

Freedom of Information Act 2015

Statistics for Quarter: 1 April 2017 to 30 June 2017

August 2017

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Introduction

The Freedom of Information Act 2015 ("the Act") was extended, on 1st July 2017, to include Statutory Boards, Offices, publicly-owned companies and certain other public authorities. All Government Departments, the Chief Constable and the Clerk of Tynwald's Office have been under the freedom of information ("FOI") regime since 1 January 2017.

Freedom of Information ("FOI") requests

A total of 131 FOI requests were received during the months April to June. The number of requests received by each Department including Isle of Man Constabulary and Clerk of Tynwald's Office is shown in *Figure 1*. The Department of Infrastructure and Department of Health and Social Care received the most FOI requests at 27 and 25 respectively.

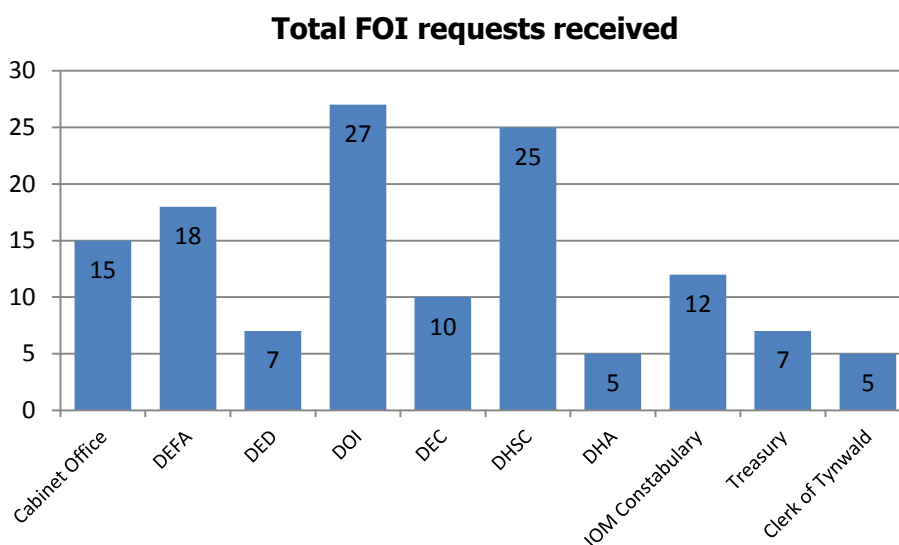


Figure 1

There has been a slight increase in FOI requests received from 125 to 131 compared with the previous quarter. However, out of the 131 FOI requests received, 28 were later withdrawn by the requester meaning that they did not require a response.

Data subject access requests

A total of 128 subject access requests under the Data Protection Act 2002 ("DPA") were received during the months April to June. The number of requests received by each Department including Isle of Man Constabulary and Clerk of Tynwald's Office is shown in *Figure 2*. The Department of Health and Social Care received the majority of subject access requests amongst public authorities.

In comparison to the previous quarter, in which 277 subject access requests were received by departments, there has been a decline in subject access requests received. There is insufficient evidence at present to conclude a causal relationship between subject access requests received and the introduction of Freedom of Information Act 2015.

Total subject access requests received

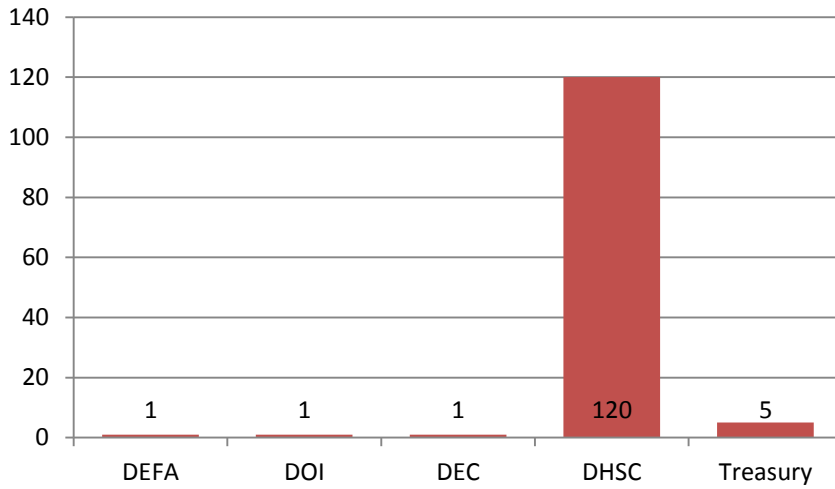


Figure 2

Responses to requests

98 FOI requests were responded to during the months April to June (see Figure 3)¹, 3 responses were issued after 20 working days when the public authority was considering the application of qualified exemptions and 1 response was issued after 20 working days not subject to a qualified exemption. A detailed breakdown of response status by each public authority is detailed in Table 1 of the Appendix.

FOI request status

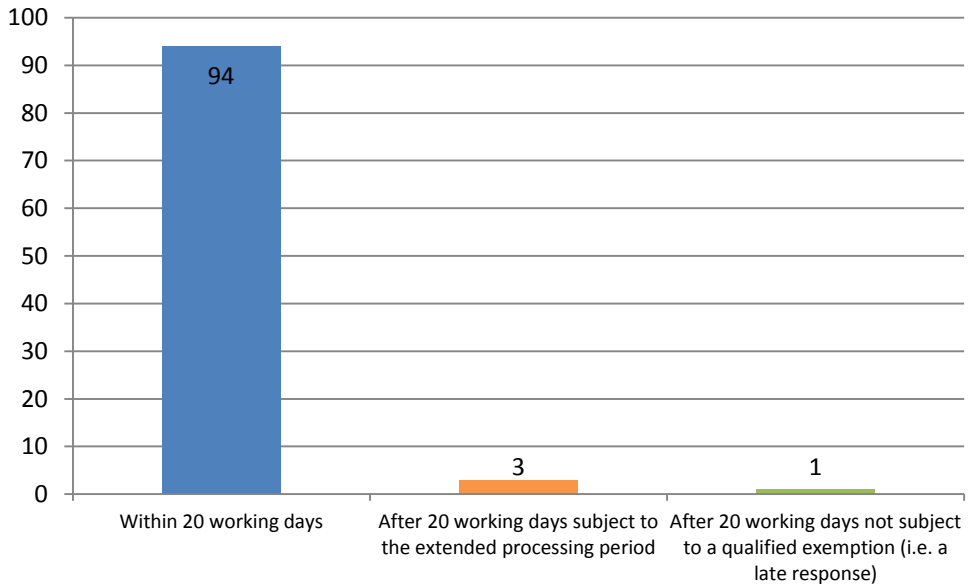


Figure 3

¹ Of requests received between 1 April and 30 June 2017, some statutory response deadlines were carried forward from requests received during the previous quarter.

Outcome of requests

45 requests were fully disclosed and 31 were fully withheld due to practical refusal reasons or exemptions. Partial disclosures have been made to a further 21 requests during April to June (see *Figure 4*).

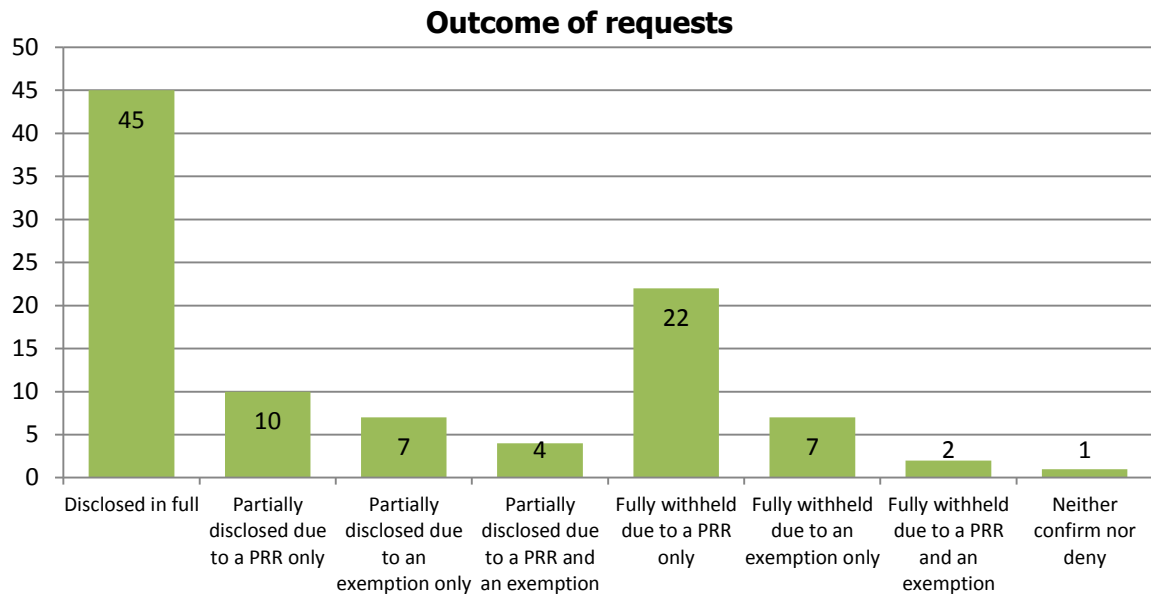


Figure 4

The outcome of requests for each public authority is shown in *Table 3* of the Appendix. The majority of requests were fully disclosed.

Requester types

The majority of requests have been submitted by individuals (see *Figure 5*).

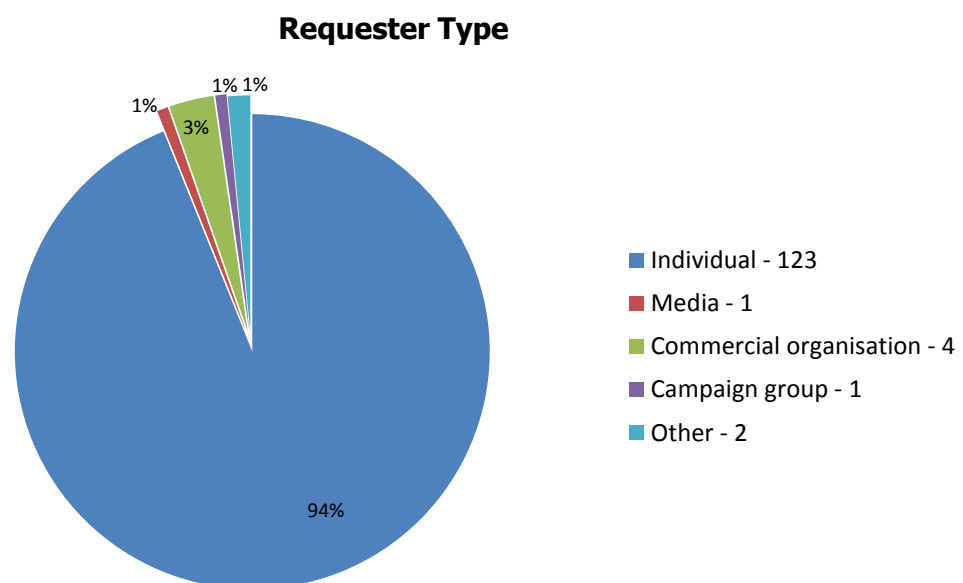


Figure 5

Of the 123 requests made by individuals during the months April to June, 6 individuals have submitted more than 2 requests (see Figure 6).

Breakdown of requests made by individuals

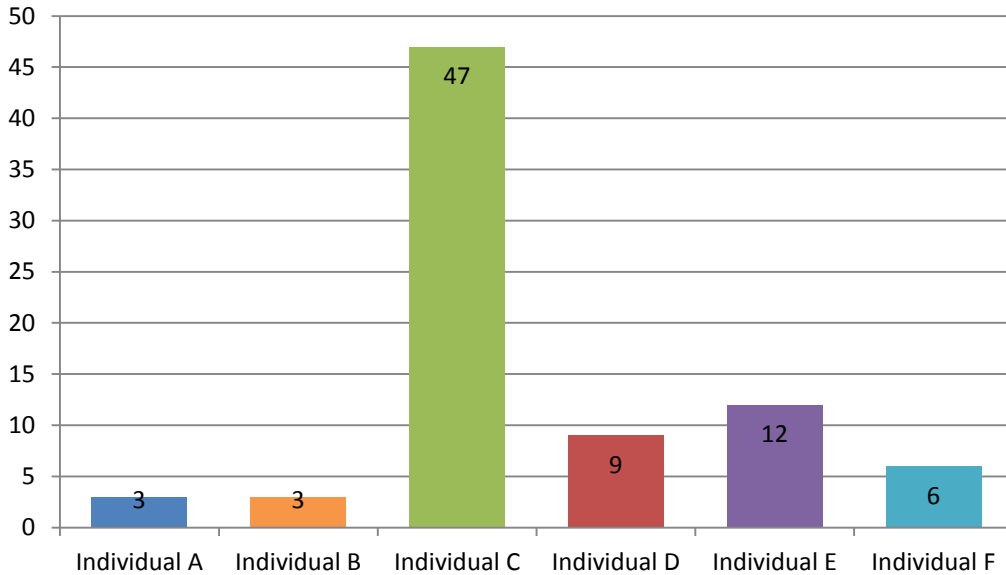


Figure 6

Individual C has submitted 36 percent of the total FOI requests received between 1 April and 30 June. Table 2 shows how their requests are distributed across authorities.

Table 2: a breakdown of requests submitted by Individual C

Public Authority	Number of requests
Cabinet Office	7
DEFA	9
DED	1
DOI	10
DEC	2
DHSC	7
DHA	2
IOM Constabulary	2
Treasury	4
Clerk of Tynwald	3
Total:	47

Practical refusal reasons applied

The practical refusal reason, "information not held" was applied to 31 requests; in addition, 2 requests would have required a public authority to create or derive information, undertake research, analysis or substantial compilation, 5 requests were not valid, 1 request was deemed to be vexatious, malicious, frivolous, misconceived, or lacking in substance and 2 were repeat requests (see *Figure 6*).

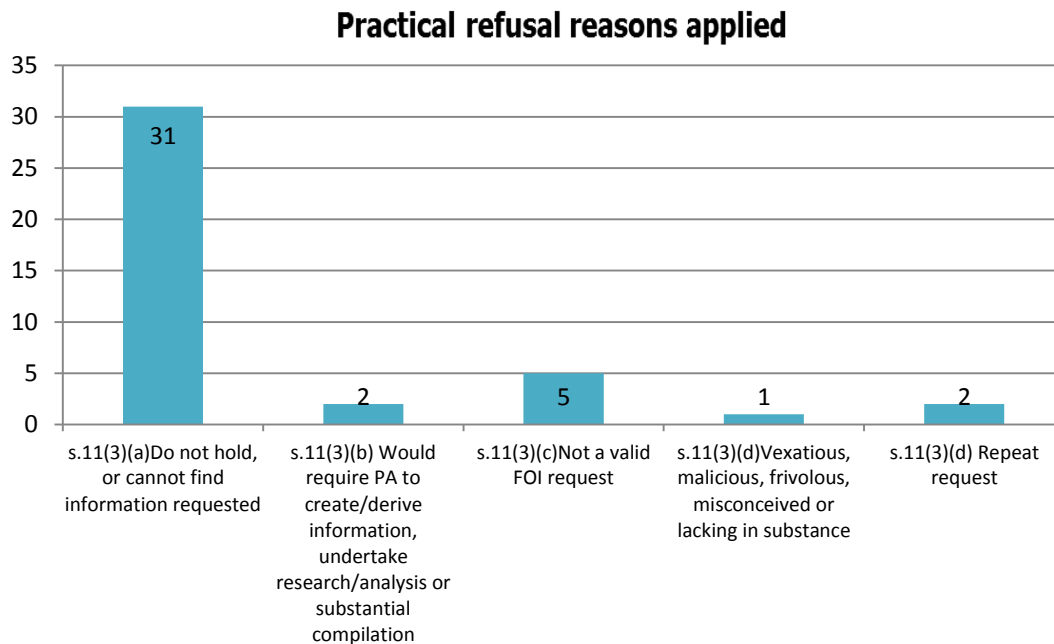


Figure 6

Exemptions applied

One or more exemptions were applied to 20 requests. The most frequently used exemptions were sections 20 (absolutely exempt information accessible by other means), section 25 (absolutely exempt personal information), and section 30 (economy and commercial interests) (see *Figures 7 and 8*). A detailed breakdown of exemptions applied by each public authority is detailed in *Table 4* of the Appendix.

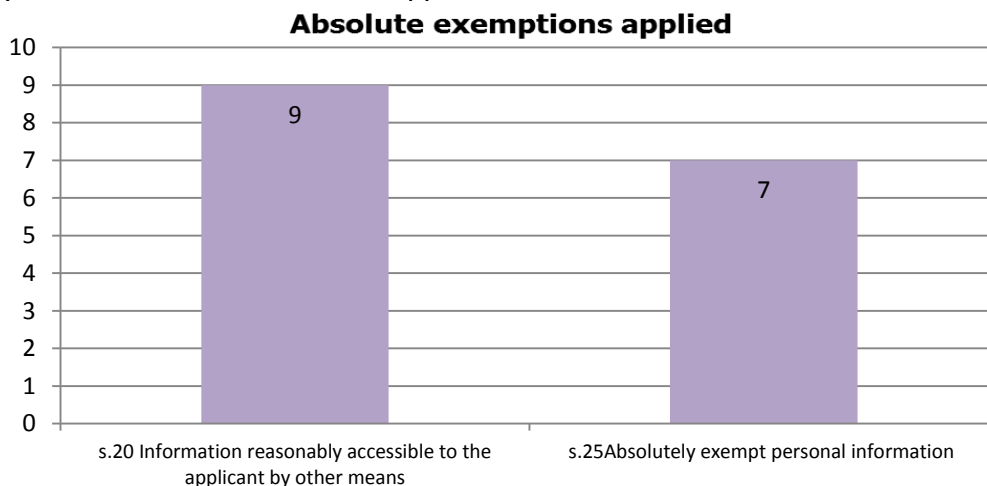


Figure 7

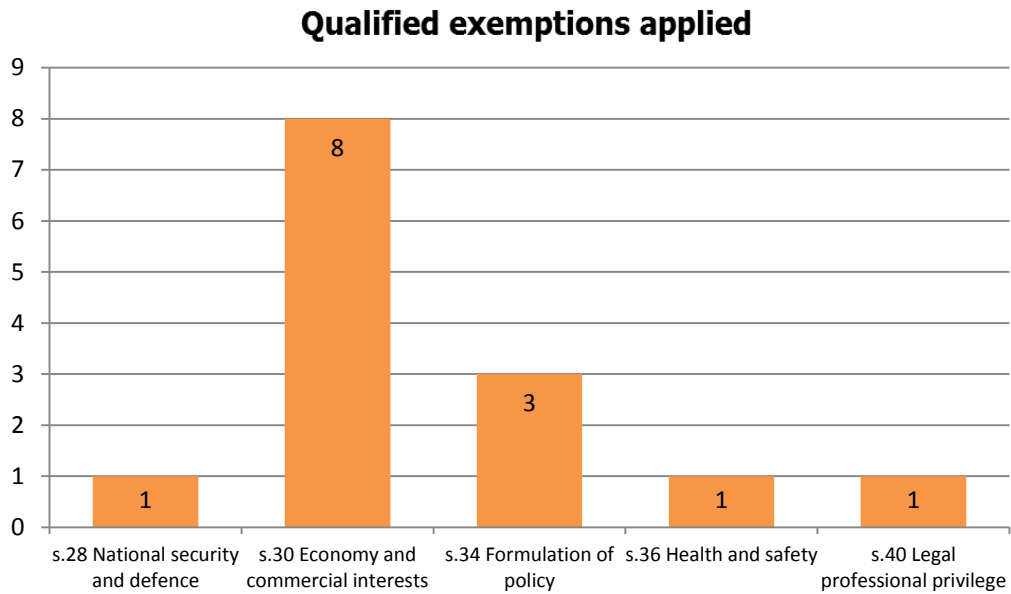


Figure 8

Internal review and appeals to the Information Commissioner

There were 3 requests for an internal review received during the months April to June; 1 to the Isle of Man Constabulary and 2 to the Department of Health and Social Care. All 3 reviews have been completed, the Isle of Man Constabulary upheld their original response the Department of Health have upheld the one original response and upheld the other in part.

There was 1 appeal to the Information Commissioner during this quarter on the review response given by the Isle of Man Constabulary. This is currently in progress.

APPENDIX

Table 1: FOI requests status

Public Authority	Within 20 working days	After 20 working days subject to the extended processing period	After 20 working days not subject to a qualified exemption (i.e. a late response)
Cabinet Office	10	2	1
DEFA	11	-	-
DED	4	-	-
DOI	15	-	-
DEC	10	-	-
DHSC	21	-	-
DHA	3	1	-
IOM Constabulary	12	-	-
Treasury	5	-	-
Clerk of Tynwald	3	-	-
Total:	94	3	1
			98

Table 3: Outcome of FOI requests

Public Authority	Disclosed in full	Partially disclosed due to a PRR only	Partially disclosed due to an exemption only	Partially disclosed due to a PRR and an exemption	Fully withheld due to a PRR only	Fully withheld due to an exemption only	Fully withheld due to a PRR and an exemption	Neither confirm nor deny
Cabinet Office	5	-	-	1	3	2	1	1
DEFA	3	-	-	-	7	1	-	-
DED	1	-	1	-	-	2	-	-
DOI	9	2	2	2	-	-	-	-
DEC	7	1	-	-	2	-	-	-
DHSC	8	3	2	1	5	1	1	-
DHA	3	-	-	-	-	1	-	-
IOM Constabulary	5	4	2	-	1	-	-	-
Treasury	4	-	-	-	1	-	-	-
Clerk of Tynwald	-	-	-	-	3	-	-	-
Total:	45	10	7	4	22	7	2	1
								98

Table 4: Exemptions applied by public authorities

Public Authority	s.20 Information accessible by other means	s.25 Absolutely exempt personal information	s.28 National security and defence	s.30 Economy and commercial interests	s.34 Formulation of policy	s.36 Health and safety	s.40 Legal professional privilege
Cabinet Office	2	3	-	-	1	-	1
DEFA	-	-	-	1	-	-	-
DED	2	-	-	1	-	-	-
DOI	2	2	-	-	-	-	-
DEC	-	-	-	-	1	-	-
DHSC	3	1	1	6	-	1	-
DHA	-	-	-	-	1	-	-
IOM Constabulary	-	1	-	-	-	-	-
Treasury	-	-	-	-	-	-	-
Clerk of Tynwald	-	-	-	-	-	-	-
Total:	9	7	1	8	3	1	1