

Libraries and Communities

London Borough of Bexley Civic Offices 2 Watling Street
Bexleyheath Kent DA6 7AT
www.bexley.gov.uk



m/r 10685328

Direct Dial

020 3045 4562

y/r

Date

18 October 2021

paul.fisher@bexley.gov.uk

The person dealing with this matter is: Paul Fisher

Mr Dave Rowe

Dear Mr Rowe

Thank you for your request for information received on 16 September 2021 concerning:

Hello, I have two freedom of information (FOI) queries that should be quick. This is being sent to all UK library services so be assured you aren't being singled out! If the operating of the library service has been outsourced to a separate organisation then please fulfil this request by retrieving the response from that body.

1. Does the library service complete annual library statistics to be sent to CIPFA? And specifically, have these been completed for the financial year 2020/2021?
2. If the answer to the above is Yes, please include a copy of your 2020/2021 CIPFA library statistics return in your response. This should be sent in the same format as was sent to CIPFA (e.g. an Excel spreadsheet).

It is important that this should be an exact copy of the data sent to CIPFA. I am not requesting any data that is owned by CIPFA, such as their own aggregated reports. As the data is compiled by the library service it is public library data, and subject to Freedom of Information.

To try and cover any concerns about the second part of this request, I have answered a number of potential worries below. Please have a quick look through these before responding!

- Data Format. The data should be sent as structured data in spreadsheet format. Guidelines from the Information Commissioner's Office specify that it is reasonable to request data in a re-usable and "Machine-readable" formats. For example, if the data were exported to a PDF file then that would not be acceptable, as that is a document rather than structured data.
- FOI exemption: accessible by other means. Occasionally, requesters in the past have been told that this data could be exempt from FOI as it accessible from CIPFA when it is published. However this fails the test of being 'reasonably' accessible due to the high cost for a member of the public. This exemption would certainly be overturned on appeal.
- FOI exemption: commercial interest. Commercial interest exemptions do exist in FOI legislation but this would not apply to a single third party (e.g. CIPFA) who use public data. Their commercial interests are in the value they provide in reporting on that data..

This request is being handled under the Freedom of Information Act 2000.

I can confirm that the London Borough of Bexley holds the information you requested. However we are withholding that information since we consider that the following exemptions apply to it.

We consider that the qualified exemption set out in Section 43 (Prejudicial to commercial interests) applies to the information requested. Therefore, we have decided to withhold the information.

In applying this exemption, we have had to balance the public interest in withholding the information against the interest in favour of disclosure.

Factors in favour of disclosure

- Performance information about the library service is publicly disclosable information.

Factors in favour of withholding

- The request is not directly for the performance data of the library service, but rather for: "a copy of your 2020/2021 CIPFA library statistics return". This should be sent in the same format as was sent to CIPFA (e.g. an Excel spreadsheet). It is important that this should be an exact copy of the data sent to CIPFA.
- The spreadsheet requested is a copyrighted document that contains formula and dataset format that if disclosed may affect Cipfa's commercial interests, as the form in which this information is collected relates directly to plans for publication of the data.

In all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

If you are unhappy with the way your request for information has been handled, you can request a review by writing to:

Complaint and Freedom of Information Officer
London Borough of Bexley
Civic Offices
2 Watling Street
Bexleyheath
Kent
DA6 7AT

Or by email to foi@bexley.gov.uk

Yours sincerely

Paul Fisher
Library Services Manager