



HOUSE OF COMMONS

Mr Chris Paul

Via email: request-8129-b4675080@whatdotheyknow.com

27 July 2009

FOI REQUEST: JOHN LEECH MP & PAUL ROWEN MP

Thank you for your recent e-mail. I apologise that we have taken longer than we ought to have done to respond to you. This was due partly to pressure of work, but also because of administrative oversight.

You ask for an internal review to be conducted. So far as that is an internal review of the original response, I have considered the application of the exemption described in section 22 of the FOI Act (which provides an exemption for information which is held with the intention of future publication).

Having considered your request and our response, I can confirm that, at the time your request was received, the information was held by the House of Commons with the intention that it should be published at a future date. Therefore having taken account of the circumstances of your request and our intended publication, the decision to apply the exemption to your request was both correct and reasonable.

While there was a public interest in providing access to information relating to Members such as that covered by your request, this interest was to be met by the planned publication of information about all Members, thus providing a full picture of expenditure against the allowances, but which also took account of legitimate security and privacy concerns of MPs and third parties. Therefore, the balance of the public interest was for the maintenance of the exemption while this information was being prepared and finalised for publication.

You have, however, now had the opportunity to see the material which has been published in respect of the two Members and you regard the redactions as going beyond what is reasonable. We will examine further the material released on our website in respect of the two Members' claims from the date of their election until 31 March 2008 in respect of all items of office and premises costs, and printing and other communications costs, and will provide you as soon as possible with a table showing the amounts claimed and the amounts paid where these figures vary.

In respect of the financial year 2008/09, information is not yet published on our website and the section 22 exemption applies for the reasons set out above. The scope of the publication was set out in the following statement made by the Members Estimate Committee:

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)

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INVESTOR IN PEOPLE

"The Committee has agreed that information about MPs' allowances claims, including original receipts, should be made available in a format that is transparent, comprehensive and easily accessible. Information for 2008/09 and the first two quarters of 2009/10 will be published in late autumn in a new searchable format, which will allow readers to analyse individual MPs' claims at a glance. The data will identify whether MPs are making their claims for second homes allowance (ACA) on the basis of their London home or constituency home. It will also identify any change of home during the period.

The Committee's view is that this approach - along with other reforms to the second homes allowance and the extended Legg review - will increase transparency and identify any abuses without compromising the security of MPs and their families by revealing full addresses. There will be less blanking out of details in the receipts - redactions will be limited to removing data that would compromise security or provide information on matters such as bank accounts and credit cards or to protect the privacy of third parties where necessary. In particular:

- unsuccessful or adjusted claims will be disclosed;
- manuscript comments will not be removed unless they include information specifically excluded from publication such as bank and credit card details;
- names and addresses of suppliers and contractors should be withheld only in accordance with the decision of the Information Tribunal in February 2008, that is if the supplier or contractor had regular access to Members' homes.

In order to achieve the earliest publication, receipts relating to second home claims will be made available in late autumn and receipts relating to IEP claims will follow as soon as possible after the initial release."

While not specifically referred to in your email requesting an internal review, we have also considered the application of the section 40 (2) exemption to data relating to the recipients of staffing costs and we have concluded that this exemption was properly applied. This remains the case, and we continue to refuse to release this information.

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

Ken, search

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A J Walker
Director General of Resources