



HOUSE OF COMMONS

By email

Ganesh Sittampalam [<mailto:request-6376-992b60a6@whatdotheyknow.com>]

9 April 2009

Ganesh Sittampalam

Internal Review F09-010

Thank you for your email of 20 February. This response considers the application of the exemption described in section 22 of the FOI Act which provides an exemption to the section 1(1)(b) obligation to provide access to requested information which is held with the intention of future publication.

Having considered the points you raise in support of your request for a review I can confirm that, at the time your request was received, the information was held by the House of Commons being the relevant public authority with the intention that it should be published at a future date. Therefore the decision to apply the exemption to your request was both correct and reasonable having taken account of the circumstances of your request and intended publication. This intention is evidenced by the responses given to Parliamentary Questions by the spokesman for the House of Commons Commission between May and November 2008 (details attached) and again in January and February 2009 (which were referred to in the original response to your request).

I note the points you have made about the proposed section 7 Order but the key issue here is that the Order was proposed by the Government and not by the relevant public authority, the House of Commons. A full discussion of the nature of the House as a public authority can be found in an Information Tribunal decision notice ([link below](#)¹). The process of laying of the Order in itself did not affect the House's intentions. It is beyond the scope of this internal review to speculate about what would have happened had the Order been debated and passed into law.

¹ <http://www.informationtribunal.gov.uk/DBFiles/Decision/i84/HoC2.pdf>



The material covered by your request is part of a data set of around 700,000 pages of information. We are currently in the process of providing the information to be published to Members so that they can review their own data in relation to accuracy, security and privacy. We plan to make the information relating to 2004/05 to 2007/08 available to the public generally by mid July 2009. We plan to make information relating to 2008/09 available in the autumn of 2009.

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

Yours sincerely



A J Walker
Director General of Resources

20 MAY HOUSE OF COMMONS COMMISSION

Freedom of Information: Requests for Data Held

Mr. Doran: To ask the hon. Member for North Devon, representing the House of Commons Commission, what further steps the Members Estimate Committee plans to take regarding freedom of information requests for data held by the House. [207226]

Nick Harvey: The House has decided not to seek leave to appeal to the Court of Appeal against the judgment of the divisional court of 16 May 2008.

It is planned that the publication scheme announced for the autumn will now include information down to receipt level.

30 June Members: Allowances

Mr. Doran: To ask the hon. Member for North Devon, representing the House of Commons Commission pursuant to the answers to the hon. Member for Orkney and Shetland of 3 April 2008, *Official Report*, columns 1142-43W, and the hon. Member for Aberdeen, North of 20 May 2008, *Official Report*, column 174W, on freedom of information: requests for data held, what the estimated cost is of preparing for publication the information on hon. Members' expenses to be released in the autumn. [212587]

Nick Harvey: It is planned to produce the information by scanning the material in the paper files to provide computer files of digital images, and to edit these to remove some sensitive information. Some of this work may be done by a contractor in secure conditions. The remainder will be carried out by the House's own staff, who will then send the material proposed for release to the Members concerned and will also need to deal with any representations made. The costs of this work are subject to substantial uncertainty but are expected to be in the region of £950,000.

1 July HOUSE OF COMMONS COMMISSION

Data Protection

Dr. Julian Lewis: To ask the hon. Member for North Devon, representing the House of Commons Commission whether the staff who will be given access to documentation submitted by hon. Members to the Parliamentary authorities to undertake work to redact personal information from information to be published in autumn 2008 will be permanent or temporary staff; what security checks will have been carried out on those staff; and if he will make a statement. [215446]

Nick Harvey: Quality assurance and editing will be undertaken by security-cleared permanent staff as will any further revisions after hon. Members have had an opportunity to check their information. However, the House does not itself have the capacity to carry out all the work required. It is therefore planned that the scanning of some 1.3 million documents and first stage redaction to remove details such as addresses, telephone numbers, banking details and account numbers will be undertaken under secure conditions by a contractor familiar with providing services to Government and Parliament whose staff have been security cleared. Arrangements for providing additional staff required by the contractor for this project will be agreed between the contractor and the House authorities. The Parliamentary Security Co-ordinator and the Serjeant at Arms have been consulted, and their approval of the arrangements will be sought before the work goes ahead. Staff of the House will be involved in monitoring the whole process.

14 July Members: Allowances

Dr. Julian Lewis: To ask the hon. Member for North Devon, representing the House of Commons Commission pursuant to the answer to the hon. Member for Aberdeen (Mr. Doran) North, of 30 June 2005, *Official Report*, column 546W, on Members' allowances, (1) how much time hon. Members will be given to examine documents relating to them which are due for disclosure to the public, prior to such disclosure; and whether documents to be scanned may be edited (a) before and (b) after scanning; [218362]

(2) what procedure will be adopted to ensure that when personal details are redacted from hon. Members' documents disclosed to the public by the House authorities the redacted details will be undetectable; [218457]

(3) whether all hard copy documents from which hon. Members' personal details have been redacted will be photocopied again before distribution to any member of the public in order to ensure the integrity of the redaction. [218458]

Nick Harvey: The information requested is as follows.

(1) The exact timetable is still being finalised. However, it is anticipated that Members will have approximately one month to examine documents relating to them, which are due for disclosure to the public, prior to such disclosure. The documents will be edited after scanning.

(2) The scanned documents will be edited using a proven and secure software product, which will remove pages and remove and replace text and images according to the editing scheme before the document is re-saved. The redacted material will not be detectable in the published information.

13 October Members: Allowances

Mr. Allen: To ask the hon. Member for North Devon, representing the House of Commons Commission what estimate has been made of the effect on paper usage by the Department of Resources of meeting freedom of information requests in respect of the publication of hon. Members' reimbursements; how many person hours this work has involved; and what the total cost of this operation has been to date. [224146]

Nick Harvey: There has been no discernable effect on paper usage by the Department of Resources in relation to the preparing of allowance expenditure information from the years 2004-05 to the first quarter of 2008-09 for publication later this year. The records are being reproduced electronically and will be published on the internet. The work of preparing the information for publication is being undertaken by the Department of Resources and by an outside contractor under secure conditions. Within the Department of Resources approximately 2,660 person hours have been dedicated to the project. No record is held of person hours expended by the contractor. The overall cost to date of preparing the information for publication is approximately £600,000.

20 November HOUSE OF COMMONS COMMISSION

Members: Allowances

Jo Swinson: To ask the hon. Member for North Devon, representing the House of Commons Commission on what date the Commission expects to publish information relating to hon. Members' expenses following the judgment of the divisional court on 16 May 2008; and if he will make a statement. [237602]

Nick Harvey: Work is in train to prepare information relating to Members' expenses for publication. The House will be informed when a date for publication is known.

28 Jan Members: Allowances

Jo Swinson: To ask the hon. Member for North Devon, representing the House of Commons Commission (1) by what date the House of Commons Commission expects the process of scanning and redacting the receipts for hon. Members' expenses since 2004 to be completed; [251845]

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(2) by what date the House of Commons Commission expects to place the details of hon. Members' expenses since 2004 in the public domain. [251846]

Nick Harvey: The scanning and editing of Members' claims, receipts etc. for the years 2004-05 to 2007-08 is well advanced. Once this work is complete, individual hon. Members will need to check the records relating to them, and further editing may then be required. A date for publication cannot yet be set.

Norman Baker: To ask the hon. Member for North Devon, representing the House of Commons Commission for what reason backdated details of hon. Members' expenses have not yet been published; what factors account for the delay; and if he will ensure that all relevant information will be placed in the public domain by the end of February 2009. [249218]

Nick Harvey: The task of scanning and editing for publication a very large amount of information has proved more difficult than originally envisaged when the proposed arrangements for disclosure of Members' expenses down to receipt level were announced last summer. Ensuring that hon. Members' legitimate security and privacy concerns were taken into account has been complex and has required careful attention to over 700,000 individual records. Once scanning and editing has been completed, individual hon. Members will need to check the records relating to them, and further editing may then be required. This process will not be complete by the end of February 2009 and a date for publication cannot yet be set.

3 Feb Members: Allowances

Jo Swinson: To ask the hon. Member for North Devon, representing the House of Commons Commission pursuant to the answer of 27 January 2009, *Official Report*, columns 542-43W, on Members: allowances, (1) what timetable was given to the contractor brought in to assist with the process of publishing the details of hon. Members' expenses; and whether there are penalties in the contract for any delays that occur; [254039]

(2) when the process of scanning and redacting receipts for hon. Members' expenses will be completed and passed to hon. Members for checking. [254040]

Nick Harvey: The process of scanning and redacting claims, receipts etc has been undertaken in two stages. The first stage included the scanning of all relevant documentation and the initial editing and was concluded in October 2008 within agreed deadlines. The second

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stage has involved further editing to take account of privacy and security concerns apparent on completion of stage 1. This work is currently in hand and will be completed in March within agreed time frames. There have been no delays in the fulfilment of the contract. On completion of the scanning and editing work, hon. Members will need to check the records relating to them, and further editing may then be required. A date for sending out this

information has not yet been set, but Members will receive advance notification of what they will need to do and how to raise matters of concern.