



Information Commissioner's Office
Promoting public access to official information
and protecting your personal information

Press Release

For immediate release

Date: 2 April 2008

ICO orders more detail on MPs' expenses to be disclosed

The Information Commissioner's Office is ordering the House of Commons to release the spending details of seven MPs in Wales. This follows a freedom of information request for the amounts spent by the seven MPs on circulars and reports to their constituents since May 2005.

The House of Commons refused to release the details, maintaining that the information is considered personal to the MPs concerned and its disclosure would breach data protection principles. The ICO believes that the legitimate public interest in disclosing the information outweighs any possible prejudice to the rights, freedom and legitimate interests of MPs.

In making his decision the Information Commissioner considered whether the information requested related to individuals acting in an official rather than a private capacity. In this case he is of the view that the expense details held by the House of Commons relate to MPs' official duties and exclude personal or political activities. He concludes that although the requested information is the MPs' personal data, its disclosure would not be unfair and would not constitute a breach of the Data Protection Act.

The House of Commons maintained that the precise information requested cannot be provided as it may not be totally accurate (for instance, expense claims under £250 do not have to be accompanied by a receipt and therefore may not show up in the schedule). The Information Commissioner highlights that providing an appropriate explanation of what the information holds would prevent any misinterpretations.

During the course of the investigation, the House of Commons told the ICO that 'strictly speaking we do not hold the material requested'. However, the Information Commissioner considers that a spreadsheet produced for the ICO by the House – containing the relevant material – would sufficiently fulfil the request. The ICO requires the House of Commons to extract the relevant information from documents it holds and provide the information to the complainant in the format requested.

In January the Information Commissioner ruled that a breakdown of the total amounts claimed by some individual MPs for travel, incidental expenses, staffing, central IT provision, centrally purchased stationery and additional cost allowance should be released under the Freedom of Information Act. It remains unclear whether the House of Commons will be appealing that decision.

Last year the Information Commissioner ruled that the total amounts claimed by some MPs under the additional cost allowance should also be disclosed. The House of Commons has since appealed this decision to the High Court.

The full decision notice can be viewed at

http://www.ico.gov.uk/what_we_cover/freedom_of_information/decision_notices.aspx

ENDS

If you need more information, please contact the Information Commissioner's press office on 020 7025 7580 or visit the website at: www.ico.gov.uk

Notes to Editors

1. The Information Commissioner promotes public access to official information and protects personal information. The ICO is an independent body with specific responsibilities set out in the Data Protection Act 1998, the Freedom of Information Act 2000, Environmental Information Regulations 2004 and Privacy and Electronic Communications Regulations 2003.
2. For more information about the Information Commissioner's Office subscribe to our e-newsletter at www.ico.gov.uk
3. The requested information relates to the MPs for Gower, Swansea West, Swansea East, Neath, Aberavon, Ogmore and Brigend since May 2005
4. Incidental Expenses Provision is available to MPs to meet the costs incurred by MPs in carrying out their parliamentary duties. The main area of expenditure incurred include the costs of accommodation for office and surgeries, work commissioned and other accommodation related services, certain travel and communications