

MR LEAPMAN'S APPLICATION

1. This note is the House of Commons answer to the observations and questions set out in the letter of Ms Nicole Duncan to Ms Judy Wilson of 16 June 2005 ("the letter").
2. The applicant sought information on claims for Additional Costs Allowances made by six Members. The letter asks, first of all, the grounds on which the House considers the information sought to constitute their personal data. In particular, the letter asks whether this information is about those Members in their professional or in their personal capacity.
3. This question presupposes a hard and fast distinction between the professional and personal activities of the data subject which cannot be made, as regards Additional Costs Allowances, in the case of Members. The system of allowances recognises that those Members who live outside Greater London must, if they are to carry out their public functions effectively, maintain a residence within a convenient distance from Westminster (or, if they decide to establish their family residence within a convenient distance of Westminster, to maintain a secondary residence in their constituency for their and their family's use on those occasions when they visit the constituency). In either case, the Additional Costs Allowance is paid in respect of a Member's personal residence. The House does not therefore accept that this information can be categorised as purely professional information. It is "personal information" which is personal data, the disclosure of which in the detail sought would compromise the privacy of the Member and his family. Furthermore, there can be personal security risks in disclosing where a Member lives.
4. The letter then asks for further clarification as to how the House reached its decision to withhold the information in the light of a number of factors¹, all of which concern the disclosure of information which is personal information of employees of public authorities. The House takes it to be the Information Commissioner's view that there is data, perhaps a considerable amount of data, which is both personal data of employees of public authorities and, at the same time, constitutes information on the activities of the authority of a kind which it was the purpose of the Freedom of Information Act to put into the public domain.
5. Members of Parliament are not, of course, employees of the House of Commons. They are holders of an elected public office. They are not themselves public authorities subject to the Freedom of Information Act nor is their relation to the public authority which is subject to the Act, the House of Commons, analogous to that of an employee. Whereas the information which has been requested is undoubtedly held by the House, it is not information the release of which in the detail requested gives information on the activities of that public authority; rather it gives information on the activities of individual Members of Parliament who are not themselves a public authority and, as such, not subject to the

¹ drawn from guidelines which the Information Commissioner has not yet published

- requirements of the Freedom of Information Act. The House would be grateful if the Commissioner could consider how far his guidelines are applicable in these circumstances.
6. The guidance to which the letter refers states that in general the more sensitive the information the higher the threshold for its release; more sensitive personal information may be redacted and less sensitive personal information may be disclosed. That element of the guidance appears to be founded on the premiss that the Freedom of Information Act qualifies in some way the application of the data protection principles. In the House's view, the decision as to whether disclosure of personal data would breach the data protection principles falls to be made exclusively under the Data Protection Act 1998. Information is (absolutely) exempt under section 40 (2) if it is third party personal data the disclosure of which to a member of the public *otherwise than under this Act* would contravene any of the data protection principles. The italicised words can only mean that a public authority's duties under the Freedom of Information Act are to be left entirely out of account in deciding whether a disclosure would contravene those principles.² The Data Protection Act requires, amongst other matters, that personal data be processed fairly and lawfully and in conformity with the conditions of Schedule 2, or as the case may be Schedule 3, to that Act. It is not clear to the House how the distinction between less or more sensitive personal data, which may or may not be lawfully disclosed, is related to the application of the requirements of the Data Protection Act. It would assist the House to provide the clarification sought in the letter if the Information Commissioner could explain that connection.
7. The letter invites the House to consider its duty to provide advice and assistance to persons who have made requests for information under section 16 of the Freedom of Information Act 2000 as amplified by the Code of Practice issued by the Secretary of State under section 45 of that Act. Paragraphs 5 to 15 of the Code deal with the provision of advice and assistance. The Code is principally concerned with enabling an applicant to identify the subject matter of an appropriate request. The House would be grateful if the Information Commissioner could identify which provision of the Code he considers relevant to a case in which the considered view of the House is that all the information sought is subject to an exemption.
8. The House remains satisfied that the decision made in this case is correct and trusts that it has explained the grounds of that decision. It will, of course, happily answer any further questions the Commissioner has and will, so far as necessary, give fuller reasons in those cases in which it has sought clarification of his view once that clarification is provided.

THE HOUSE OF COMMONS

² cf Jay and Hamilton, Data Protection Law and Practice, second edition at paragraph 4-59; Coppel on Information Rights argues at paragraph 24-010 that section 40 may not be relied on where the exemptions in Part IV of the Data Protection Act apply but none are relevant in this case

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19 SEP 2005

Kirsty Haines

From: WILSON, Judy [WILSONJUDY@parliament.uk]
Sent: 15 September 2005 10:56
To: foi-enquiries
Subject: FS50071451

Nicole,

I have forwarded your letter of 8 September about Mr Leapman's appeal to my colleagues here who are working on this case. I will endeavour to send a reply to your questions as soon as possible, but because several members of staff are on annual leave at present, it might not be possible to do so until late September or early October.

In the meantime, you asked for more information about the allowances system in general, and for the opportunity to look at the actual information requested by the applicant. Our Director of Operations, [REDACTED] who is in charge of the allowances services for Members, would like to invite you to visit him at the House so that he can assist you with these requests. He would be happy to extend this invitation to any of your other colleagues in the Information Commissioner's Office who are investigating allowances cases. Could I ask you please to contact him directly on 020 7219 4292 or [REDACTED]@parliament.uk.

I am going on leave after today until Thursday 6th October. If you need to contact the House about any of the appeal cases in my absence, could you please email my usual address but also copy it to foicommmons@parliament.uk so that one of my colleagues can deal with it.

Judy

Judy Wilson
FOI Officer
House of Commons
London SW1A 0AA
020 7219 1178

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19/09/2005

Kirsty Haines

From: [REDACTED]@parliament.uk
Sent: 15 September 2005 15:19
To: foi-enquiries
Subject: Reference: FS50071451 etc

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19 SEP 2005

For the Attention of
Nicole Duncan
Complaints Resolution Officer

The House of Commons letters you have asked for are attached
Give me a call if I can assist further

<<Text of Letter July 2004.doc>> <<Text of Letter Feb 04.doc>> <<Letter from Speaker to Members 6-03.doc>>

[REDACTED]
[REDACTED]
0207 219 2032

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Draft 'Dear Member' letter from Archie

To be dated 28 July 2004

Publication of Information about Members' Allowances

The purpose of this letter is to provide further information about the publication this autumn of information about Members' allowance expenditure. Enclosed with this letter are provisional figures relating to the 2003-04 allowance period and revised figures for the 2001-02 and 2002-03 periods. You are asked to:

- Check the figures provided for each of the allowances
- Review the presentation of your name and constituency on the figure sheets
- Note the example page illustrating the format of the publication tables and the explanatory notes that will accompany the figures
- Contact the FOI team if you have any questions or comments (contact details below)

We plan to publish details of each Member's spend against the allowances towards the end of October 2004 and the first release will cover the three previous years. The first release will be made available on the www.parliament.uk web site. The figures will include the annual total for each Member for:

- Additional Costs Allowance
- London Supplement
- Incidental Expenses Provision
- Staffing Allowance
- Members' travel
- Members' staff travel
- centrally purchased stationery including, for 2003-04 onwards, associated postage costs
- central IT provision and
- other central budgets (such as the winding up allowance or temporary secretarial allowance)

Members' names will be listed in alphabetical order and the name of the constituency will also appear. Member names and constituencies have been taken from a list maintained by the House service and published on the parliament.uk web site. This list includes, where known, preferred forms of names, titles and qualifications. I should be grateful if you would review the presentation of your name and constituency and let the FOI team know if you require any amendments to be made (contact details below).

Enclosed with this letter are printouts of the provisional figures to be published against your name for each of the three allowance periods in question and a brief description of what the figures in each of the columns represent (this description will also be published). Also enclosed is a breakdown of the figure in the Members' travel column to show expenditure across the different classes of travel. This table will not be included in the autumn 2004 publication: it is included at this stage only so that you can see how the total travel figure is made up. An example page from the publication pages (without figures) is enclosed to show you what the final tables will look like.

Please note: it may be necessary before publication to revise the provisional 2003/04 figures to take account of necessary accounting adjustments or any late claims or payments made to or from any of the allowances.

If you have any questions about the preparation and publication of information about your allowances please contact the Department of Finance and Administration team responsible for these matters. If your question cannot be answered immediately the team will take note of your query and get back to you as soon as possible.

**FOI publication contact details:
Department of Finance and Administration FOI Team**

**House of Commons
Room 322 7 Millbank
London SW1P 3JA
Telephone: 0207 2191984
Email: membersfoi@parliament.uk**

If you have any questions about the possibility of publicity arising out of the publication of your figures, please contact your party whips.

List of enclosures:

Publication tables for 2001/02, 02/03 and provisional figures for 03/04
Tables showing the breakdown of travel costs for 2001/02, 02/03 and 03/04
Explanatory notes
Example page from the publication tables (without figures)

To: all Members of Parliament

Tel : 0207 219 4292
Fax :
Email : [REDACTED]@parliament.uk

24 February 2004

Dear Member

Freedom of Information Act 2000: Publication of Members Allowances

Last June the Speaker wrote to tell you what the Freedom of Information Act 2000 will mean in connection with your parliamentary allowances. The purpose of this letter and the enclosures is to provide details of the figures that will be published against your name this autumn. The figures relate to the allowance periods 2001-02 and 2002-03. You will be sent the figures relating 2003-04 before publication.

We will publish details of each Member's spend against the allowances in the autumn of 2004 and the first release will cover the three previous years. The figures will include the annual total for each Member for:

- Additional Costs Allowance and/or London Supplement
- Incidental Expenses Provision
- Staffing Allowance
- Members' travel
- Members' staff travel
- centrally purchased stationery
- central IT provision and
- other central budgets (such as the winding up allowance or temporary secretarial allowance)

The first release, planned for the autumn of 2004 will provide information in three separate tables each relating to a separate allowance year: 2001-02 from the start of the new Parliament to the end of the allowance year, 2002-03 and 2003-04. Members' names will be listed in alphabetical order.

Enclosed with this letter are printouts of the figures to be published against your name for 2001-02 and 2002-03 and a brief description of what the figures in each of the columns represent (this description will also be published). Also enclosed is a breakdown of the figure in the Members' travel column to show expenditure across the different classes of

HOUSE OF COMMONS

DIRECTOR OF FINANCE AND ADMINISTRATION ANDREW WALKER

DIRECTORATES: [REDACTED] (OPERATIONS) [REDACTED] (FINANCIAL MANAGEMENT)
[REDACTED] (INTERNAL REVIEW SERVICES) [REDACTED] (PERSONNEL POLICY)
[REDACTED] (BUSINESS DEVELOPMENT)

DEPARTMENT OF FINANCE AND ADMINISTRATION HOUSE OF COMMONS LONDON SW1A 0AA

travel. This table will not be included in the autumn 2004 publication: it is included at this stage only so that you can see how the total travel figure is made up.

If you have any questions about the preparation and publication of information about your allowances please contact the Department of Finance and Administration team responsible for these matters. If your question cannot be answered immediately the team will take note of your query and get back to you as soon as possible.

I will be writing to you again in the next few weeks in connection with other allowance related matters.

FOI publication contact details:

Department of Finance and Administration FOI Team
House of Commons
Room 322 7 Millbank
London SW1P 3JA
Telephone: 0207 2191984
Email: membersfoi@parliament.uk

Yours sincerely


Director of Operations

Enclosures:

Background paper: Allowances for Members of Parliament 2001-04

Table of allowance totals 2001-02

Table of allowance totals 2002-03

Breakdown of travel claims 2001-02

Breakdown of travel claims 2002-03

17 June 2003

Last December I wrote to tell you what the Freedom of Information Act 2000 will mean in connection with your parliamentary allowances. The purpose of this letter is to let you know the format and timetable for publication.

We will publish details of each Member's spend against the allowances in the autumn of 2004 and the first release will cover the three previous years. Since the last letter we have done further work on the detailed categories of. The figures will include the annual total for each Member for:

- Additional Costs Allowance or London Supplement,
- Incidental Expenses Provision,
- staffing allowance
- Members' travel,
- Members' staff travel,
- centrally purchased stationery,
- central IT provision and
- other central budgets (such as the winding up allowance or temporary secretarial allowance)

The figures for Members' travel will cover travel on parliamentary business within the UK plus individual travel to designated European destinations.

Attached to this letter is a mock-up of how the final published figures will appear. The table will be accompanied by a brief description of what the figures in each of the columns represent. The first release will provide information in three separate tables each relating to a separate allowance year: 2001-02 from the start of the new Parliament to the end of the allowance year, 2002-03 and 2003-04. Members' names will be listed in alphabetical order.

The Department of Finance and Administration is working on the draft figures for 2001-02 and 2002-03 and will give you the opportunity to correct any errors or omissions early in 2004.

If you have any questions about the preparation and publication of information about your allowances, or about what will be included under each heading please contact the Department of Finance and Administration manager responsible for these matters: [REDACTED] 0207 219 2032

Speaker

Members' Allowance Expenditure June 2001 -- March 2002*

Member	Constituency	Additional Costs Allowance or London Supplement	Incidental Expenses Provision	Staffing Allowance	Members' Travel**	Members' Staff Travel	Centrally Purchased Stationery	Central IT Provision	Other Costs
A	A								
B	B								
C	C								
D	D								
E	E								

** The Members' travel column does not include travel on Parliamentary delegation business or Select Committee visits. Information about these categories of expenditure will be available on the Parliamentary web pages (www.parliament.uk)

Allowances for Members of Parliament 2001-04,		
	Allowance	Summary of amounts available
Column 1 of table	<p>Additional Costs Allowance (ACA) to reimburse Members for costs incurred when staying overnight away from their main home whilst performing Parliamentary duties. (Inner London Members do not receive this allowance.)</p> <p>Or</p> <p>London supplement. Inner London Members receive this instead of the Additional Costs Allowance. Outer London Members may choose between the ACA and the London supplement. Ministers automatically receive the London supplement with their salary, and may claim ACA for overnight stays outside the capital.</p>	<p>2001-02: £19,469 per year 2002-03: £19,722 2003-04: £20,333</p> <p>2001-02: £1,130 per year 2002-03: £1,527 2003-04: £1,574</p>
Column 2	<p>Incidental Expenses Provision* (IEP) to meet the costs of accommodation for office or surgery use; equipment and supplies for office or surgery; work commissioned or other services and certain travel and communications.</p>	<p>2001-02: £18,000 per year* 2002-03: £18,234 2003-04: £18,799</p>
Column 3	<p>Staffing allowance* to enable Members to engage staff (The IEP can also be used to cover certain staff related costs.)</p>	<p>2001-02: £60,000-£70,000 per year* (depending on the number of staff based on the Parliamentary Estate) 2002-03: £61,980-£72,310 2003-04: £64,273-£74,985</p>
<p><i>*Transitional period: 2001/2 saw the introduction of a new system for Members' allowances. Most Members transferred at the end of June 2001 from the old system based on the Office Costs Allowance (OCA) of £52,760 pa, which covered the all the costs of staffing and running an office, to a system based on a ring-fenced staffing allowance plus an incidental expenses provision for the other costs. The staff costs element was not ring-fenced during this transitional period.</i></p>		

Column 4 Travel:		
Subject to certain rules, free tickets or reimbursement of mileage for travel on parliamentary business within the UK plus European travel.		
Motor Mileage allowance		2001-02: Up to 20,000 miles per year at the rate of 53.7p per mile, and over 20,000 at the rate of 24.8p per mile. 2002-03: 54.4p or 25.1p 2003-04: 56.1p or 25.9p
Bicycle allowance		2001-02: 7p per mile 2002-03: 7p 2003-04: 7.2p
European travel		3 visits per year to EU institutions, the national Parliaments of EU member states, or candidate countries
Column 5 Members' Staff Travel		Each Member is entitled to a total of eighteen single journeys, shared between all employees, per calendar year between Westminster and the Constituency boundary.
Column 6 The cost of centrally purchased stationery, including stationery with pre-paid postage, for use in direct connection with a Member's Parliamentary duties.		
Column 7 The cost of centrally provided computer equipment, supplied on loan to each Member. This column gives the cash cost incurred during the year.		The provision allows for up to one laptop, three desktop PCs, two CD rewriters and one or two printers, depending on the specification required.
Column 8 Other costs incurred from central budgets, including the temporary secretarial allowance which pays for additional help when staff are absent due to sickness; central contributions to security costs for the office; resettlement grant; ill-health retirement grant; and Winding-Up allowance payable to defeated or retiring Members or representatives of deceased Members after the date on which they cease to be a Member of Parliament.		

Dear Ms Duncan,

Please find attached a reply from the House of Commons to the questions in your letter dated 8 September about Mr Ben Leapman's appeal.

Let me know if I can be of further assistance.

Judy

Judy Wilson
FOI Officer
House of Commons
London SW1A 0AA
020 7219 8364 <<Ben Leapman ICO.doc>>

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FS50071451 - Mr Leapman

1. Thank you for your letter of 8 September. We have already corresponded about the information you have asked for in the final paragraphs of your letter and about your proposed visit to the House to discuss Additional Costs Allowances in general. This letter is in response to the points made in the first part of your letter.
2. Thank you for clarifying that you agree that the information requested by Mr Leapman constitutes personal data within the meaning of the Data Protection Act and hence that section 40 of the FOIA requires the application of the data protection principles. We seem also to agree that the test which the House has to apply in this case is that set out in paragraph 6 of Schedule 2 to the DPA ("the balancing test") namely whether disclosure is necessary balancing the legitimate interests of the person requesting the information against the prejudice to the rights, freedoms or legitimate interests of the MPs concerned. The factors which the Information Commissioner intends to set out in the guidance to which you referred in your earlier letter are clearly factors which would be relevant to a data controller's consideration of that balance, to a greater or lesser extent in any particular case.
3. You say that the House seems to argue that the expenses claimed relating to the costs of maintaining a house near Westminster are not "professional expenses" and hence should not be disclosed. Quite the contrary, the point that the House was making in the letter of 5th July was that there is no clear or useful distinction between professional expenses on the one hand and personal expenses on the other. The expenses at issue here are clearly incurred by the MP in a professional capacity but relate in part to his private and family life in that they relate to his home and may benefit his family. The House does not believe that it is appropriate to substitute for the complex balancing test, some "rule of thumb" that professional expenses should be disclosed and private expenses should not. Such a division is particularly inappropriate in relation to Additional Cost Allowances which, as the House tried to explain, contain both professional and private elements.
4. Turning to the status of Members of Parliament and the relevance of the Commissioner's guidance on disclosure of information about employees, you stress, which is not in contention, that the House holds the material requested and that it is responsible for the administration and management of allowances claimed by Members from the public purse. However, the information requested does not really relate to the House's administration of allowances such that the activities of the MPs in making claims can be treated as part of the business of the House in the same way that an employee's activities are part of the business of the company he works for.
5. The point can, perhaps, be illustrated in the following way. The proposed guidance states that the Commissioner will consider that in relation to more senior staff and those in public facing roles, the higher the level of disclosure which should be expected. This makes sense in relation to the hierarchy of a company because those in senior positions and in more public facing roles are closer to the heart of the company's business. But it makes no sense in the current context: Mr

Leapman's request in relation to the Prime Minister should not be treated differently from his request in relation to a back bench MP, and disclosure should not depend on whether the MP has been in the public eye for some reason over recent months. The House's view is that all MPs are entitled to the same consideration under the balancing test.

6. With regard to the point about less or more 'sensitive' personal data, we do not see that the fact that the Act expressly recognises and defines a distinction between personal data and sensitive personal data supports a contention that outside that class of sensitive personal data there is some further undefined subset of sensitive data entitled to greater protection than "ordinary" data. The Data Protection Act enacted a broad definition of personal data and applied the obligations to data controllers in relation to all of that data. This is subject to specified exemptions which are carefully drawn, for example in the Data Protection (Notification and Notification Fees) Regulations 2000 made under section 17(3) of the Act. The rest of the Act does not therefore seem to rely on there being a sliding scale of sensitivity beyond the category of sensitive personal data as defined in section 3.
7. Further we do not think it would be fair to make assumptions about what a particular MP would regard as sensitive or not, as part of the balancing test. The FOIA entitles a person to request information without explaining why he wants the information or the use to which he intends to put it. The House assumes therefore that, when applying the balancing test, it cannot reject the request simply on the basis that the third party has not explained what legitimate interests he is pursuing or if the House concludes that no legitimate interest is discernible from the request. It would therefore be unfair, in the House's view, to treat the data subject less favourably by applying some high threshold to establishing a legitimate interest on the part of the data subject to protection of his personal data.

From: Nicole Duncan
Sent: 18 October 2005 15:52
To: Nicole Duncan
Subject: FW: H of C/ICO Meeting 20.10.05

-----Original Message-----

From: WILSON, Judy [mailto:WILSONJUDY@parliament.uk]
Sent: 18 October 2005 11:44
To: Nicole Duncan
Subject: RE: H of C/ICO Meeting 20.10.05

Dear Ms Duncan,

Thank you for your email. I have discussed with colleagues in the House your request to review information relating to Members' expense claims. Roger Sands (Clerk of the House of Commons and Chief Executive) is today writing to Richard Thomas to request an urgent meeting with him to discuss your request.

Officials do not at present have the authorisation to show you Members' files so we cannot comply with your request at the meeting scheduled for this Thursday morning (20.10.05). However, subject to your agreement, Andrew Walker (Director of Finance and Administration for the House of Commons) would like to go ahead with the meeting so that he can arrange for you to be given an explanation of the allowances system and to see example blank claim forms (and possibly anonymised completed claim forms).

Could you please let me know whether you would like to proceed on that basis, and if so, perhaps you could confirm the names of those who would be attending from your office.

Judy Wilson
FOI Officer
House of Commons
London SW1A 0AA
020 721 8364

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-----Original Message-----

From: Nicole Duncan [mailto:Nicole.Duncan@ico.gsi.gov.uk]
Sent: 17 October 2005 15:00
To: WILSON, Judy
Cc: [REDACTED]
Subject: Re: H of C/ICO Meeting 20.10.05

Ms Wilson

In advance of Thursday's meeting I thought it best to clarify in which cases we would like to review information. Please find attached a list of the cases in which we are expecting to view information. I understand that we have already received a copy of the relevant information in the Carr-Brown case- FAC0071194 and as such will not require an additional copy. I also acknowledge that I have not to date formally requested a copy of the information in the Baker case- FS50072319, however I would appreciate it if you could make the necessary arrangements and provide a copy of this information on Thursday.

Please feel free to contact me if you have any questions or concerns. Thanks in advance.

Regards,

Nicole Duncan
Complaints Resolution Officer
(0)1625 545774

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Cheshire, SK9 5AF

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Nicole Duncan

From: [REDACTED] [REDACTED]@parliament.uk]

Sent: 26 October 2006 12:33

To: Nicole Duncan

Subject: RE: FOI Complaint FS50071451

Dear Nicole

I am happy to provide this information but as we are publishing the allowance figures today in accordance with our publication scheme I will not be able to make a start on it until Monday. I will endeavour to respond by Friday 3 November - I hope that this is acceptable.

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-----Original Message-----

From: Nicole Duncan [mailto:Nicole.Duncan@ico.gsi.gov.uk]

Sent: 26 October 2006 12:21

To: [REDACTED]

Subject: Re: FOI Complaint FS50071451

Importance: High

Dear [REDACTED]

Thank you for your reply to the preliminary decision notice in respect of Mr Leapman's complaint. We are currently reviewing the House's response. I note the clarification provided in paragraph 14 of that response in which the House states that:

"The House does hold the information described where an agreement or mortgage has been entered into by the MP and forms the subject of a claim (but, one of the subjects of the request neither rents a property nor submits claims for a mortgage so that the House cannot of course hold the information."

However, given that my notes of our visit to the House of Commons to view the information requested in this case do not reflect that either mortgage interest statements or rental agreements were included in the bundle, nor do I recall viewing such documents I would appreciate it if you would further clarify what information the House holds in respect of each of the six named MPs. In particular, please specify whether the House holds mortgage interest statements and/or rental agreements in respect of each individual MP named in the request and in doing so indicate the financial year each document pertains to.

I would appreciate this information as soon as possible. Thank you in advance.

Regards

Nicole

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Cheshire, SK9 5AF

Tel: 01625 545 700 Fax: 01625 524 510

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From: [REDACTED] [REDACTED]@parliament.uk]

Sent: 31 October 2006 12:33

To: Nicole Duncan

Subject: RE: FOI Complaint FS50071451

Dear Nicole

I can confirm that the bundle made available to you in July contained copies of all of the information that the House holds that is relevant to Mr Leapman's request. I hope that the following summary, together with the description of the ACA forms previously provided, will complete your note of your visit in July.

Please confirm that the specifics of the House's holdings in relation to each of the data subjects as listed below will not be reproduced in the final decision notice.

The request:

Copies of original submissions with copies of receipts, rental agreements, or mortgage interest statements from six named individual MPs in support of their claims for Additional Costs Allowance (ACA) in each of the financial years 2001/2, 2002/3, 2003/4.

The six MPs were: Tony Blair, Barbara Follett, Alan Keen, Ann Keen, Peter Mandelson, John Wilkinson.

The information held:

Name	Year	Copies of original submissions with copies of receipts (where available)	Rental agreements, or mortgage interest statements
Tony Blair	2001/02	√	X
	2002/03	√	X
	2003/04	√	√
Barbara Follett	2001/02	X	X
	2002/03	√	X
	2003/04	√	X
Alan Keen	2001/02	X	X
	2002/03	√	√
	2003/04	√	√
Ann Keen	2001/02	X	X
	2002/03	√	√
	2003/04	√	√
Peter Mandelson	2001/02	X	X
	2002/03	√	X
	2003/04	√	X
John Wilkinson	2001/02	X	X
	2002/03	√	X
	2003/04	√	√

Please let me know if I can assist further

[REDACTED]

0207 219 2032

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-----Original Message-----

From: Nicole Duncan [mailto:Nicole.Duncan@ico.gsi.gov.uk]
Sent: 26 October 2006 12:21
To: [REDACTED]
Subject: Re: FOI Complaint FS50071451
Importance: High

Dear [REDACTED]

Thank you for your reply to the preliminary decision notice in respect of Mr Leapman's complaint. We are currently reviewing the House's response. I note the clarification provided in paragraph 14 of that response in which the House states that:

"The House does hold the information described where an agreement or mortgage has been entered into by the MP and forms the subject of a claim (but, one of the subjects of the request neither rents a property nor submits claims for a mortgage so that the House cannot of course hold the information."

However, given that my notes of our visit to the House of Commons to view the information requested in this case do not reflect that either mortgage interest statements or rental agreements were included in the bundle, nor do I recall viewing such documents I would appreciate it if you would further clarify what information the House holds in respect of each of the six named MPs. In particular, please specify whether the House holds mortgage interest statements and/or rental agreements in respect of each individual MP named in the request and in doing so indicate the financial year each document pertains to.

I would appreciate this information as soon as possible. Thank you in advance.

Regards

Nicole

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