public authorities. Paul Gibbons discusses methods already available to reduce the costs of FOIA on pages 3-6 of this edition.

Among the report's recommendations is that the time extension for responding to FOIA

requests is limited to a further 20 working days only (in line with current ICO guidance), and only when the information is complex or voluminous or if third parties need to be consulted. Currently, the rules are that public authorities may extend for an uncapped period where requests require them to consider the public interest balance.

The report also recommends that public authorities carrying out internal reviews should complete them within 20 working days. The government is yet to announce whether

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## Graham's replacement reputed to be fierce custodian of FOI rights

The UK Culture Secretary John Whittingdale has confirmed Elizabeth Denham — current Commissioner of British Columbia — as the government's preferred candidate to replace Christopher Graham as UK Information Commissioner.

The announcement reportedly came as a surprise to the BC legislature which met recently to consider Denham's reap-

pointment. The committee expected that it would be offering Denham a second six-year term, before learning that she 'would be moving on to bigger and better things in the United Kingdom.'

A reporter for the *Vancouver Sun* commented:

*"During my three decades covering politics, I would rank Denham as one of the most effective of all*

*the independent watchdogs on government conduct.*

*"On the freedom of information side of her bailiwick, she documented the repeated failure of the B.C. Liberals to live up to their promises of openness and transparency, culminating in her watershed report, Access Denied, released last fall.*

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