

Freedom of Information

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Headlines

- Campaign group says ICO’s strategy contains ‘fundamental mis-characterisation’, p.19
- Police body wants to charge journalists ‘nominal fee’ to submit FOI requests, p.20

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Report shows some London PAs are not meeting FOI obligations

A new report by FOI advocacy body the Campaign for Freedom of Information has revealed that some London councils are failing to comply with the Freedom of Information Act’s time limits in as many as 40% of the requests they receive.

Public authorities are expected by the Information Commissioner to answer at least 90% of requests on time.

The report finds that 25 out of 34 London councils surveyed fell short of this target in 2017/18.

According to the campaign group, the scale of the problem has been obscured until now by the fact that many of the underperforming councils publish no statistics on their handling of requests.

In other findings from the report, some councils are deploying “special procedures” for handling requests likely to attract unwelcome publicity. The report further identifies errors in some councils’ internal guidance which could lead to requests being wrongly refused.

Some councils have been able to improve their FOI performance by using software which tracks requests and warns of approaching deadlines. Others have used alternative methods of monitoring their own performance or have made previously disclosed information available on their websites.

For example, Barnet Council says it deals with a third of all requests, and nearly three quarters of those about business rates and parking, by

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Hundreds of Brexit gagging orders taken out

The London Assembly has heard evidence regarding recent reports that the government has taken out ‘hundreds of gagging orders’ (NDAs) with companies involved in Brexit preparations.

The evidence was taken from the Chair of the London Resilience Forum and the Head of London Resilience — the bodies responsible for ensuring London’s preparedness in the event of emergencies. The Assembly was told

that London Resilience Forum staff have had to sign NDAs and that in some instances the orders are ‘overly bureaucratic’, ‘unreasonable’ and standing in the way of their duty to ‘warn and inform’ about issues posed by Brexit.

Len Duvall AM, Chair of the EU Exit Working Group said: “There are times when there needs to be confidentiality surrounding government business. Everyone would accept that. However, the

blanket use of non-disclosure agreements is causing problems with resilience issues relating to Brexit.

“It’s clear we need a common-sense approach. No one wants to get this wrong – but there are too many organisations saying they can’t work in a situation where sharing appropriate information is restricted.

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