



**Department for
Constitutional Affairs**
Justice, rights and democracy

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Steve Wood
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10 February 2006

Dear Mr Wood

Re: Freedom of Information request

Thank you for your email of 24 October in which you requested information relating to requests submitted by MPs. I would like to reiterate the apology given to you by my colleagues for the delay caused in dealing with your request, which was the result of an administrative error. I shall answer each of your questions in turn.

1. *The number of cases referred to the freedom of information central clearing house that are known to have been sent by MPs or their staff*

The Clearing House have received 196 referrals of requests that have been identified as from politicians, 145 of which we believe are from Westminster MPs. I should add that these figures relate to cases where it was apparent at the time that the requestor of information was a politician or had identified themselves as a politician.

2. *The number of clearing house cases relating to Westminster MPs' requests that have resulted in a) full information release b) non disclosure c) internal review*

With regards to part a) and b) of your request to extract this information would require us to search through each case file individually looking at every case assessment/case creation file, and in most cases every referral form, to identify accurately the relevant information and to input the information onto a new log.

To then provide you with the information requested relating to the type of requests you are concerned with would require the Department to undergo a process of analysis on the information that is held and would be required then to extrapolate further information. The Department does not hold the information in recorded form for the purposes of the Act and in order to do so would exceed the appropriate limit.



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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 appropriate limit for central Government is set at £600, which represents the estimated cost of one person spending 3 ½ working days in determining whether the Department holds the information, and locating, retrieving and extracting the information.

We estimate that it will take us more than 3 ½ days to locate, retrieve and extract the information requested. Your request exceeds the cost limit and is therefore refused on that basis.

The Clearing House are unable to easily identify cases at internal review where the Clearing House has previously been involved, as they do not operate a system where requests for internal reviews are automatically linked to the original request for information. Additionally you may wish to note that the Clearing House responds to requests for advice and provides expert guidance to requests referred by client Departments. Where requests from MPs fall within the scope of the triggers, the Clearing House will provide advice. However the Clearing House does not, in all instances, receive a copy of final responses issued to applicants, or details as to whether the request is answered in full, in part or is refused. It is therefore not possible to provide you with the information you have requested.

3. *The number of Freedom of Information Act requests from Westminster MPs received by the Department of Constitutional Affairs.*

I can confirm that the Department has received 21 FOI requests to date from individuals who have identified themselves as MPs. The Act only requires individuals to provide an address for correspondence (including an electronic address). It is therefore possible that other requests may have been received from MPs who have chosen not to self-identify themselves in correspondence. Although not required to do so under the Act following a process of analysis I can confirm that we have received 19 FOI requests from 9 Westminster MPs.

If you are unhappy with the way the Department has handled your request, you may ask for an internal review. Requests for internal review should be addressed to Access Rights Unit, Department for Constitutional Affairs, 5th Floor, 30 Millbank, London SW1P 4XB.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House Water Lane, Wilmslow, Cheshire, SK9 5AF

If you have any queries about your request please contact me.

Yours sincerely

Reaz Khedarun
Access Rights Unit

