

Draft Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2007

Consultation Paper 28/06

Response from UNISON.

1. Introduction

- 1.1 In the opinion of UNISON, the Freedom of Information Act is one of the shining achievements of the Labour government. It is a major contribution to raising the level of informed debate and a legacy that this government should be proud to hand on.
- 1.2 UNISON believes that the change of culture in favour of releasing information is good for accountability; it leads to better government and thus to cost savings.
- 1.3 The draft regulations would make it substantially easier for authorities to refuse on cost grounds a high proportion of requests which they are currently required to answer.
- 1.4 The damage done by these proposals to the culture of openness would be out of all proportion to the relatively modest savings. The costs of the current scheme are relatively small compared to the benefits to our democracy. The consultation proposals fail to take into account the amounts saved by the operation of the Act, and the consequent improvement of the quality of government.
- 1.5 The proposals also seem to run counter to the spirit of the recent White Paper on Local Government ("Strong and Prosperous Communities"), which aims at increasing citizen involvement and local accountability.

2 Impact

- 2.1 The consultation document recognises that the proposals would have a greater impact on campaign groups and researchers than on private individuals. UNISON believes that its use of the current Act in its campaigning activities has made a positive contribution to increased openness in the discussion of public affairs, accountability and trust in the work of public authorities.

3. Consideration and consultation

- 3.1 UNISON is concerned that under the proposals, an authority wishing to deny a request would find it easier to do so simply by extending the consideration and consultation element of the cost. A request made for the first time is bound to require more research and consideration before a decision is taken. Politically contentious requests are also likely to demand longer consideration. A combination of these factors could take the time required over the costs limit.

4. Aggregation

- 4.1 UNISON considers that the principle that requests under the Act should be "applicant-blind" is substantially undermined by the proposals to allow aggregation of requests.

4.2 UNISON is further concerned as a large national campaigning organisation that the aggregation regulation could restrict our requests to as little as one a month.

5. Conclusion

5.1 More time needs to be spent on a proper assessment of the workings of the Act, taking into account its impact on the quality of democracy and open debate. UNISON believes the Act should be strengthened rather than weakened, and therefore calls on the government not to proceed with the proposals.

David McCulloch
Policy Officer
Policy & Public Affairs
UNISON
1, Mabledon Place
London
WC1H 9AJ

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