The Information Commissioner’s Office (ICO) has issued a formal Practice Direction ordering the Department of Communities and Local Government (CLG) to improve its handling of requests made under the Freedom of Information Act 2000 (FOIA).

The Practice Direction was issued following an audit of a number of section 50 (‘application for decision by Commissioner’) complaints concerning the CLG.

The Information Commissioner Richard Thomas has advised the CLG to “ensure appropriate expertise and resources are in place to comply with the Act and conform to the associated Codes of Practice.” The Commissioner considered that, prior to the drafting of the Practice Direction, the CLG had “failed to demonstrate an appropriate level of commitment to improvement and failed to offer acceptable explanations for performance issues.”

One of the issues at the CLG is the backlog of requests for internal reviews. The Code of Practice entitled ‘Discharge of Public Authorities Functions under Part 1 of the FOIA’ states that such requests should usually be answered within 20 days. The Practice Direction stipulates that the CLG should “contact requesters with longstanding complaints to ascertain whether or not they still wish the Department to conduct an internal review.”

Other action recommended by the ICO includes a revisit of the foreword to the section 45 Code of Practice. That Code states that “larger (Continued on page 14)