

# **FREEDOM OF INFORMATION ACT**

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The public has the right to access information that is held by public sector (government funded) organisations. During the research stage of any media product, for example a news broadcast or report, access to this data can be freely requested.

Its remit covers all recorded information held by a public authority. It is not limited to official documents and it covers, for example, emails, recordings of telephone conversations and CCTV footage.

The Freedom of Information Act 2000 is an Act of the Parliament of the United Kingdom that creates a public "right of access" to information held by public authorities. It is the implementation of freedom of information legislation in the United Kingdom on a national level.

# Freedom of Information Act 2000

## 2000 CHAPTER 36

Pros  
Easier information access; greater public awareness of laws, rules, regulations, policies, and procedures; enhanced government efficiency and responsiveness; greater public participation in federal government affairs; enhanced public confidence in the federal government; and better quality information at reduced cost.

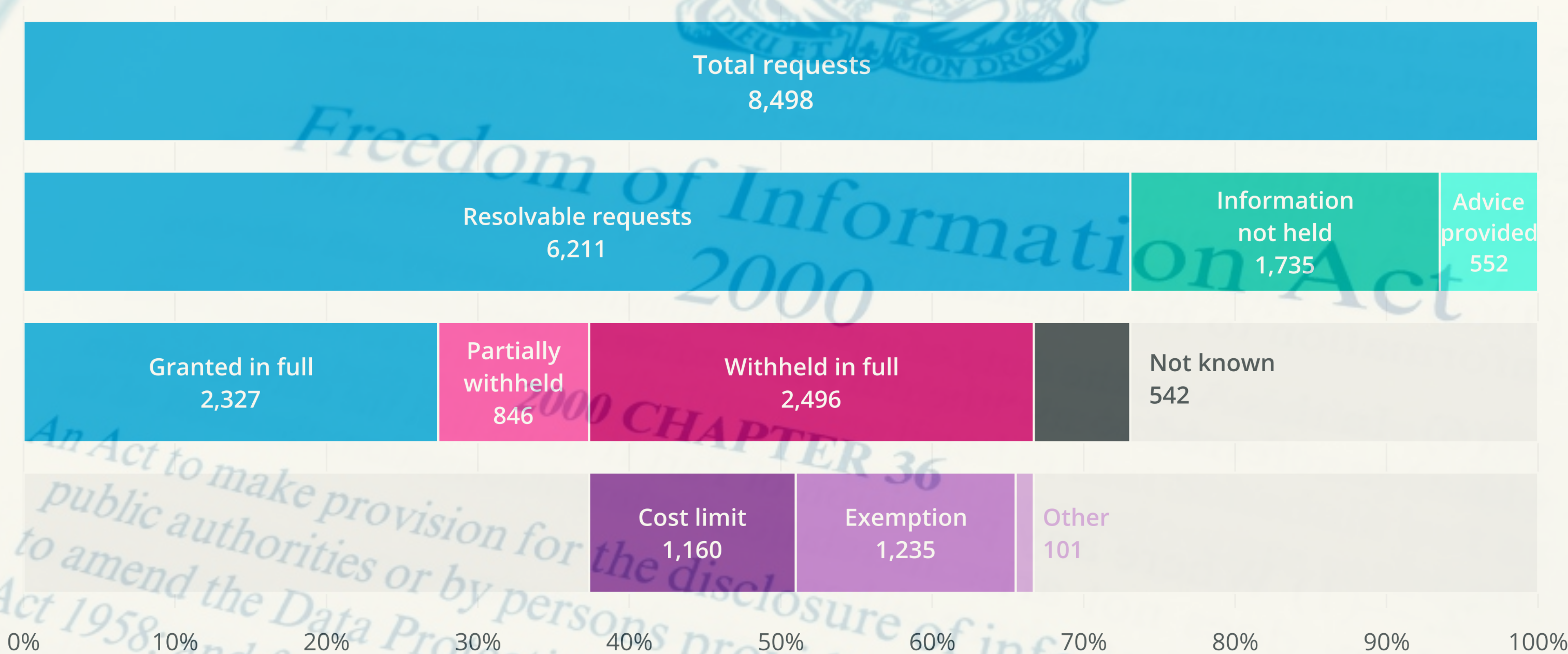
Cons  
Wastes time and resources  
Could expose secret operations by police and MI6  
Informs enemies of military strength and operations

Under the Freedom of Information Act and the Environmental Information Regulations you have a right to request any recorded information held by a public authority, such as a government department, local council or state school. ... You can ask for any information you think a public authority may hold.

An Act to make provision for the disclosure of information by public authorities or by persons providing information to public authorities; to amend the Data Protection Act 1958; and for



# Breakdown of FoI requests received by government departments, Q4 2020



Source: Institute for Government analysis of Cabinet Office, government Freedom of Information statistics, Q4 2020.



# How to FOI

- READ THE LEGISLATION. <http://www.legislation.gov.uk/ukpga/2000/36/contents>
- Has to be a public body.
- Keep it simple – a couple of simple questions.
- 20 working days to give you an answer.
- 40 days to appeal.
- You can get a hard or electronic copy.
- Not allowed to ask what you want the information for.
- Cost of getting info must not be more than roughly £450.

# Limits of FOI

Can't find out about:

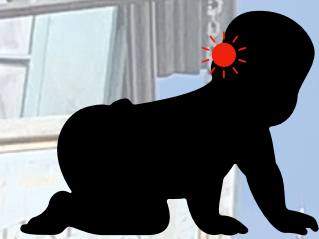
- Something that could effect international relations/national security
- Can't ask for info in the future
- Criminal/Court – but you can FOI them.....
- Commercial reasons
- No vexatious requests
- Discloses someone's personal data
- The Queen
- Risk to life



# Weird freedom of information requests

In 2014 a Game Of Thrones fan asked the Wigan Council what emergency plans they had installed incase of a Dragon coming to attack the town of Wigan.

One council was asked how many children were micro-chipped, while another was quizzed on whether it had paid for exorcisms on possessed pets.

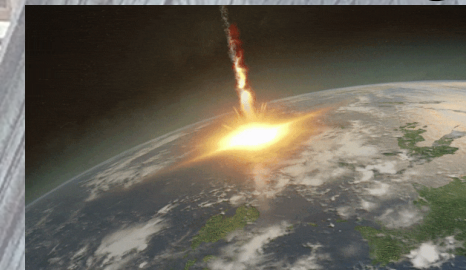


Cambridge City Council was asked: “Please list all the types of animals you have frozen since March 2012, including the type and quantity of each animal.”

Leicestershire County Council was asked: “Please can you let me know how many roundabouts are located within your council boundaries.”



Worthing Borough Council was asked: “What precautions, preparations, planning and costings have been undertaken in the case an asteroid crashes into Worthing, a meteorite landing in Worthing or solar activity disrupting electromagnetic fields?”



Rossendale Council was asked: “How many holes in privacy walls between cubicles have been found in public toilets and within council buildings in the last 10 years?”

Richmond Council was asked: “How many bodies are there in mortuaries that have been unclaimed for 10 years? How long have these bodies been in the mortuary? How old were they when they died? Is it possible to have the names of these people?”

Scarborough Council was asked: “How many people in the town have a licence to keep a tiger, lion, leopard, lynx or panther as a pet?”





# How to not breach the Freedom of Information

## Act law

You may sensor parts of a document for data protection for example if there is an email sent about a student and their parents make a Freedom of Information request the names bar the student who's parents made the request would be blacked out including the sender and recipient

You can refuse to share any information if the information violates data protection

How it applies to and what happens if it is breached

One way you might be breaching the FOI is by failing to not respond within a certain time period. This means if you dot respond quick enough in time for someone who requests the information, you can be held accountable for it. To prevent it make sure to at least respond to the person who has requested and give them the information that they have requested.

Another way you may be breaching the FOI is not presenting the right information that someone has requested. This means because the government hasn't told the right information then they can get fined as their penalty or even taken to court. To avoid breaching it just tell the truth and don't spread false information.

The final way you may be breaching the FOI is by trying to destroy, hide or alter the information that is trying to be released. This means the government can be taken responsible of their actions by the ICO which is Information Commissioner's Office which will report you to British Parliament. To avoid this just don't try and ignore it or destroy the information and just say you don't want to give away the information.



# What we've found out Freedom of Information

## MPs' expenses

The scandal over expenses that erupted in 2009 led to prison terms for five Labour MPs and two Conservative peers. A slew of others had to repay money.

Arguably the most famous of the claims revealed was one which Commons officials had ruled "not allowable". Sir Peter Viggers tried to claim £1,645 for a floating duck house in the garden pond at his constituency home.

The whole episode was exposed as a direct result of a series of FOI requests.

After losing a lengthy legal battle about how much detail they would have to release under FOI about MPs' expense claims, the Commons authorities were forced to collate millions of invoices, receipts, letters and other documents going back over several years to prepare them for disclosure. This raw material was then leaked to the Daily Telegraph, which in May 2009 ran story after story about highly embarrassing, greedy, unjustifiable and sometimes criminal behaviour by politicians.

It led to numerous resignations and retirements, the repayment of significant sums, the creation of a new parliamentary pay and expenses system, and a reputational disaster for Parliament and the political class generally.



## Act law

### Immigration

Some British diplomats initially ridiculed suggestions that the accession of Poland and other east European countries to the European Union in 2004 would lead to widespread immigration into the UK.

One message, for example, from the British Embassy in Warsaw reporting back to the Foreign Office in London had stated: "One month after succession and the tumbleweeds are not yet blowing down the streets of Poland. As experts had predicted the country has not yet moved en masse to the UK."

By 2010 the number of Polish people in the UK had quintupled to more than 500,000.

Much internal government discussion is still kept secret despite FOI, on the basis that disclosure would harm the frankness of the policy formulation process. But sometimes such material is released.

### A&E ambulance delays

Some patients taken by ambulance to accident and emergency departments are kept waiting in the vehicle for much longer than the recommended 15 minutes, with people having to wait for several hours in some cases.

**This report from 2013** is one of numerous FOI-based surveys which have explored different aspects of the pressures on hospital A&E departments and their consequences. It exemplifies how FOI can often be used to monitor how public services are performing, whether targets are being met in practice, and how badly they may be missed in some cases.

The longest waits for ambulances were in Wales, with a record of 6hrs 22mins and an average waiting time of 20 minutes.



### Unanswered 101 calls

Hundreds of thousands of phone calls to the 101 non-emergency police number have been going unanswered annually, suggesting that callers hang up rather than wait a long time for an answer.

The data for nine months of 2012 covering 30 out of 43 English and Welsh police forces showed nearly half a million calls were unanswered. For six particularly poorly performing forces the average waiting time exceeded the target of 30 seconds. In some areas the worst waits approached half an hour or even longer.

FOI makes it easier to obtain this kind of performance data for public services, helping members of the public who have a frustrating experience of calling 101 to discover whether their case is isolated or all too common.





**Any questions?**

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