

You can contact me on: 020 7217 4000
liz.hannan@ombudsman.org.uk

Our reference: FDN-39946/0011

Mr David Billings



Parliamentary
and Health Service
Ombudsman

Celebrating 40 years in 2007

11 April 2008

Dear Mr Billings

I write in response your e-mail of 12 March 2008 in which you ask for the following information for the 2007/08 business year:

- 1) number of FOI requests made to OPHSO;
- 2) average number of working days to provide information/response;
- 3) number of complaints received arising from OPHSO's handling of FOI requests;
- 4) number of requests to review initial decision;
- 5) average number of working days to complete reviews;
- 6) number of FOI requests referred to the Information Commissioner; and
- 7) average number of days to close an FOI request (including initial response, review and ICO investigations).

I will address each of these in turn.

1) You have asked for the number of FOI requests that this Office received in 2007/08. I should explain that we do not define or record information requests in this way. Many of the requests we receive are not made with reference to any particular act, or are wrongly labelled, eg requests for personal data under the Freedom of Information Act. Consequently, we record all requests as "information requests" and thereafter categorise those requests according to the act (or acts) under which we respond to them. I say acts because the majority of requests that we deal with are requests for information relating to case files and which will be responded to with reference to the Parliamentary Commissioner and Health Service Commissioner Acts (under which information obtained by the Ombudsman may only be released for the purposes of the investigation and the report), the Freedom of Information Act and the Data Protection Act. We aim to release as much of the information requested as possible and will use whichever piece (or pieces) of legislation which enables us to do that.



INVESTOR IN PEOPLE



POSITIVE ABOUT
DISABLED PEOPLE



Printed on 100%
recycled paper

Millbank Tower
Millbank
London SW1P 4QP

Enquiries: 0845 015 4033
Fax: 020 7217 4000

Email: phso.enquiries@ombudsman.org.uk

www.ombudsman.org.uk

The total number of requests for information received in this Office from 1 April 2007 to 31 March 2008 is 207. In order to aid and assist you we have carried out an exercise to identify the requests which were responded to under the Freedom of Information Act. Of the 207 information requests which we received in 2007/08, 48 were responded to under the Freedom of Information Act.

- 2) In 2007/08 this Office responded to 194 requests for information. The average number of days taken to respond to those requests for information is 37 calendar days. The average number of calendar days taken to answer to those requests responded to under the Freedom of Information Act is 24. This calculation includes weekends and Bank Holidays. We do not hold figures relating to the number of working days taken to complete requests.
- 3) In 2007/2008 PHSO received 24 complaints about the way in which we had responded to requests for information. Of these, three were related to responses under the Freedom of Information Act.
- 4) Under PHSO's complaints procedure, all complaints, including those about the way in which we have responded to requests for information, prompt a review. Therefore the number of requests for review received in 2007/2008 is 24, and the number of requests for review of responses under the Freedom of Information Act is three.
- 5) Of the 24 complaints received in 2007/2008, 20 were reviewed within the same period. The average number of days from receipt of the complaint to completion of the review was 49 calendar days. Of the three complaints which related to responses under the Freedom of Information Act, one is still under consideration. The average number of days taken to complete the other two reviews is 48.
- 6) The Information Commissioner's Office has notified us that, of the information requests that we responded to in 2007/2008, two have been referred to the Information Commissioner. (I would emphasise that these are the complaints which the Information Commissioner's Office has raised with us. It may be that there are other complaints of which we have not yet been notified.) One of these is a request that we responded to under the Freedom of Information Act.
- 7) We understand the Information Commissioner's Office has decided not to investigate the complaint made about our response under the Freedom of

Information Act. We do not hold the date of that decision and cannot therefore provide you with the number of days taken to close that request.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Liz Hannan', with a long, sweeping flourish extending to the right.

Liz Hannan
Freedom of Information and Data Protection Manager