

Annual Report and Resource Accounts 2009-10

Annexe H

Freedom of Information/Data Protection – January 2009 to December 2009

Freedom of Information

Under the Freedom of Information Act (FoIA), any person may request information from a public authority, such as the OFT, which has functions in England, Wales, Scotland or Northern Ireland. The Act also requires public bodies to make information available through a publication scheme – the OFT's publication scheme sets out the information we publish and how it can be obtained (much of it is available on our website and is free of charge).

We aim to be open and transparent about our work, and provide as much information as possible. However, we are not permitted to disclose certain information we receive in the course of carrying out our duties except in certain limited circumstances. We may also withhold information if we believe doing so would serve the public interest better than disclosing it, or if disclosing the information would be an unlawful breach of confidence or would otherwise be unlawful.

The FoIA statistics below have been collated in accordance with the timescales required by the Ministry of Justice. Between 1 January 2009 and 31 December 2009, the OFT received 508 requests for information under the Freedom of Information Act. A breakdown of how we responded to these requests is set out below:

Requests granted in full	116
Requests where advice and assistance were provided to the requester	91
Refused in full because the Office does not hold any of it	14
Requests which were considered vexatious	1
Refused because the cost of the response would exceed the appropriate limit	11
Refused part of the information	71
Refused all of the information requested	204
Total	508

We responded to 95 per cent of all requests within the statutory 20 day period. We also received and responded to 12 appeals ('internal reviews') against non-disclosure. In seven cases the original decision was upheld; in three the decision was partially upheld; in the other two the decision was overturned.

Where we decide not to disclose, the person making the request has a right of appeal to the Information Commissioner, and there were six such appeals during 2009. Of these, one partially upheld the Office's original decision to refuse disclosure of the information, two overturned the original decision, and in the three remaining cases the Information Commissioner had not yet given his ruling.

Any requests for information from those unable to access our website or find the information they are looking for can be sent in writing to:

FoIA/DPA Coordinator
Room GS3
Fleetbank House
2-6 Salisbury Square
London EC4Y 8JX

Or by email to:
InformationAccessTeam@oft.gsi.gov.uk

Data protection

The Data Protection Act 1998 provides to individuals a right of access to personal data held on them. Personal information obtained in the course of the performance of OFT functions and activities is held, stored, disclosed or otherwise processed in accordance with the Data Protection Act. The OFT received and responded to 128 requests for personal information made under the Data Protection Act. Subject Access Requests and other requests for personal information in OFT's possession should be sent to the same address given above.