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# The Freedom of Information Act

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# A brief history

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- Since 2005, Freedom of Information Act 2000 and Environmental Information Regulations 2004 have been in force
- EIR for environmental information, FOI for more general information

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# Why?

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- Good for media – provides a hook for a story: “Cost of bypass up by 30%”
- Inform consultation responses
- Can inform a legal challenge

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# What can you ask for?

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- All recorded information held by a public authority, unless subject's own personal data.
- (But not a question asking to explain your decision on X or your policy on Y)

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# How do you make a request?

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- Just ask in writing
- Describe the information you need: “any Ministerially approved cost increases”
- Send to FoI dept and relevant contact

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# How long can they take?

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- Within 20 working days, of request being made/clarified:
- either a full response or explain as fully as possible why more time is needed

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# Exemptions / Exceptions

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- Most are not absolute - must balance public interest
- Compliance exceeds cost limit (none for EIR)
- Reasonably accessible by other means, e.g. website (though disability discrimination issues)
- Prejudicial to effective conduct of public affairs, e.g. inhibits frankness
- Commercial issue, legitimate economic interest

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# Appealing against a decision

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- Internal review (40 day limit for EIR)
- Apply to Information Commissioner
- Information Tribunal
- Judicial Review

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# For more information

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