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Marie Griffiths

Our Ref: FOI 274 164

(by email only: request-30200-c2c73652@whatdotheyknow.com)

7 April 2010

Dear Ms Griffiths,

FREEDOM OF INFORMATION ACT 2000

Thank you for your request for information concerning the operation of the Data Protection Act. The Cabinet Office received your request on 5 March 2010 and I have dealt with it under the terms of the Freedom of Information Act 2000.

In answer to your questions 3 and 4, I can confirm that the Cabinet Office, which for the purposes of the Data Protection Act includes the Prime Ministers Office, complies with the requirements of the Data Protection Act.

In respect of the remainder of your request, I must inform you that the Cabinet Office is unable to comply with your request. Section 12 of the Freedom of Information Act makes provision for public authorities to refuse requests for information where the cost of dealing with them would exceed the appropriate limit. The appropriate limit has been specified in regulations and for central Government this is set at £600. This represents the estimated cost of one person spending 3½ working days in determining whether the Department holds the information, and locating, retrieving and extracting it.

As I have explained above, the Prime Minister's Office is part of the Cabinet Office and subject access requests under the Data Protection Act are handled by the Cabinet Office. The Cabinet Office does not keep statistics on subject access requests and to produce statistics for cases that concerned personal data held by the Prime Minister's Office alone would require us to examine paper and electronic records for the relevant period. As many cases involve personal data held across the Cabinet Office it is unlikely that it would be possible to provide meaningful separate statistics at all. In light of this, I am unable to suggest how you might revise your request to make it possible for the Cabinet Office to answer it within the appropriate limit.



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If you are unhappy with the decisions made in relation to your request from the Cabinet Office you may ask for an internal review. If you wish to do so you should contact:

Sue Gray
Director
Cabinet Office
70 Whitehall
London
SW1A 2AS

Email: foiteam@cabinet-office.x.gsi.gov.uk

You should note that the Cabinet Office will not normally accept an application for internal review if it is received more than two months after a response was issued.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. Generally, the Commissioner cannot make a decision unless you have exhausted the complaints procedure provided by Cabinet Office. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

If you have any queries about this letter, please contact me. Please remember to quote the reference number above in any future communications.

Yours sincerely



John Jenkins
Knowledge and Information Management Unit

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