

Background

This report is based on the actual information on the Teams Request Trackers, at the end of Quarter 1 2009-10. We only track complex requests, which are defined as:

1. requests which fall outside our normal course of business;
2. requests for information where we might refuse eg sensitive, confidential information or a repeat request;
3. requests for information related to the policy making process;
4. requests on which it may be necessary to consult with others either within Natural England or outside;
5. requests for large amounts of information or information which may be difficult to locate;
6. requests which seem unclear or too general to deal with, and where we will need to seek clarification from the applicant;
7. requests for information where a search is made, but none is found.

Requests and Applicants		
No of requests for information which have been logged on to the Natural England request trackers		61
% of requests identified as falling under the Environmental Information Regulations 2004.		66%
% of requests identified as falling under the Freedom of Information Act 2000		31%
% of requests identified as falling under the Data Protection Act 1998		3%
% of requests that were from private citizens		53%
% of requests that were from business		17%
% of requests that were from media		17%
% of requests that were from lobby groups, public bodies politicians or others		13%
Timeliness		
Requests completed within the 20 working day legal deadline		52
Requests completed within the extended deadline of 40 working days.		5
% completed within the deadlines		98%
Requests still ongoing but still within 20 working day legal deadlines		1
Requests still ongoing but still within extended 40 day legal deadlines		2
Requests completed beyond the legal deadline.		1
Requests completed beyond the extended deadline.		0
Requests with an extended deadline due to the complexity of the request or the need to consider the public interest		7
The timeliness for responding to requests:		
	0–5 working days	23%
	6–10 working days	28%
	11–15 working days	10%
	16–20 working days	29%
	>20 working days	10%
Provision of Information		Exemptions used
Requests which were granted in full	45	
Requests where only part of the information was provided	11	<ul style="list-style-type: none"> • Personal data which includes data

		<ul style="list-style-type: none"> • about third parties. • Commercial interests • Information not held • Information already accessible • Manifestly unreasonable (request over appropriate limit)
Requests which were refused in full	2	<ul style="list-style-type: none"> • Legal professional privilege • Information not held • Internal communications • Volunteered Information
Requests which have been transferred to The National Archives	0	
Requests which have been transferred to another public body	0	
Requests we've been unable to complete as we do not hold the information	9	
Requests we've been unable to complete due to no further information being provided by the applicant for us to complete the request	0	
Requests outstanding at the end of the quarter, but within deadlines.	13	10 of these have since been completed within deadlines up to the date of this report
Requests where we are waiting for further information before we can proceed	0	
Advice, Referrals and Appeals		
Requests where we have taken external legal advice	0	
Requests we have referred to the Department of Constitutional Affairs, Clearing House as the request could have potential to affect other public bodies.	0	
Requests we have referred to Defra, as the request could have potential to affect the wider Defra family.	1	
Requests where the applicant has requested an internal review	9	
Information Requested		
% of requests related to SSSIs, species or habitat related.	37%	
% of requests related to corporate services	23%	
% of requests related to Agri-environment schemes	17%	
% of requests related to planning	5%	
% other types of requests – NNR management and environmental impact assessment regulations	18%	

Commentary

The number of requests received this quarter has risen significantly since the last quarter with 61 complex requests being recorded. This is a rise of approximately 40% on the previous quarter.

We believe the rise is possibly connected to the high profile of expenses related requests in the media. This has raised peoples understanding of the legislation. We too have noticed a rise in requests received from the media.

We responded to 98% of the requests we received within the legal deadline. Of these 88% were completed within the 20 day limit and 12% needed to be extended due to the complex nature of the requests. This is a decrease on the last quarter.

We were late responding to one request (21 days) as we were waiting for a senior officer to sign off our response.

It is pleasing to see that just over 51% of requests were dealt with inside 2 weeks which is a continuing trend.

RTRACK continues to operate successfully with no issues reported.

Complaints at the Information Commissioner's Office

At the start of the quarter we had four complaints at the Information Commissioner's Office (ICO). One was closed with no action taken in June as the ICO has received no response from the complainant. This quarter we are responding to the ICO in relation to one of the complaints.

Requests refused this quarter

We partially withheld information for 11 requests this quarter. This information was withheld because it contained personal data which included data about third parties, would have affected commercial interests, was for information no held, was for information that is reasonably accessible, and because part of one request was over the appropriate cost limit.

We also refused two requests in full this quarter. One for information we did not hold and the other because the information requested involved internal communications, volunteered information and legal professional privilege.

Appeals decisions this quarter

We received nine requests for an internal review this quarter which is a marked rise on last quarter. Of these we have completed six and have three outstanding. Of the six we have completed we upheld our original decision for two and partially upheld our decision on the others with some additional information being sent in these cases.

Notably Requests

Following the expense claims currently being examined in the media we have received several requests along the same vein. These include three separate requests for the expenses of the Chief Executive including itemised travel expenses and two separate requests for expenses of the five top earners in Natural England. We have also received various requests all relating to Natural England's staffing costs.

A full list of complex requests received this quarter is available on Natural England's disclosure log <http://www.naturalengland.org.uk/foi/disclosure-log.htm>

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