



Foreign &
Commonwealth
Office

Information Rights Team
Foreign and Commonwealth Office
Old Admiralty Building
SG 120
London
SW1A 2PA

Mr Ric Lander

Email: DP-FOI.IMG@fco.gov.uk
Website: www.fco.gov.uk/foi

By email: request-117550-5a4b1dfe@whatdotheyknow.com

05 October 2012

Dear Mr Lander

FREEDOM OF INFORMATION ACT 2000 REQUEST REF: 0596-12

Thank you for your email dated 25 May 2012 asking for information on FOI requests received by the FCO since 29 July 2010. You asked for:

“an excel spreadsheet (NOT pdf) list of all FOI requests you have had since from 29 July 2010 to the present. For each FOI request, please list:

*date of request
date of reply
reference number/ID
subject/title of the request [each request on the list should include the subject/title of the request]
status [whether information was fully released, partially released or withheld]”*

I am writing to confirm that we have now completed the search for the information which you requested. I can confirm that the Foreign and Commonwealth Office (FCO) does hold information relevant to your request. Please find attached the information that the FCO can release to you.

The attached spreadsheets list the FOI requests received by the FCO in the period from 29 July 2010 to 31 December 2011 and 1 January to 31 March 2012. Please note:

- i) these lists are drawn from working records. As a result the FOI requests are not necessarily in numerical order and the subject/titles have been compressed to fit limited space;
- ii) some of the subject/titles contain acronyms, spelling and grammar errors;
- iii) on the date that the lists were compiled some of the requests were still open and therefore these requests will lack completion dates and status;
- iv) In one request the name of Minister Jeremy Browne has been entered in error as “Jerome”.

We use the following terms for status:

- i) *advice and assistance* - advice on where else to find the information requested,
- ii) *full refusal* - we have applied exemptions to all the information requested,
- iii) *granted in full* - we have answered the request without applying exemptions,
- iv) *not held* - we do not hold the information requested,
- v) *over 600* - the request has exceeded the cost limit,
- vi) *part refusal* - exemptions have been applied to some information requested,
- vii) *repeated request* and *vexatious* as defined in the FOI Act.

Section 12 of the Freedom of Information Act makes provision for public authorities to refuse requests for information where the cost of dealing with them would exceed the appropriate limit. The limit has been specified in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004. For central government the appropriate limit is set at £600. This represents the estimated cost of one or more persons spending 3 ½ working days in determining whether the Department holds the information, and locating, retrieving and extracting it.

We estimate that the work involved to retrieve the exact subject/title of each FOI request from July 29 2010 to 31 March 2012 would take more than 3 1/5 days. In these circumstances we are not obliged under the Act to comply with your request. We would also have had to create new information, by compiling the titles into a new document, to answer the request which we are not obliged to do under the FOI Act. We could look at this again if you could specify a shorter time frame or ask for the exact titles of a reasonable number of particular requests.

Some of the FOIs received by the FCO in this period have been withheld under Section 21 of the Act. We are not required to provide information in response to a request if it is already reasonably accessible to you. Some of the FOI requests received by the FCO within this period are available through the FCO publication scheme:

<http://www.fco.gov.uk/en/publications-and-documents/freedom-of-information/released-documents/>

or are available on www.whatdotheyknow.com

In the attached spreadsheets there are a few small redactions in the subject/titles of individual FOI requests. Some information has been withheld under Section 40 (Personal Information) and 43 (Commercial Interests) of the FOIA.

Some of this information has been withheld using section 40. This is personal data relating to third parties. It is our view that disclosure of this information would breach the first data protection principle, which states that personal data should be processed fairly and lawfully. Section 40(2) and (3) of the FOIA therefore apply. It is the fairness aspect of this principle which we think would be breached by disclosure in this case. In such circumstances section 40 confers an absolute exemption on disclosure. We do not therefore have to apply the public interest test.

A limited amount of information has been withheld using Section 43(2) of the Freedom of Information Act, which relates to commercial interests. In applying this exemption, we have had to balance the public interest in withholding the information against the public interest in disclosure. The factors in favour of disclosure of this information, include the public scrutiny of government, government transparency and accountability, were carefully weighed against

the need to allow commercial organisations the space to conduct their lawful business competitively and without fear of disclosure of sensitive information. In this case, after such consideration, we believe that the public interest in withholding the information, outweighs the public interest in its release.

You may be interested in the statistics and reports published quarterly by the Ministry of Justice on the performance of central government departments, including the Foreign and Commonwealth Office, and other bodies handling FOI requests:

<http://www.justice.gov.uk/publications/statistics-and-data/foi/implementation.htm>

In keeping with the spirit and effect of the Freedom of Information Act, all information is assumed to be releasable to the public unless it is exempt. The information we have supplied to you may now be published on our website together with any related information that will provide a key to its wider context.

I hope you are satisfied with this reply. However, if you wish to make a complaint or if you would like a review of our decision, please write to the Information Rights Team, Foreign and Commonwealth Office, Room SG/120, The Old Admiralty Building, London, SW1A 2PA. E-mail: dp-foi.img@fco.gov.uk. You have 40 working days to do so from the date of this letter.

If you are not content with the outcome of your complaint, you may then apply directly to the Information Commissioner for a decision. Generally, the Information Commissioner cannot make a decision unless you have exhausted the complaints procedure provided by the FCO. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

Yours sincerely,

Sarah Murrell
Case Manager
Information Rights Team



We keep and use information in line with the Data Protection Act 1998. We may release this personal information to other UK government departments and public authorities.