

# Freedom of Information

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## Headlines

- Director’s update points to more supportive approach, p.17
- FOI is elbowed off the page, says campaign group, p.18
- MP pursues proper scrutiny of Cabinet Office FOI hub, p.19

## FOI-style provisions for social housing tenants closer to being reality

Tenants of housing associations and their representatives will soon be able to request information from landlords regarding the management of their social housing, after the new Social Housing Regulation Bill was laid before Parliament in early June.

The Bill implements reforms originally proposed in the Social Housing White Paper: Charter for Social Housing Residents. The White Paper came about after the Grenfell tragedy, and specifically the discovery that repeated concerns around is-

ssues such as fire safety were raised by residents of the tower, but never acted upon by the council and landlord of the block, the Kensington and Chelsea Tenant Management Organisation.

The changes being proposed will enable the Regulator of Social Housing to set standards around the provision of information and transparency, including a new ‘Access to Information’ Scheme. The provision of information to residents under the scheme will be based on financial metrics relating to how much providers are spending on

management costs and executive remuneration, and how income is being spent.

There will be a new requirement for providers to publish information and analysis relating to their compliance with regulatory standards. Further, the Regulator of Social Housing will be able to direct providers to collect, process and publish information concerning their performance.

Whilst there are still questions regarding how the Access to Information

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## Government aligns subject access regime with FOI request regime

The government has decided to continue with its proposal to align data protection law’s Subject Access regime with the Freedom of Information Act 2000, in what an expert is describing as an unnecessary curtailment on individuals’ rights.

The government intends to create a world class data rights regime with its Data Reform Bill. It is now clearer how this will look in practice, after the government recently (June

2022) published its response to the consultation it ran on the proposals.

The September 2021 consultation, *Data a New Direction*, proposed that the process for submitting Data Subject Access Requests should be aligned with that set out by the Freedom of Information Act 2000. Under FOIA, there are exemptions to the right of access’ allowing public authorities to deny requests for information.

“Taking into account views expressed as part of this question, as well as the question regarding the ‘manifestly unfounded’ threshold above, the government plans to proceed with changing the current threshold for refusing or charging a reasonable fee for a subject access request from ‘manifestly unfounded or excessive’ to ‘vexatious or excessive’, which will bring it in line with the

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