



Public Health
England

Public Accountability Unit
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By email

Our ref: 13/08/jb/219

Dan

request-224804-f5846408@whatdotheyknow.com

2 September 2014

Dear Dan

Re: Freedom of Information policy

Thank you for your email of 13 August 2014 which stated "I was advised by a civil servant that the default position of PHE and others was to resist FOI requests". Your email asked for information related to PHE's Freedom of Information policy and volumes of requests.

Your request has been considered under the Freedom of Information (FOI) Act and in accordance with Section 1(1)(a) I can confirm that Public Health England (PHE) holds some of the information you have specified.

PHE recognises its statutory duty to apply correctly FOI legislation to requests, ensuring that where it is necessary to apply exemptions these are done in accordance with the law, transparently and with decisions being clearly explained.

You asked what measures PHE takes to ensure its policy is monitored and enforced. PHE has a dedicated and trained FOI team which liaises with the rest of the organisation to obtain information and then applies FOI legislation, ensuring this is consistent and lawful. The team keeps abreast of FOI developments from the Information Commissioner and ensures that each response gives details of its internal review process and how to appeal to the Information Commissioner once the internal review route has been exhausted.

PHE takes its FOI duties as a public authority very seriously. For the year April 2013 to March 2014 PHE was 97.75% compliant with its duty to respond to requests within 20 working days. PHE also has standardised operating processes for handling statutory access requests which are available for all staff to view and the FOI team frequently gives awareness sessions for PHE staff, where the value of FOI to both the organisation and the public is discussed. PHE has recently launched a disclosure log on its website where the public can view the most recent releases.

PHE only withholds information in very limited circumstances; for example, if the information constitutes personal data as defined by the Data Protection Act we would withhold this information.

Ultimately the performance and decisions of all public authorities are monitored by the Information Commissioner who has powers written into the FOI Act which include non-criminal enforcement and assessments of good practice.

Your specific FOI request asked:

Please can you also provide details on the number of requests received over the last 3 years and the number of those that were resisted. I would assume that for governance purposes these can be broken down in to categories of reasons. Please provide this breakdown as well.

PHE was established on 1 April 2013. Therefore we only hold the information since that date.

For the year 1 April 2013 – 31 March 2014, PHE received 267 FOI requests and 141 enquiries which were treated as FOI consultations (ie requests for information which were FOI related, but which fell outside the scope of the Act). From 1 April 2014 to 31 August 2014, PHE has received 118 FOI requests and 71 FOI consultations. PHE does not centrally record how many of these requests resulted in refusal notices, nor do we hold records of which exemptions were applied. The FOI Act does not oblige us to create new information in order to respond to a request for information.

If you have any queries regarding the information that has been supplied to you, please refer them to me in the first instance. If you are dissatisfied with this response and would like to request an internal review, then please contact Mr George Stafford at the address above or by emailing internalreview@phe.gov.uk

Please note that you have the right to an independent review by the Information Commissioner's Office if a complaint cannot be resolved through the PHE complaints procedure. The Information Commissioner's Office can be contacted by writing to Information Commissioner's Office, Wycliff House, Water Lane, Wilmslow, Cheshire SK9 5AF.

Yours sincerely

Jonathan Bennett
Freedom of Information Officer