

Freedom of Information

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Headlines

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- UK government being sued over refusal to publish details of COVID contracts, p.18
- UK local authorities lagging on digital record access, p.20

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ICO's report on timeliness contains lessons for all

The Information Commissioner's Office has released a 56-page report with recommendations for improving FOI response time in the police sector.

The report is the result of some monitoring of police bodies that the ICO has been doing since June 2018, and is ongoing. The monitoring came about after it became apparent that a number of police forces were struggling to meet their timeliness obligations as set out in FOIA, the GDPR and Data Protection Act 2018.

In order to understand the scale of the situation, the ICO engaged directly with some forces and with the National Police Chiefs Council ('NPCC').

The report recognises some of the challenges faced by the police sector in regards to meeting their legal obligations. It cites the introduction of the GDPR, the removal of a fee for Subject Access Requests ('SARs'), the reduction in the statutory timeframe in which to respond to SARs, the reduction in police resources and the pressures of COVID as all having impacted the

ability of police forces to respond to information access requests within the statutory time. As a consequence, the report is focused on assisting and improving rates of timeliness and sharing good practice and recommendations.

Anthony Luhman, Director of High Priority Investigations, Intelligence, Insight & Compliance and the Relationship Management Service at the ICO said: "Our detailed findings identify areas of good practice in meeting time limits for responding to

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'Orwellian' government unit obstructs FOI

The government is facing criticism and potential legal action after a practice of funneling FOI requests through a secretive 'Clearing House' unit in Michael Gove's office has emerged.

The existence of the Clearing House, which has been branded 'Orwellian', was revealed after news site OpenDemocracy published a report entitled 'Art of Darkness, how the government has been undermining FOI'.

The Clearing House, says the report, sees FOI requests from various Whitehall departments sent to Gove's office for approval before release, centralising control over what information the public are allowed to see.

The unit also reportedly shares information on the journalists making FOI requests and gives advice to other departments 'to protect sensitive information'. This amounts to 'blacklisting', according to one Shadow Minister.

It is understood journalists from the *Daily Mirror*, *the Guardian*, *The Times*, and the BBC, and researchers from charities and campaign groups are on the alleged 'black lists'.

Conservative MP David Davis called on government ministers to "explain to the House of Commons precisely why they continue" with a Clearing House operation that is "certainly against the spir-

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