



HOUSE OF COMMONS

Mr Peter Thomas (via email)
Request-13601-d73d8d7e@whatdotheyknow.com

22nd October 2009

Peter Thomas

Internal review: F09-384

Thank you for your request for an internal review of your Freedom of Information request F09-384, which is copied below. We apologise for the considerable delay in responding.

Your request was for a full (i.e. entirely unredacted, except for personal information) copy of all expense claims for Nia Griffith MP for all years from 2005 to the present date. Your request for this information was refused, and you were informed that Members' claims were redacted to remove information which could cause serious security issues and breach the privacy of the MP, their staff and other third parties.

You were also told that, to provide annotation for each redaction applied to expense claims for Nia Griffiths MP, we would need to review circa 600 pages of the published claims and that we had estimated that the time required to extract the relevant information would exceed the appropriate limit as described in section 12 of the Freedom of Information Act 2000 and associated Fees Regulations.

I have considered your request, and have concluded that it was not appropriate to rely on the section 12 exemption. However, I have also concluded that your request cannot be met for other reasons. A full explanation of why the requested information cannot be provided is below.

You asked for "full disclosure of all expenses claims made by Nia Griffith MP from 2005 to the present date". As you are aware, much of the information relating to claims made by Nia Griffith MP is available on our website, but you are asking for copies of claims with no blacking out at all (except in respect of personal information). Such a full, unredacted copy cannot be disclosed under the Freedom of Information Act 2000 because there is information behind the black squares which is exempt for the following reasons:

- a) It is information that relates to:
 - any residential address of a Member of the House of Commons;
 - the identify of any person who delivers or had delivered goods, or provides or has provided services, to a member of the House of Commons at any residence of the Member;
 - expenditure by a Member of the House of Commons on security arrangements.

HOUSE OF COMMONS

DIRECTOR GENERAL OF RESOURCES ANDREW WALKER CPFA

JANET RISSEN (BUSINESS MANAGEMENT & DEVELOPMENT) CHRIS RIDLEY MBA FCCA (FINANCIAL MANAGEMENT)

TERRY BIRD (OPERATIONS) HEATHER BRYSON MA FCIPD (HUMAN RESOURCE MANAGEMENT & DEVELOPMENT)

BONNIE MOHAN MCIPS (COMMERCIAL SERVICES)

DEPARTMENT OF RESOURCES HOUSE OF COMMONS LONDON SW1A 0AA



INVESTOR IN PEOPLE

Examples of this sort of information which is held would be residential addresses of MPs, or information indicating their addresses, invoices for security systems etc. By virtue of the Freedom of Information (Parliament and National Assembly for Wales) Order 2008 (made under Section 7 of the Freedom of Information Act 2000) the House of Commons is not a public authority in respect of such information. Therefore the right of access to information under section 1 of the Freedom of Information Act 2000 does not apply.

- b) It is information where disclosure to the public would, or would be likely to, pose an unacceptable risk to the health and safety of Members, staff and third parties.

Examples of this sort of information which is held are contact details for staff. Information cannot be disclosed if it would, or would be likely to, endanger the safety of any individual (exempt under section 38(1)(b) of the FOI Act). This is a qualified exemption, so the public interest test applies. Although there is a strong public interest in disclosing this information so as to ensure the accountability of both MPs and members of staff, we consider that the potential risks and implications posed by disclosure are such that the public interest in withholding the information outweighs arguments in favour of greater public scrutiny. Therefore the exemption is maintained.

The redactions for the published copies of the Members' allowances documentation were undertaken to ensure that the privacy and security of MPs, staff and other third parties was guaranteed. Please refer to the editing instructions that were used for this process, which can be found here: <http://www.parliament.uk/deposits/depositedpapers/2009/DEP2009-1877.doc>.

From your request, we assume that you agree that information that constitutes the personal data of Members of Parliament, staff and other third parties (for example, the names of members of staff of MPs, or names of members of their families) is personal data which is exempt from disclosure under section 40(2) and 40(3)(a)(i) of the FOI Act if it cannot be disclosed without contravening the data protection principles. We consider that disclosure of this information would breach the data protection principles. This is an absolute exemption so consideration of the public interest is not required.

If you are interested in knowing which exemptions apply in specific cases, please let us know which specific documents you are interested in.

If you remain dissatisfied with our response, you may appeal to the Information Commissioner at Wycliff House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Alan March
[Signature]
A J Walker
Director General of Resources