

AIR2809-879776 Appeal

I regret that your reply is clearly not good enough.

Q1+Q4 part provided:

I asked for the data in an XLS spreadsheet, however you have provided a PDF.

This is unsatisfactory, as it does not import into a spreadsheet, so I cannot analyse the data, for example to produce a simple list of times to reply.

It is our procedure to provide information in PDF format – However, on this occasion the spreadsheet has now been provided in XLS and we trust the information will not be manipulated in any inappropriate manner.

Q2 - The summary is too brief, and does not give much useful information.

For example, AIR2684 what was asked about which parking bays and PCN's? hence 20 words, not 5.

AIR2733 - what was asked about Polling Stations?

This is how the information is held – The legislation allows access to information 'held' by the Council and not for the creation of new information.

Q3 - the request was for the date of acknowledgement. Your statement does not provide this, nor confirm why it has not been met.

To obtain this information each file would need to be manually interrogated which would take over the 18 hour threshold –It is our policy to acknowledge all requests within 48 hours, and as previously advised we endeavour to respond to all requests within 24 hours, (in this case within 48 hours of the date raised).

Q5+Q6: To simply say "Refused - over 18 hours" is not good enough.

Please accept my apologise for this oversight, – This is because the cost of locating and retrieving the information exceeds the 'appropriate limit' as stated in the Freedom of Information (Fees and Appropriate Limit) Regulations 2004. It is estimated that it would take in excess of 18 hours to comply with your request. This information is held within each individual file and to extract the information would involve manually locating and interrogating each file, compiling the information and preparing a spreadsheet, which would exceed 18 hours. (e.g. 100 files @ 15 mins per file = 25 hours)

Q7 - asks about the council's knowledge of any ICO referral. The answer must be known, even if it is none to the council's knowledge.

The Council has not been informed by the ICO that any of the 100 most recently closed FOI requests have been referred to the ICO, therefore the Council doesn't

have the knowledge sought.

As regards Q5+Q6:

- (1) One would have thought that the council would have added a column to the PDF provided, and included in that the outcome of the Request - ie
- met in full
 - met in part, with not held or with sections for part refusal
 - not held
 - refused or rejected with sections applying

Please see response to your Q5 & 6 above

(2) One would also have thought that some record must have been kept of what the outcome was, for example the response sent to the Requester.

It seems hard to imagine that to go to each file and determine the outcome from a quick look at the response would take more than 5 minutes, and then a couple of minutes to enter this outcome into the spreadsheet.

Thus it seems hard to see how the total time could take more than 100 x 7 mins, which is less than 12 hours maximum, and so well below the FOI limit.

As above

(3) I would suggest that the council might wish to consider amending its procedures so that the outcome is automatically added to the council's spreadsheet data when the response is sent.

At that stage it would take no more than couple of minutes, a very small proportion of the time taken to respond, and would then provide the council with easy access to useful data.

I note that the MoJ has issued guidance which may well make this a requirement.

Your comments have been noted and at the present time the council are satisfied with the current procedure

- (4) Bearing in mind the council's duty under §16 to assist, for example by suggesting ways to modify the FOI Request so as to come within the limit, could you kindly review the calculation you made.

If you still consider the costs exceeds the relevant limit, then please advise the figure so I may modify my request accordingly.

Please see response to your Q5 & 6 above

- (5) Please provide an XLS spreadsheet with the data requested.

Now provided