THE FREEDOM OF INFORMATION ACT gives each of us the right to access information held by a public sector body. There are no restrictions on who can request information, if the information has been recorded by an organisation it can be requested by the public. You can access this information with a Freedom of Information Request, also known as an FOI. The Freedom of Information Act has ensured that publicly funded bodies are more transparent and accountable to the public.

What is the Freedom of Information Act (2000)?

Introduced in 2005, the Act has increased transparency of public bodies.

Firstly, by making it law that they must release certain information about their activities known as the Publication Scheme.

Secondly, by making it law that an organisation, department or public body must respond to any Freedom of Information request (FOI) made by a member of the public.

Which organisations can I FOI?

An FOI can be sent to the majority of publicly funded bodies, including:

- Government departments
- Local councils
- Police forces
- NHS trusts and doctors’ surgeries
- Schools, colleges and universities

There are limits to what can be requested from some bodies, including the House of Commons, House of Lords and the Armed Forces.

A full list of the public bodies and authorities that you can make a request to is regularly reviewed and updated and is available here: http://www.legislation.gov.uk/ukpga/2000/36/schedule/1

What kind of information can be requested?

You are entitled to request access to any official information which has not already been published or placed in the public domain.

Some information cannot and will not be provided as it is exempt, for example information which would reveal personal details about individuals.

FOI only covers recorded information. This is information held on computers, email or information that has been written down or printed. Images, video and audio recordings are also included.

Please be aware the information you request must be suitable for general publication. If you are looking for information about yourself, a subject access request is more suitable. For more information see our Subject Access Request Factsheet.
How do I make an FOI request?

Before making an FOI request check that the information is not already available on the authority’s website or on www.whatdotheyknow.com. It is also worth checking newspaper archives as well as conducting an internet search.

Making an FOI request is very straightforward; you can make the request by letter, email or fax. You can also request the information is sent in a paper or electronic format or in an audio or large print format.

Provide as much detail as possible about the information you are requesting. Be clear if you want all the information or just a summary – the more precise you are the easier it is for the information to be retrieved. If the information you are requesting is from a specific period of time remember to provide the dates. Finally, do not forget to provide your name and return address.

How long will it take?

The Freedom of Information Act states that you should receive a response to your request within 20 days of receipt by the public body.

The authority can request up to an additional 20 working days to respond. This may be because they need to conduct a public interest test or if the information is difficult to locate.

Acknowledgement of your FOI request will be made by the authority and if there is a delay they will contact you to confirm the delay and the reason why.

Can they reject my request?

Exemptions: Information from bodies dealing with security matters will not be released. Court records will not be disclosed, nor will information detailing anything personal about an individual. A full list of exemptions, which you should check before sending your FOI, is available here: http://www.legislation.gov.uk/ukpga/2000/36/part/II

Vexatious grounds: A request is determined to be vexatious if it is an “unjustified, inappropriate or improper” use of the procedure. You must ensure that your request is both “proportionate and necessary”. A request determined as disproportionate or causing a disruption, irritation or distress will be refused.

Exemption after a public interest test: A public interest test is undertaken to decide if the information request is in the interest of the general public. This could be information relating to law enforcement or health and safety concerns. It could also include information regarding the commercial interests of a public body.

Cost: If the cost of answering your request is seen to exceed an appropriate cost it will be declined. The appropriate cost is £600 for central government bodies and £450 for other public authorities. All authorities calculate the staff costs of answering an FOI at £25 per hour.

Don't forget

- You can request information from almost any public body.
- Check that the information you want is not already available before sending your FOI.
- Make sure that your request is clear.
- Some information is restricted – it would be wise to check these before submitting a request.
- Remember to give your name and address.
- Your request must be both proportionate and necessary or else it may be rejected.