

News release

12 April 2011

**Government departments facing regulatory action for
transparency delays**

Several public authorities, including the Cabinet Office and the Ministry of Defence, have failed to meet the requirement to reduce the time they take to respond to FOI requests, the Information Commissioner's Office announced today.

The ICO monitored the performance of 33 public authorities for a period of three months, following concerns about delays in their responses to FOI requests. Of the 33 authorities, the ICO is in discussions with several organisations about the improvements they still need to put in place. The Commissioner has particular concerns about delays at the Cabinet Office, the Ministry of Defence and Birmingham City Council. Discussions on appropriate regulatory action are now taking place.

Four other authorities - the London Borough of Hammersmith and Fulham, the London Borough of Islington, Wolverhampton City Council and Westminster City Council - have been asked to sign undertakings to improve their performance in this area.

The remaining 26 authorities have maintained or improved their response times sufficiently, and no action is being taken against them. However, the ICO has sent letters to the Home Office, the Metropolitan Police Service, NHS North West, the London Borough of Croydon, the Scotland

Office and the London Borough of Newham to put on record that, while all of them are now meeting the required standard, the monitoring has revealed some areas of concern.

Information Commissioner, Christopher Graham, said:

"I am delighted that over two thirds of the authorities whose performance we have been monitoring have managed to overcome their problems. However, the remaining authorities have not done enough to convince us that they have a clear and credible plan for getting back on track. Over the next four weeks, we shall be discussing appropriate next steps with them."

The ICO has also today published its latest list of organisations being monitored. Eighteen public authorities have hit one or more of the following performance markers:

- the ICO has received six or more complaints concerning delay within a six month period;
- it appears that an authority has exceeded the time for compliance by a significant margin on one occasion or more;
- for authorities that publish data on timeliness, it appears that less than 85% of requests are responded to within the appropriate timescales.

Commenting on the publication of the list, Information Commissioner, Christopher Graham, said:

“Responding promptly to FOI requests is key to delivering citizens’ rights. Too many public authorities are taking too long to decide either way whether to release information or to refuse requests.”

The performance of the public authorities will be monitored for a three-month period, from 1 April to 30 June 2011. The ICO will then collate the findings and expects to make a further announcement on the results, as well as publishing the next list, in the autumn.

ENDS

If you need more information, please contact the ICO press office on 0303 123 9070 or visit the website at: www.ico.gov.uk.

Notes to Editors

1. The [list](#) of public authorities being monitored from 1 April to 30 June is available on the ICO website.
2. The [list](#) of public authorities that were monitored from 1 October to 31 December 2010 is available on the ICO website.
3. More information on the [monitoring compliance](#) program is also available on the ICO website.
4. The Information Commissioner’s Office upholds information rights in the public interest, promoting openness by public bodies and data privacy for individuals.
5. The ICO has 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.
6. The ICO is on [Twitter](#), [Facebook](#) and [LinkedIn](#), and produces a monthly [e-newsletter](#). Our [For the media](#) page provides more information for journalists.
7. The Freedom of Information Act (FOIA) provides individuals or organisations with the right to request official information held by a public authority. The Environmental Information Regulations (EIR) provide access to environmental information. The ICO’s policy on enforcing public access to official information and the powers at its disposal are set out [here](#).