

# Freedom of Information

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## Headlines

- FCA brings in paralegals to tackle FOI backlog, p.18
- FOI reveals lobbying by BA owner to hide emissions data, p.19
- Caymans: FOI requests pick up after lockdown decline, p.20

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## “More support is on its way,” says ICO’s FOI Director

The ICO’s Director of FOI and Transparency, Warren Seddon, released another FOI update to coincide with UNESCO’s International Day for Universal Access to Information on 28th September 2022.

This year’s theme was artificial intelligence, e-Governance and access to information. As public bodies make increasing use of digital solutions to support online services and internal decision making, FOI regulators are keen to ensure that the use of these methods does not result in a lack of transparency.

Reflecting on the ICO’s role in this, Mr Seddon highlighted: “we are currently adapting the way we regulate the FOI Act so it is fit for the modern digital world. We recently published a report called ‘Behind the Screens’ (see the front cover of Volume 19, Issue 1) that highlights how the benefits of new technologies, including private messaging services, can be realised while ensuring public bodies remain accountable to the people they serve. We have also recruited a new team that is focusing on enhancing the support we offer to help public authorities

respond to FOI requests more efficiently.”

Mr Seddon also spoke to one of the promises in the ICO’s latest strategic plan, ICO25: to provide better support to public bodies. In order to make good on this, Mr Seddon said that the ICO’s new team needed to understand how public authorities are performing in line with their FOI statutory duties and what areas they specifically need help with. To do that, the ICO is planning to use the insights from its casework, engage with public organi-

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## Commissioner: Enforcement Notice clearly marks start of our new approach

The Information Commissioner’s Office has issued an enforcement notice to the Department for International Trade (‘DIT’) and a practice recommendation to the Department for Business, Energy and Industrial Strategy (‘BEIS’), for persistent failures to respond to information access requests within the statutory time limit.

The action is consistent with the ICO’s renewed approach to regulating the

Freedom of Information Act set out in its FOI and Transparency Regulatory Manual and strategic plan.

Commenting on the actions, John Edwards, UK Information Commissioner said: “For the first time in seven years, the ICO has issued a Freedom of Information enforcement notice, which clearly marks the start of our new approach to regulating the Act. I advise public authorities to take

note and learn lessons from the action we have taken, as we will be making greater use of our powers under the Act to drive good practice and compliance.”

The DIT was issued with an enforcement notice as a result of the significant drop in its performance, and because the delays that people experienced were simply due to internal process failings, ra-

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