

CABINET OFFICE

Freedom of Information

Clearing House Review

Reviewer: Sue Langley, OBE

Contents:

Forward from Sue Langley, OBE	3
Response from Lord True, Minister of State for the Cabinet Office	4
Executive Summary	6
Recommendations	10
Introduction	13
Terms of Reference and Evidence	18
Response to Thematic Headings	20
Conclusions	25
Annex A: Copy of Terms of Reference	26
Annex B: Letter of Introduction and Questionnaire	28
Annex C: Methodology of Data Analysis	32
Annex D: FOI Clearing House Processes	34
Annex E: List of all Review Participants	39

Foreword:

The Freedom of Information Act 2000 (“FOIA”) is a constitutional cornerstone allowing for the public’s right to request information held by public authorities. It is the pinnacle of information rights and transparency from which the government operates and an integral system from which government information should be made public unless found to be exempt under the Act.

In April 2022, Cabinet Office Minister Lord True appointed me to lead the **Cabinet Office FOI Clearing House Internal Review** and it has been my pleasure to do so. In this Review I have benefited from the perspectives and experiences from FOI practitioners and experts across government and more widely. I have observed areas of good practice across government and within the Cabinet Office FOI Clearing House function, but have also noted where improvements and further clarity are required to strengthen public trust in the FOI machinery at the heart of government.

The recommendations of this Review are intended to extend existing best practice, strengthen transparency and clarity around Cabinet Office FOI Clearing House systems and introduce new standards and ideas to better enhance existing FOI accountability from the centre of government.

I am grateful for the candour of all those who participated in the Review. Government and external FOI practitioners who supported this review are quite passionate about ensuring the FOI system in place meets all statutory obligations at the highest professional standards. I trust that my Review will help them to further build on this endeavour. I would also like to thank the Review’s secretariat who have worked swiftly to ingest and analyse evidence from a wide field of participants and have prepared a strong and accurate evidence base of findings and recommendations for my report.

In conclusion, I believe that there is wholehearted interest from FOI practitioners across government to uphold the spirit of the FOIA and a genuine willingness from the centre to improve its FOI Clearing House system. I hope that the recommendations within this Review are constructive and forward looking in application across government and wider.

Minister of State for the Cabinet Office

Response to the Report:

This Government is committed to transparency and the Freedom of Information Act (FOI) 2000 is one of the pillars on which open government operates.

The Cabinet Office has held responsibility for the freedom of information policy since 2015 and, as part of the machinery of government change, took over the responsibility for operating a 'FOI Clearing House' function, which was established in 2004 under the then Labour Government. After nearly two decades, and in the light of recent criticisms and a continuing increase in the volume of FOI requests to central government, it is appropriate to review the operation function and to ascertain the optimum working model to support the effective operation of the Freedom of Information Act across government.

In April 2022, I asked Sue Langley, OBE to conduct a review. She has now submitted her report and, given the keen parliamentary and media interest in this area, the Government is publishing it in full, alongside our views on its recommendations.

I am very grateful to Sue Langley for her thorough and thoughtful work. I welcome her willingness to engage with a wide range of stakeholders, and, in particular, with FOI practitioners across central government. In 2021 monitored government departments and their agencies responded to over 49,000 requests. It is deeply gratifying to read that those tasked with doing so are passionate about meeting statutory obligations and to working to the highest professional standards. I would also like to thank the Information Commissioner, John Edwards, for the time he and his office have dedicated to interacting with the Review, and in providing invaluable input along the way.

Sue Langley's broad and even-handed approach is reflected in the balanced set of measures put forward in the report. She makes five recommendations, centred around the themes of efficiency, transparency, the applicant blind principle, the Round Robin system, and best practice. The Government's views are as follows:

Efficiency The Government agrees that 'FOI Clearing House' should be redesigned to more clearly operate as an advisory function. We accept that the title 'FOI Clearing House' is confusing, suggesting a level of direction and control over other departments' FOI requests which in reality does not exist. We will work to reconfigure the function to provide advice as efficiently to departments to enable them to meet their statutory obligations in a timely manner and to a high quality. This

will include working with third parties to see where processes can be streamlined and made more effective. We welcome Sue Langley's recommendation that the Cabinet Office should continue to play a central role in ensuring the Freedom of Information Act operates as intended by Parliament.

Transparency We will build in transparency measures as we redesign the FOI Clearing House function. The Government will continue to publish information about the Cabinet Office's role in freedom of information, commensurate with that already available and extend this by publishing FOI guidance and advice notes, including working assumptions, produced by the Cabinet Office. We will also look into the possibility of producing a regular digest of Round Robin lists.

Applicant Blind Principle The processes used to manage the FOI Clearing House function are completely in line with the relevant legislation, and we work closely with the ICO to ensure our approach remains fully compliant with our obligations to protect personal data. We have, however, listened to the concerns raised by FOI practitioners about the inclusion of requester names on the Round Robin lists and will pilot, with immediate effect, a new system whereby these do not appear. It is for each individual department to satisfy itself that its privacy notices reflect the sharing of information as part of the round-robin process and we will remind departments of previous advice which has been given in this respect.

Round Robin System The Government agrees that the public should be aware of how their request will be processed when they make a request to multiple departments. As part of the Government's commitment to build in transparency to the redesign of the FOI Clearing House function, we will define and publish information about the FOI Round Robin system. We will also revisit the retention and deletion schedules for Round Robins with a view to publication, and encourage departments to conduct a similar exercise.

Best practice The Government welcomes the vision set out in the report for the Cabinet Office to extend its role in setting standards and promoting the effective handling of FOI across all government departments. The Cabinet Office already offers assistance through ad hoc guidance notes, regular catch-ups with departments, hosting a twice-yearly forum for FOI practitioners across government, and facilitating regular meetings between FOI teams and the Information Commissioner's Office, and we will look at where we can build on that offer. We would encourage practitioners across all public authorities to refer to the guidance produced by the Information Commissioner's Office which covers a vast range of topics. We will seek to publish guidance on cross-cutting themes that are specific to central government, avoiding duplication of the guidance produced by the Information Commissioner's Office.

Executive Summary:

Since 2015, the Cabinet Office has had responsibility for the maintenance and effectiveness of the Freedom of Information Act, including the Codes of Practice which apply to all public authorities; therefore playing a vital role in ensuring compliance with the Freedom of Information Act. This includes providing assistance on complex FOI requests while also making sure sensitive information, including that related to national security, is handled appropriately.

In May 2022, Lord True launched the [Cabinet Office FOI Clearing House internal review](#). The remit of the Review is to assess the best working model for the FOI Clearing House to support the effective operation of the Freedom of Information Act across government. The Review's [Terms of Reference](#) have been published on GOV.UK and a copy is provided in **Annex A** of this report.

The effective implementation of FOI is crucial to the government's ongoing commitment to transparency and working in joint effort with FOI practitioners across government, the regulator and external FOI experts.

The Review was charged to assess the operation of the FOI Clearing House function, note the practices under successive administrations, and provide any recommendations for improvement and further guidance. Under this mandate, evidence of current FOI Clearing House practices was assessed and the report provides recommendations on where to improve the overall culture, practices and make these processes clearer. The scope of the Review was not to extend to the handling of FOI requests made specifically to Cabinet Office, such as Cabinet Office FOI casework, nor to FOI policy activity outside the context of FOI Clearing House.

The Review did consider the findings and recommendations in the Cabinet Office Freedom of Information Clearing House Public Administration and Constitutional Affairs Committee ([PACAC](#)) [Report](#) published on 29 April 2022, and has addressed some of the key themes (listed below) that fall within the scope of the Review's Terms of Reference.

- Further transparency to restore trust in government's handling of FOIs;
- Government FOI systems which uphold the spirit of the FOI Act;
- A more proactive approach to government's response to FOI requests;
- Better application of the applicant blind principle;

FOI Teams across 20 Central Government Departments wholeheartedly participated in the review as demonstrated by the 100% timely return rate of the Reviewer's questionnaire and full participation during six days of interviews. A copy

of the Reviewer's letter of introduction and questionnaire is provided in **Annex B** of this report.

It was also important to understand what FOI customers expect and the public's perception of the government's use of the FOI system. Therefore, the Reviewer extended the mandate and engaged with external stakeholders across the UK FOI landscape; engagements on this matter included the Information Commissioner and senior ICO colleagues, and UK based FOI experts representing media, academic, campaign and think tank organisations. Common themes that were raised during all meetings, and explored within this report, aligned with the Review's objectives as follows:

- The role of the FOI Clearing House and is it proportionate and effective, considering in particular the Referral Criteria, and the Round Robin Process;
- Whether FOI Clearing House was operating in line with relevant legislation, including UK GDPR and DPA;
- Is there sufficient information available to the public about the operation of the FOI Clearing House function and, if not, what further information should be published;
- How is the Applicant Blind principle understood and adhered to across Government including within the Cabinet Office;
- Are there other areas of FOI practice across Government with scope for improvement?

Further themes raised by external stakeholders (other areas) and also in line with the Review's mandate were:

- Are there any delays being caused that could be mitigated by streamlining the FOI Clearing House function;
- Do central government departments feel empowered to exercise their authority as public bodies in regards to FOI advice and guidance provided by the Cabinet Office FOI team's FOI Clearing House function?

Observations:

FOI practitioners across government who responded to the Review did so positively and identified where improvements have been made but also where further work is required to improve and develop a function that works for everyone. Extending my mandate to external FOI experts, however, highlighted the divide between public perception and the service the government is endeavouring to deliver. In light of this divide, building trust is the golden thread running through all key themes and recommendations detailed in my report.

Guidance and processes reviewed reflect the FOIA legislation and no significant gaps were found nor any evidence that pointed to the deliberate unlawful obstruction of the FOIA or other relevant legislation. There is significant concern across government about the delays that can be caused by third parties, however, which need to be addressed urgently. There is also a lack of clarity around the use of requester names as identifiers within the Round Robin system. There is uncertainty and therefore cross cutting concern with these specific aspects of the FOI Clearing House function which appear to not align fully with the spirit of relevant legislation. I have heard compelling views from FOI practitioners and experts on both sides of these issues, and believe that further process change, training and transparency will get to the heart of resolving this matter.

There are clear practical justifications for the existence of the Round Robin list and there are differences between the applicant blind requirement of the FOIA and the use of requestor names for handling responses internally in departments after the decision has been made on the request outcome. For example, if press offices then have to draw up press lines around an FOI request and response. It is in the public interest to ensure consistency of approach and response to FOI requests made to multiple departments with repeat characteristics and themes. How these responses are identified within the Round Robin list, however, requires redesigning and further best practice guidance. Overall, I have concluded that the public interest in ensuring consistency does not warrant a general default approach of circulating an FOI requester's name across all departments. This process is not necessary and there are other less intrusive means available to achieve the purpose of the Round Robin list.

It is my view FOI teams across government have wholeheartedly tried to demonstrate commitment to transparency and lawfully uphold the statutory obligations and spirit of the FOIA. With an ever changing FOI landscape, however, volume and demand against the fluid nature of government and the recent backdrop of government's crisis footing in response to the Covid 19 pandemic has presented unprecedented challenges and undermined a service in which the public can feel confident.

As reflected throughout this report, the majority of participants recommended improving the function by replacing the FOI Clearing House and, in its place, creating an FOI centre of excellence within the Cabinet Office. The mandate should fully meet the requirements of central government FOI teams as candidly expressed within our body of evidence; meet the challenges of an evolving information rights landscape; engage constructively with external stakeholders and fully demonstrate across government and publicly the ongoing commitment to transparency and lawfully upholding the statutory obligations of the FOIA.

The Review recommends a number of processes to help rebuild trust and clearer understanding across the system and for all who use it. The processes are underpinned by five themes deployed to address the cross-cutting issues raised during the Review.

Recommendations:

In light of my observations, the Review makes **five overarching recommendations** which address the behaviours, culture and systems in place for the Cabinet Office FOI Clearing House function. Within each of the recommendations, the Review suggests specific actions for the Cabinet Office to implement improvements.

Efficiency: Recommendation 1:

- *Aim:* A centre of excellence function should be established to ensure a transparent and efficient Cabinet Office FOI function. The Cabinet Office FOI Clearing House has evolved over time and needs to refocus on its core purpose.

- *Specific suggestions:*

FOI Clearing House should be redesigned as a clear centre of excellence, while recognising that each public body is responsible for their own FOI response.

It should provide guidance on complex cases, alongside regular up-to-date information on legislative and central government operational matters, and be staffed appropriately.

To ensure consistency of efficient FOI delivery, it should be maintained in the centre and include FOI policy and data regulation. However, further consideration under which business unit within Cabinet Office is suggested.

Challenges with third party delays (outside the FOI system and wider) and meeting statutory timelines are at the top of the list to address. It is vitally important to emphasise that timely and accurate responses to FOI are a legal requirement. It is recommended that strong guidance is provided to reiterate the legal and empowered role of public bodies responding to FOI requests.

Transparency: Recommendation 2:

- *Aim:* The new centre of excellence function should lead by example and strengthen public understanding of Cabinet Office's FOI centre of excellence function, with clear and detailed information published on [GOV.UK](https://www.gov.uk) and with standard key performance indicators (KPIs) freely available.

- *Specific suggestions:*

A set of refreshed KPIs should be identified and agreed with key stakeholders and published quarterly for the new function and the Round Robin system.

Applicant Blind Principle: Recommendation 3

- *Aim:* Clearly define Cabinet Office's use of the applicant blind principle, and replace the default use of requester names as identifiers within the Round Robin system.

- *Specific suggestions:*

The Cabinet Office FOI team should work with expert stakeholders on options to replace the default use of requester's names as identifiers with an alternative option. Agreed systems put in place should be published and clearly provide FOI requesters with an understanding of how their personal data will and will not be used.

Round Robin System: Recommendation 4

- *Aim:* To ensure consistency of response, the Round Robin system is necessary in some circumstances. However, the new centre of excellence should streamline the overall Round Robin system and circulation of the list; only using Round Robins if essential. The number of Round Robins should be reduced to a minimum. The new centre should also clearly define and publish Cabinet Office's use of the Round Robin system and its approach, alongside ensuring it aligns with the recommendations around the application of the applicant blind principle.

- *Specific suggestions:*

Introduce a new streamlined Round Robin system that provides guidance and advice for uncommon, complex and national security related FOI cases only.

Introduce new transparent reporting. The Round Robin system should be clearly signposted on a designated webpage, with example guidance for handling.

The criteria and information on what the public should expect when a request is handled under the Round Robin process should be clearly identified. Cabinet Office should also determine and then publish a retention and deletion schedule for Round Robins.

Best Practice: Recommendation 5

- *Aim:* Lead by example and ensure the centre of excellence provides training and guidance that can be easily and regularly accessible to FOI practitioners across government and externally. What Cabinet Office decides to put in place should complement the work of the ICO and involve consultation on an approach to mitigate any confusion, as the ICO also has a distinct role in this space.

- *Specific suggestions:*

Explore building an online FOI toolkit (how to guide) for common themes which cover requests made to central government and whether a request is referred to the new Cabinet Office centre of excellence. There are also FOI best practice and example

libraries in various areas, and recommend exploring whether these can be used to help create a central library.

Conduct regular training and networking sessions, and quarterly information forums that include a broad range of FOI efficiency.

These suggestions would help to make Cabinet Office's toolkit distinct from the ICO's wider statutory role and guidance in this space.

Introduction

What the Review did:

1. On 28 May 2022, the Minister for the Cabinet Office Lord True appointed Sue Langley, OBE as Reviewer for the FOI Clearing House Review after agreeing to an internal review in response to the PACAC FOI Clearing House inquiry. The Reviewer was charged to determine the optimum working model for the Cabinet Office FOI Clearing House and put forward recommendations that would support the effective running of the FOI Act across the government.

How the Review was Conducted:

2. The aim from the start has been to ensure the Cabinet Office FOI Clearing House function provides a cross-government standard of excellence led by the Cabinet Office FOI team. Therefore, the Reviewer requested FOI practitioners across central government to participate in the Review by responding to a questionnaire and through a series of follow up interviews. The questionnaire has been provided in **Annex B** of this report. The Reviewer invited central government participants to meet with her and the Review team to further explore the evidence provided in the questionnaire. The questionnaire marked out key themes as mandated in the Review's Terms of Reference. The agreed Terms of Reference is provided in **Annex A**. To ensure the Review's recommendations were fit for purpose, the Reviewer also invited Cabinet Office FOI colleagues and external stakeholders across the UK FOI landscape to engage with the Review, and instructed independent legal counsel to review a near final draft version of the report.

Who the Review Interviewed:

3. The Review interviewed FOI practitioners from 20 central government departments and received a 100% timely return rate for the questionnaire from all participating central government FOI teams. External stakeholders were invited to provide oral evidence and consisted of FOI experts from across media, academic, campaign and think tank organisations. DCMS colleagues and the Society of Editors secretariat helped to source external FOI experts who showed willingness to participate in the Review and who had not had the opportunity to provide evidence to PACAC on this topic. All participating government FOI practitioners and external stakeholders demonstrated wholehearted willingness to participate and support the Review. A full list of all Review participants is provided in **Annex E**.

The Review's evidence and data methodology:

4. The evidence gathered was used to shape the findings and recommendations of the report. The key themes in the questionnaire and then further explored during follow up interviews ensured the gathering of qualitative non-personal data that accurately addressed the themes set out in the Review's terms of reference, and also addressed key findings from PACAC's report and key exploratory questions the ICO provided to the secretariat on this matter.
5. The qualitative non-personal data evidence base was ingested and analysed at pace and is based on an empirical system of written and oral evidence. All responses to key themes were quantified (translated to quantitative data) to the nearest 100. The blend between perception and quantitative factors demonstrates a diverse and accurate evidence base now underpinning the findings and recommendations of the report. A breakdown of the methodology used along with the Review's statistical findings are provided in **Annex C**.

Background:

6. A Clearing House function was first established in the Department for Constitutional Affairs (which then became the Ministry of Justice) in 2004 and has operated in different forms since the Freedom of Information Act came into force in January 2005. In 2015 Freedom of Information (FOI) Policy moved from the Ministry of Justice to the Cabinet Office.
7. Since 2004 an FOI Clearing House function has provided FOI guidance for departments; first, when cross-government FOI responsibility was under the Department for Constitutional Affairs, the Ministry for Justice and then moving to the Cabinet Office, where it remains to date.
8. These coordination functions remain in place and are carried out by a small number of staff members, who have a range of wider responsibilities which have made it difficult for a consistent approach. They extend to ministerial and non-ministerial departments; non-departmental public bodies are not normally covered, although it may be that requests to those bodies are referred to the Cabinet Office through sponsor departments.
9. Areas which can lead to a referral may include where the information sought relates to national security matters, the Royal Household (where specific exemptions apply within legislation), significant live policy development and/or implementation issues and Round Robins. The criteria for referral is set out in the [Cabinet Office FOI Referral Criteria](#).

10. **Round Robins**¹ are FOI requests which are made to more than one department at the same time and in the same/or similar terms. The main reasons for departments to email FOI Clearing House is to:
 - Notify the receipt of a possible Round Robin request;
 - Confirm receipt of a Round Robin already listed; and/or
 - Share a draft response to a Round Robin where the advice is to do so.
11. Departments may refer complex or Round Robin FOI requests to the Cabinet Office for advice and guidance and particularly where requests relate to matters listed in the [Cabinet Office FOI Referral Criteria](#).
12. Cabinet Office FOI staff then pull together the twice-weekly Round Robin list and distribute this list to departmental FOI teams via the FOI Clearing House inbox. This list includes the FOI requester's name, which is used as an identifier for Round Robins being circulated across government FOI teams. The use of requester's names as identifiers on the Round Robin list has been raised as a matter of concern with the Information Commissioner's Office on a number of occasions. Further details on the FOI Clearing House process and Round Robin system are provided in **Annex D**.
13. In 2017 a copy of the Round Robin list was inadvertently sent to a journalist working at Open Democracy. As a result, the journalist made an FOI request to the Cabinet Office with the intention of officially obtaining a copy of the Round Robin list, and to gain a better understanding of the Clearing House/ FOI function across government.
14. The information in scope of the request was partially withheld by the Cabinet Office; although the ICO had called for full disclosure of the material. In April 2021, this matter proceeded to a determination at the First Tier Tribunal. Following a hearing, the tribunal judge found that the majority of the information should be disclosed and the Cabinet Office provided the remainder of the information to the journalist, with redactions for personal data and national security.
15. The Public Administration and Constitutional Affairs Committee (PACAC) launched an inquiry into the Cabinet Office Freedom of Information Clearing House on 8 July 2021. On the 26 October and 25 November 2021, PACAC took oral evidence from journalists and academics, and the then Information Commissioner, Elizabeth Denham CBE.

¹ The Round Robin list documents requests made to more than one department that have repeat characteristics. The FOI Clearing House function helps ensure that there is a consistent approach across Government.

16. The previous Information Commissioner had written to the Cabinet Office, suggesting that her officials carry out a voluntary external audit of the Cabinet Office FOI Clearing House. The Information Commissioner's request, however, was not taken up by Cabinet Office, as it was found to be disproportionate to the circumstances. The (then) Minister for the Constitution felt that an internal review of the Cabinet Office FOI Clearing House function was more appropriate, and wrote to the Chairman of PACAC and to the ICO to set out this intention.
17. In commissioning the internal review, ministers made clear that they did not consider the cover and criticism to be accurate or proportionate, and were broadly of the view that an FOI Clearing House function was both necessary and appropriate. Ministers therefore did not agree to the Information Commissioner's (then Elizabeth Denham) proposal of an external ICO audit.
18. Ministers were keen, however, to take this opportunity to test that point and, more importantly, to test the extent to which best practice is being followed across departments; and therefore agreed to an internal review.
19. The Cabinet Office FOI policy team provided PACAC with a copy of the Cabinet Office's response to the Information Commissioner and, later on, made sure the [material provided to PACAC](#) was provided to the Review.
20. Since 2020 there have been a number of media articles accusing Cabinet Office of harbouring a function of Government claimed by some journalists as secretive in its FOI decision-making processes and therefore accused of deliberately undermining the spirit of the FOIA.
21. Open Democracy has led in these claims, however, journalists from a number of media platforms and campaigners representing victims of the Contaminated Blood and Grenfell scandals have also shared their concerns around what they consider to be the opaque delivery of FOI Clearing House's advice and its influence across government's FOI responses.
22. The Reviewer has considered all evidence provided by central government FOI practitioners, the ICO and external stakeholders, and our research and analysis has identified where improvements to the system can be made and gaps in public understanding of the FOI Clearing House function. These matters are explored further in the report.
23. Aside from considering [CDL's \(then the Rt Hon Michael Gove MP\) letter of response to the Guardian](#), we met with Cabinet Office FOI Clearing House officials to gather further evidence and obtain an in person and accurate understanding of the FOI Clearing House operation.

24. A key component missing in much of the information within the public domain was testimony from FOI practitioners across government. We therefore made one of our key evidence gathering exercises to seek further engagement with FOI practitioners to obtain a more balanced and rounded understanding of events and perceptions of the Cabinet Office FOI Clearing House function.

Terms of Reference and Evidence:

25. The terms of reference were agreed on 25 April 2022 and published on 28 April 2022, the day the Review officially commenced. The Review proceeded on the following agreed objectives and a full copy is provided in **Annex A**.
- Is the role of the FOI Clearing House proportionate and effective, considering in particular the Referral Criteria, and the Round Robin Process?
 - Is the FOI Clearing House operating in line with relevant legislation, including UK GDPR and DPA, and reflective of the Section 45 Code of Practice and ICO regulatory guidance?
 - Is there sufficient information available to the public about the operation of the FOI Clearing House function? If not, what further information should be published?
 - How is the Applicant Blind principle understood and adhered to across Government including within the Cabinet Office?
 - Are there other areas of FOI practice across Government with scope for improvement? This should be limited to practise within the scope/line of sight of the FOI Clearing House.
26. FOI units across central government and external stakeholders participated in the review to provide findings and recommendations to Lord True which reflect a full and diverse range of views and experience on this topic. Written evidence was from a questionnaire circulated across central government FOI teams; a copy can be found in **Annex B**.
27. The Review received submissions of written evidence from FOI practitioners across 20 central government departments; this was a 100% timely return rate of the Review's questionnaire from all central government participants. The Review held a **total of 22 meetings over a period of six days** with internal and external FOI experts. **20 interviews** were held with FOI practitioners across central government departments and **two meetings held with** external stakeholders. The external stakeholder meetings were with the Information Commissioner and ICO senior colleagues, and FOI experts from across media, academic, campaign and think tank organisations. A full list of all participants is provided in **Annex E**.
28. Data played a key role in the Review's methodology of evidence gathering. The qualitative data gathered and analysed was from the questionnaire, oral evidence, and written evidence provided by the Cabinet Office FOI Clearing House. Cabinet Office evidence included a statistical snapshot of time spent on responses; volume of queries that came into FOI Clearing House and the

ratio of Clearing House staff to the number of inquiries received. Further explanation of the overall FOI Clearing House processes and breakdown of the data are provided in **Annex C** and **Annex D**.

Response to Thematic Headings:

Themes further detailed in this section are directly from the Review's Terms of Reference. The Review's response to these key themes is based on the evidence gathered from the Review's questionnaires and interviews held. **FOI teams from across 20 central government departments** participated in the Review. The Review received a 100% return rate for the questionnaire and full participation from central government FOI teams in all follow up interviews.

The Role of FOI Clearing House

Is the role of the FOI Clearing House proportionate and effective, considering in particular the Referral Criteria, and the Round Robin Process?

29. Based on evidence gathered from the questionnaire and follow up interviews with FOI practitioners across 20 central government departments, the following are the findings that demonstrate the overall response to this question:
 - 100% of participants demonstrated an overall understanding of the FOI Clearing House function;
 - 97% of participants considered the FOI Clearing House function to provide an overall proportionate service and 3% did not;
 - 96% of participants considered the Round Robin system to be proportionate overall and 4% did not.
30. This demonstrates that an overwhelming majority of teams who seek guidance and advice for the FOI Clearing House function find it to be proportionate on the whole. Central government participants demonstrated a clear understanding that the FOI Clearing House function was to mitigate avoidable risks and provide advice and consistency across government.
31. A number of recommendations were made to improve the system such as streamlining the process to advice and guidance for only uncommon, complex and national security related FOI cases. Many teams demonstrated a healthy sense of empowerment as public bodies to make final decisions independent of FOI Clearing House advice, and called for the redesigning of FOI Clearing House, (as the name is misleading) and standing up in its place a centre of excellence with an online system allowing FOI practitioners accessibility to an FOI toolkit (how to guide), a library of recurring themes and issues and consideration of on demand accessibility to the Round Robin list in line with relevant legislation.

The operation of the FOI Clearing House function aligned with legislation and the spirit of the FOIA.

Is the FOI Clearing House operating in line with relevant legislation, including UK GDPR and DPA, and reflective of the Section 45 Code of Practice and ICO regulatory guidance?

32. Based on evidence gathered from the questionnaire and follow up interviews with FOI practitioners across 20 central government departments, the following are the findings that reflect the overall response to this question:
- 85% of participants demonstrated that they felt the FOI Clearing House function as a whole was aligned with GDPR and DPA and relevant legislation. 15% did not;
 - 89% of participants, however, demonstrated specific concern and uncertainty around the default use of requester names as identifiers undermining DPA and GDPR principles. 11% did not have any concerns.
33. This outcome demonstrates a clear requirement for further understanding, guidance and training on this aspect of the Round Robin system. The majority of central government participants affirmed a belief that FOI Clearing House was operating within relevant legislation overall; however, there was significant uncertainty and lack of understanding around whether the default use of requester names as an identifier operated within the principles of DPA and GDPR. Defending arguments in favour of the requester name process referred to sections 12; 14; 21; 40 of the FOIA and Article 6(1)(c)(e) of the UK GDPR. A missing element of the in-favour argument, however, is application of a requester's name as identification under FOIA legislation is based on exception and not default regularity.
34. An overwhelming majority of central government participants recommended disbanding the default use of requester names and suggested streamlining the Round Robin guidance and circulation of the Round Robin list. Almost all FOI teams requested further training and guidance and many favoured further exploration of a default library system where guidance of recurring themes and issues can be accessed.

Clarity on FOI Clearing House's function and guidance across government FOI teams and available for the public.

Is there sufficient information available to the public about the operation of the FOI Clearing House function? If not, what further information should be published?

35. Based on evidence gathered from the questionnaire and follow up interviews with FOI practitioners across 20 central government departments, the following are the findings that reflect the overall response to this question:
- 90% of participants demonstrated that more public information about the FOI Clearing House function and Round Robin system was still required;
 - 10% of participants, however, thought there was ample public facing information already provided or unsure if public interest and demand required more information.
36. The Cabinet Office FOI team has made great efforts recently to respond to the demand of further public-facing information on the FOI Clearing House function and Round Robin system. Central government participants welcomed the recent effort made for greater transparency, however, an overwhelming majority called for further and better sign posted public-facing information on the FOI Clearing House function and Round Robin system.
37. Central government participants did **not** support the media claims and affirmed that, to date, there has not been any evidence of FOI Clearing House and FOI teams across government deliberately and unlawfully obstructing FOIA statutory obligations and other relevant legislation. Many expressed, however, that the Cabinet Office's historical lack of transparency on the FOI Clearing House function and Round Robin system has led to the prolonged media scrutiny that could have been mitigated sooner.
38. Recommendations were made around creating a web page devoted to all things about the FOI Clearing House function and Round Robin system. The web page should feature the history and background of the FOI Clearing House function and Round Robin system; inform the public on present mechanisms in place, provide the methodology behind these processes, provide example guidance on key issues; link into an online FOI toolkit (how to guide) along with the overarching aim of a rebranded FOI Clearing House type function within the centre of government. External stakeholders recommended public facing metrics and further information that clearly demonstrate the public benefit of having such a system in place at the centre of government.

Clarity on the Applicant Blind Principle and is applied across government FOI teams.

How is the Applicant Blind principle understood and adhered to across Government including within the Cabinet Office?

39. Based on evidence gathered from the questionnaire and follow up interviews with FOI practitioners across 20 central government departments, the following are the findings that reflect the overall response to this question:
- 100% of participants demonstrated that their individual FOI teams understood the application of the applicant blind principle.
 - 87% of participants felt that there was understanding of the principle across government, but 13% did **not** feel there was understanding across government (outside their own teams) or were unsure;
 - As reflected in paragraph 32, 89% of participants were concerned with the FOI Clearing House function's use of requester's names as an identifier, and it is linked to questions around the understanding of the applicant blind principle.
40. All central government participants felt that their individual teams had a firm understanding of the applicant blind principle and affirmed that this process is instilled through each team's in-house expertise and training. Although there was an overall positive response to this question, 13% of participants demonstrated a more negative or uncertain perception of this principle being understood outside their own teams. Many of these teams linked their uncertainty around the default use of requester names as identifiers and recommended further training and guidance on this subject matter across government and in joint effort with the ICO.

Scope for improvement of the Cabinet Office FOI Clearing House function and what is understood and practised across government.

Are there other areas of FOI practice across Government with scope for improvement? This should be limited to practise within the scope/line of sight of the FOI Clearing House.

41. Based on evidence gathered from the questionnaire and follow up interviews with FOI practitioners across 20 central government departments, the following are the findings that reflect the overall response to this question:
- 95% of participants demonstrated that there was scope for improvement across the Cabinet Office FOI Clearing House function; 5% felt no improvements were required.
 - 91% of participants suggested further streamlining and redesigning of the FOI Clearing House function and 9% felt the FOI Clearing House function was already fit for purpose;
 - 97% of participants expressed a need for more frequent and regular engagement, training and guidance on key FOI themes around complex, uncommon and national security related cases.

42. In principle, the Cabinet Office FOI Clearing House function provides an important service for FOI teams across government. A majority of central government participants **expressed concern** at the idea of an FOI Clearing House type function being removed from the centre. Most concerns were around the gap being filled with inconsistencies and further delays across government FOI teams. There are different levels of FOI expertise across central government departments; therefore, smaller departments and less established FOI teams recommended streamlining the Round Robin system and redesigning the function as a centre of excellence but keeping it within Cabinet Office.

Conclusions:

Freedom of Information allows the public to gain access to information held by public bodies unless an exemption in the FOI Act applies or the request can be refused as set out in legislation.

The Reviewer is grateful to the FOI practitioners across central government and external stakeholders who participated in the Review. The written and oral evidence provided by the participants was instrumental in shaping the Review's findings and recommendations presented to the Minister and Parliament.

The Cabinet Office FOI Clearing House Review has provided constructive and forward looking recommendations which we anticipate will set up the small team charged to implement these changes for success.

ANNEX A: *Terms of Reference*

Background

The Cabinet Office plays a vital role in ensuring compliance with the Freedom of Information Act across Government, providing assistance on complex FOI requests while also making sure sensitive information, including that related to national security, is handled appropriately.

An FOI Clearing House function was established in 2004 and has operated in different forms since the Freedom of Information Act came into force in January 2005. In 2015 Freedom of Information (FOI) Policy moved from the Ministry of Justice to the Cabinet Office.

These coordination functions remain in place and are carried out by a small number of staff members, who have a range of wider responsibilities. They extend to ministerial and non-ministerial departments; non-departmental public bodies are not normally covered, although it may be that requests to those bodies are referred to the Cabinet Office through sponsor departments.

Areas which can lead to a referral may include where the information sought relates to national security matters, the Royal Household (where specific exemptions apply within legislation), significant live policy development and/or implementation issues and Round Robins (i.e. those requests made to more than one department that have repeat characteristics and where it is important to ensure requesters receive a consistent and coherent approach to requests). The criteria for referral are set out in the [Cabinet Office FOI Referral Criteria](#).

Purpose

The Review will seek to ascertain the optimum working model for the FOI Clearing House to support the effective operation of the Freedom of Information Act across government, and particularly in the light of a continuing increase in the volume of cases being received by Departments.

Scope

The Review will assess the operation of the FOI Clearing House, note the practices under successive administrations, and provide any recommendations for improvement and further guidance, including any revisions which may seem desirable to make to the Section 45 Code of Practice. The Review will assess evidence of current practice, providing additional clarity if required.

The Review will not extend to the handling of FOI requests made specifically to Cabinet Office (i.e. Cabinet Office FOI casework) nor to FOI policy activity outside the context of FOI Clearing House.

Objectives

The Review will seek to answer the following questions:

- Is the role of the FOI Clearing House proportionate and effective, considering in particular the Referral Criteria, and the Round Robin Process?
- Is the FOI Clearing House operating in line with relevant legislation, including UK GDPR and DPA, and reflective of the Section 45 Code of Practice and ICO regulatory guidance?
- Is there sufficient information available to the public about the operation of the FOI Clearing House function? If not, what further information should be published?
- How is the Applicant Blind principle understood and adhered to across Government including within the Cabinet Office?
- Are there other areas of FOI practice across Government with scope for improvement? This should be limited to practise within the scope/line of sight of the FOI Clearing House.

Methodology

The review will be conducted through assessing relevant documentation including operating policies, procedures, working practices and case studies, telephone interviews, and interviewing key stakeholders. The Reviewer will have access to the information required to conduct the review and to those involved in the operation of the FOI Clearing House function, including officials in departments within the FOI Clearing House remit.

It is expected that the Review will be completed by the summer recess.

Reporting

The Reviewer will produce an internal assessment to Cabinet Office Ministers setting out his/her findings and recommendations. The Cabinet Office will publish a summary of the assessment's findings as soon as possible after the Reviewer has delivered the assessment.

Governance

The Reviewer will be supported by a secretariat to help him/her identify and analyse relevant documentation, conduct interviews, and provide the necessary contacts, diary management etc. The Reviewer will keep the Director General of Propriety and Ethics informed of progress.

ANNEX B: Letter of Introduction and Questionnaire

Cabinet Office

FOI Clearing House Review

FOIReview@cabinetoffice.gov.uk

Reviewer: Sue Langley OBE

03 May 2022

Dear [Name of Central Government Department's FOI Director],

In response to the PACAC Inquiry, Lord True has launched the [Cabinet Office FOI Clearing House internal review \(28 May 2022\)](#). This is to seek to ascertain the optimum working model for the FOI Clearing House to support the effective operation of the Freedom of Information Act across government. The Review's [Terms of Reference](#) have been published on GOV.UK

I am writing to FOI units across central government and request your participation during my review. It is my aim to provide findings and recommendations to Lord True which reflect a full and diverse range of views and experience on this topic. Therefore FOI practitioners are requested to provide honest responses to a series of questions found in **Annex A**. My secretariat will be following up to schedule an interview with your FOI team soon.

Willingness to explore these points is crucial for the government's ongoing commitment to transparency and work in joint effort with FOI practitioners across government, our regulator and external FOI experts. This is also to ensure the Cabinet Office FOI Clearing House functions as a centre of excellence within the Cabinet Office FOI team.

Responses to this consultation may be shared with other Government departments and may be published in full or in a summary of responses. All information in responses, including some personal information, may be subject to publication or disclosure in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000, the Data Protection Act 1998 and the Environmental Information Regulations 2004).

If you want your response to remain confidential, you should explain why confidentiality is necessary and your request will be assessed if it is appropriate in the circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the department.

The timescale for the Review is three months, and therefore all completed questionnaires should be sent to FOIChReview@cabinetoffice.gov.uk **no later than Tuesday 24 May 2022**. FOI practitioners participating in the review are welcome to contact my secretariat on the email above with any related queries or concerns.

I thank you in advance for your participation and support.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Sue Langley', with a stylized flourish at the end.

Sue Langley, OBE

FOI Clearing House Reviewer

Questionnaire (Annex A as found in the letter)

Name of Department:

FOI Practitioner:

Line-manager sign-off:

- What problems, if any, is the FOI Clearing House function designed to mitigate in your view?
- In your opinion, is the role of the FOI Clearing House a proportionate and effective response to this problem?
- Considering in particular the Round Robin Process, do you think this is a proportionate response? Do you have any concerns about the operation of the Round Robin Process? Do you have any suggestions as to how the Round Robin process might be amended?
- In your opinion, is the FOI Clearing House operating in line with the Data Protection Act? If not, why not? Is there more that can be done to protect the applicant blind principle
- In your opinion, is there sufficient information available to the public about the operation of the FOI Clearing House function? If not, what further information should be published?
- Do you understand the Applicant Blind principle as it applies to FOI requests? Are you aware of the ICO guidance on the application of the Applicant Blind principle? Do you think there is a need for further guidance in this area?
- In your opinion, is the Applicant Blind principle understood and adhered to across Government including within the Cabinet Office?
- Do you think the operation of the FOI Clearing House function is in line with the Applicant Blind principle? If not, why not?
- In your opinion, are there other areas of FOI practise across Government with scope for improvement? What could the Cabinet Office do to help improve support for FOI practitioners across government *Responses should be limited to practises within the scope/line of sight of the FOI Clearing House.*
- Please provide any further comments in regards to FOI Clearing House related issues or areas requiring change which have not been identified in the questionnaire.
- Please provide any further comments in response to the FOI-related media claims. *The cross-cutting claim across a number of media and*

campaign platforms is that the UK's freedom of information (Fol) laws are being undermined by a lack of resources and government departments obstructing lawful requests.

- Are there any other comments on this matter you would like to add?

Annex C: Methodology of Data

Core Principle: Results have been presented to decision makers in a way that helps them interpret the findings accurately. Uncertainty and caveats in the results have been clearly communicated without bias. Below are examples of ethical considerations from [The Magenta Book \(GOV.UK\)](#) to which the Review referred when gathering evidence and presenting the results.

Table 5.2 from 5.9 Ethics

Stakeholder	Examples of ethical considerations
Participants	<ul style="list-style-type: none"> ● Protecting confidentiality ● Avoiding harm (consider where it might be justifiable to break confidentiality because of concerns over respondents' wellbeing) ● Minimising respondent burden and avoiding intrusion ● Avoiding manipulation or deception
Colleagues/ partner agencies	<ul style="list-style-type: none"> ● Reporting of controversial or potentially damaging findings (e.g. reputational) ● Additional burden created through collection and sharing of data ● Authorship and appropriate credit
Funders, employers and researchers	<ul style="list-style-type: none"> ● Tendering rules and procedures ● Contractual clarity and division of responsibilities ● Rules/norms of publication ● Protecting fieldworkers ● Whistle-blowing
Wider society	<ul style="list-style-type: none"> ● Protecting the vulnerable ● Publishing publicly-funded research ● Being honest about the limitations of research

Results of the data analysis from the Review:

Evidence gathered from **20 central government department's FOI teams demonstrated** that **100%** participating central government FOI practitioners have an understanding of the FOI Clearing House function; **97%** of participants find the FOI Clearing House function to act proportionately with guidance and advice provided.

All participating central government FOI practitioners (100%) marked themselves as understanding the **applicant blind principle**. Views, however, on whether the principle was understood outside individual teams and across central

government were more varied with **87%** of participants demonstrating that the principle was understood across HMG and **13%** of participants demonstrating that further training on the principle was required or they were unsure.

In relation to the FOI Clearing House function operating within **DPA and GDPR legislation**, **85%** of central government participants felt that FOI Clearing House was overall operating within DPA and GDPR principles and **15%** did not. When asked about concerns around the default use of requester names as identifiers within the RR system, **89%** of central government participants had concerns about this specific aspect of the Round Robin system while **11%** had no concerns.

Improvements to the overall system fell at 95% with participating central government FOI teams recommending improvements to the FOI Clearing House function and Round Robin system; some of which included more action taken, training and guidance provided to help mitigate third party delays and reiterate the empowered position of public bodies responding to FOI requests.

97% of participants recommended the function **transform to a Cabinet Office FOI centre of excellence** carrying out further and regular training, networking forums and overall engagement across central government.

Transparency and further public facing information on the FOI Clearing House function and **Round Robin system** was recommended by the majority of central government participants with **90%** in favour of this action, with **10%** of participants feeling there was ample information already or unsure of the public's interest.

Annex D: FOI Clearing House Processes

FOI Clearing House Inbox

One of the tools the Cabinet Office uses is the 'Clearing House' inbox. This inbox serves as the main, but not the only,² point of contact for FOI practitioners across government.

The main reasons for departments to email FOI Clearing House is to:

- Notify the receipt of a possible "Round Robin" request;
- Confirm receipt of a Round Robin already listed; and/or
- Share a draft response to a Round Robin where the advice is to do so.

Round Robins are those requests which are made to more than one department at the same time and in the same/or similar terms. Although each department must come to an independent decision on FOI requests, there are merits in consistency of approach on substantively similar requests, especially where two departments may both hold the same information.

Departments are asked to also email FOI Clearing House if they have received a request which satisfies the FOI Clearing House referral criteria.

Despite the name, FOI Clearing House does not in fact clear any requests, but provides advice and assistance, as well as guidance on Round Robin requests.

FOI Clearing House Operating Model

Members of the FOI and Transparency Data Team oversee the FOI Clearing House inbox on a rota-basis. The inbox is administered by junior officials who assess the correspondence and, where appropriate, allocate it to the appropriate official. They are also tasked with pulling together the twice-weekly Round Robin list and distributing that to departmental FOI Teams via the FOI Clearing House inbox.

Administration of the inbox and the RR list forms part of a junior official's job description and other junior officials drawn from across the FOI Casework, Litigation and Policy Teams are rota-ed to help to allow that officer to engage in other work and training.

² Practitioners very often get in touch directly with the relevant official in the FOI and TD Team, especially in circumstances where the issue in play is highly sensitive or the query clearly engages policy or litigation.

If the correspondence requires further consideration, junior officials will forward the query to senior colleagues. In the case of Round Robins, these are usually referred to a more senior official, who may also seek a view from the Deputy Director. Where the query is not a Round Robin but is subject specific, for example it requires a view from third parties or invokes security issues, then the correspondence will be forwarded to the relevant FOI or policy officials for advice.

Some queries relate neither to Round Robins nor the referral criteria. These are mainly to do with non-operational matters. For example, departments may ask a policy question about an aspect of the Act itself (for example, who the Qualified person is for a particular organisation) or to notify the Cabinet Office of developments in litigation. Such enquiries could easily be directed (and often are) to individual officials' inboxes (e.g. to the Head of FOI Policy, the Head of FOI litigation or, the Deputy Director).

The Team does not employ a time management system to record the work done via the FOI Clearing House inbox. Time management recording is not the norm within Cabinet Office and, given the low volume of work associated with the FOI Clearing House function, its introduction for this function would be disproportionate.

Due to the relatively small amount of work involved in running the FOI Clearing House function and its transient nature (most queries are advised on in the same day), Cabinet Office does not employ a case management system or tracker, using the inbox itself to serve as the audit trail.

Status of advice given through the FOI Clearing House function

All departments are public authorities for the purposes of the FOI Act and it is for those departments to make the final decision on whether or not to disclose the information sought by the requestor. The advice given through the FOI Clearing House function or in the context of the Round Robin list does not amount to a direction and Cabinet Office, either via its FOI Clearing House function or directly, cannot override the final decisions of departments.

Referrals to the FOI Clearing House Inbox

Referrals made to the CH inbox can be categorised as follows:

- *Possible Round Robins* These are emails sent by departments to the CH inbox alerting Cabinet Office to requests that they have received and which they believe other departments may have received. Such emails do not require a response to the department. Instead they are labelled as potential Round Robins and assessed to see if they have the necessary qualities before the distribution of the next Round Robin list. In March 2022, 23 new FOI requests were added to the list of Round Robins.

- *Confirmation of Round Robins* These are emails sent by departments to the CH inbox which confirm receipt of those Round Robins listed. Again, there is no requirement on departments to confirm receipt. The names of those departments who have received a Round Robin are entered onto the Round Robin itself.
- *Draft responses to Round Robins* Depending on the nature of the information sought Cabinet Office may ask to see substantive responses by departments to a Round Robin. A substantive response means any response which is not a 'no information held' response or where the section 12 (cost limits) applies. Where a department refers to a draft RR response, Cabinet Officials will assess whether or not the response follows the advice in the guidance and, where appropriate, offer further advice. It is worth noting that if a response does not follow the advice in the guidance, the CH may agree with the department that their response is the correct approach to be taken in view of all relevant factors for that request made to that department. There is no obligation for departments to follow the advice given.
- *Criteria referrals* Cabinet Office publishes a criteria for referrals to the FOI Clearing House function. This is revised from time to time with the approval of Ministers, the latest iteration being signed off in March 2021. There is a FOI Clearing House referral form which is available on gov.uk but this is very rarely used by departments who find that an email message is sufficient. Some, but not all, such referrals may involve correspondence over several days and necessitate seeking advice from others, e.g. No.10, NSLG.
- *Ad hoc referrals and best practice advice* As well as for the above, the FOI Clearing House inbox is sometimes used by departmental teams as their main point of contact for any questions they have relating to the FOI Act and its practical application (including the handling of ICO DNs and litigation). As the holders of FOI policy for the UK Government, such referrals would be made to the Cabinet Office regardless of whether or not a FOI Clearing House function existed. The FOI Policy Team has a separate inbox through which similar correspondence is conducted and, as highlighted above, approaches are also made to individual members of the FOI and TD Team.

Scale of the FOI Clearing House function

Statistical information on the nature and volume of referrals to the inbox is not routinely captured. However, to assist the Review in gaining a fuller understanding of the nature and volume of the work of the FOI Clearing House function the FOI Policy Team has undertaken a snapshot study of the referrals made by departments during March 2022.

The figures given have been extracted manually and only new referrals have been counted. Extraction of this information has taken over three days' work. These stats have not been independently verified and have been put together solely to give the Reviewer a general overview of the type and volume of work running the 'FOI Clearing House' function entails.

In March 2022, in total there were 171 'new' referrals to the FOI Clearing House inbox made by departments.

The reasons for referral are as follows:

Possible Round Robin	Confirmation of receipt of Round Robin	Draft response to Round Robin	Criteria Referral	Ad hoc referrals and best practice advice
54	35	58	17	7

The top criterion for referral under the FOI Clearing House Criteria was requests for information in historical records that have been retained in departments where only a qualified exemption has been engaged. The second most used criterion was national security, and the third, requests with a royal interest.

Timeliness

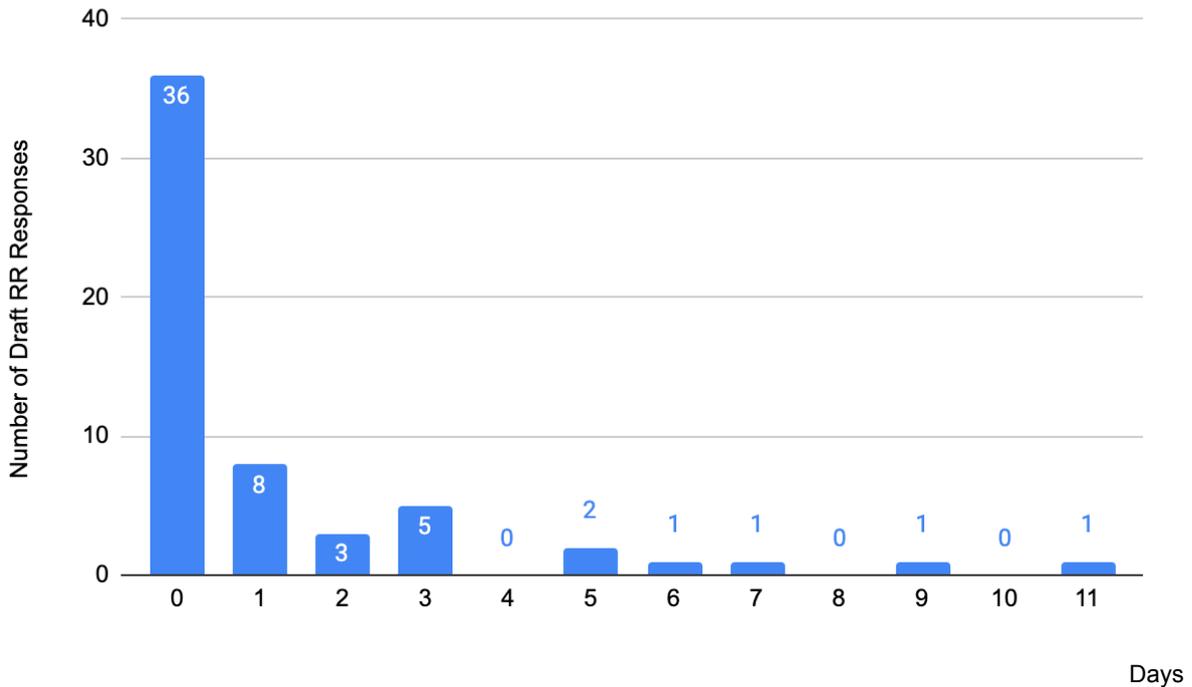
One of the criticisms that has been levelled at the FOI Clearing House is that the process is slow and prevents departments from meeting the statutory 20 working day deadline to meet FOI requests.

The Team's service level agreement with departments is to respond to the majority of requests within 3 working days. Departments are asked to take this into account in order to meet their statutory obligations (usually 20 working days from receipt of a request).

Below is a table giving the turnaround times for those draft Round Robin responses referred in March 2022. Advice was given on 90% of draft Round Robin responses within the service level agreement, with many being turned around in a day. If a department states that the matter is urgent a response will be prioritised and the Team always try to work with the department to enable them to meet the statutory deadlines. As with any casework/correspondence, there will be matters which are so complex, sensitive and/or novel which require wider input/more detailed consideration and this may mean that the turnaround time is outside the agreement. The Team endeavour to keep these to the minimum.

Table 4: Turnaround times for draft RR responses

Timeliness of Draft RR Responses



FOI status of the FOI Clearing House

Cabinet Office does not process FOI requests through its FOI Clearing House function. FOI requests to the Cabinet Office are processed separately in the FOI Casework Team (although, personnel in the FOI Casework Team may also be rota-ed to undertake FOI Clearing House duties). The 'FOI Clearing House' is not a public authority for the purposes of the Act and does not take decisions on FOI requests. As such there are no internal reviews, complaints to the ICO, appeals or subsequent litigation against "FOI Clearing House".

Annex E: List of all participants

Central Government Departments (20). All 20 central government departments provided written and oral evidence.

Department for Levelling Up, Housing and Communities
HM Revenue and Customs
UK Export Finance
Department of Health and Social Care
Foreign, Commonwealth and Development Office
Department for International Trade
HM Treasury
Ministry of Justice
Department for Work and Pensions
Department for Transport
Department for Environment, Food and Rural Affairs
Ministry of Defence
Department for Education
Department for Business, Energy and Industrial Strategy
Department for Digital Culture, Media and Sport
Home Office
Attorney General's Office
Northern Ireland Office
Wales Office
Cabinet Office

External Stakeholders invited to provide oral evidence at a roundtable discussion (11). 7 out of 11 organisations were available to participate in the Review's discussions.

Information Commissioner's Office
Campaign for FOI
Institute for Government
Sunderland University
The Times Newspaper
The Trinity Mirror: Reach Data Unit
Schools Week Magazine
The BBC: Shared Data Unit
The Guardian Newspaper
The Evening Standard
Daily Mirror: Health and Science Unit and Whitehall Editor