

To:  
Lord Falconer of Thoroton  
Secretary of State for Constitutional Affairs  
Department for Constitutional Affairs  
Selborne House  
54 Victoria Street  
London  
SW1E 6QW

Dear Lord Falconer,

Proposal to amend fees under the Freedom of Information Act

Thank you for your reply of 20th October to my letter regarding changes to the charging structure under the Freedom of Information Act.

As you quite rightly said, the Act has proved a great success and its popular use has brought transparency to our systems of governance and improved the quality of decision making.

However I am concerned that your current proposals on fees risk undermining the good progress so far. Furthermore, I am also concerned about reports claiming no formal public consultation is planned about the proposed changes, contrary to Cabinet Office guidelines. I hope you are able to reassure me that these statements are incorrect.

The first proposal applies to time spent considering FOI requests, which will be counted towards calculating the cost limit. The inevitable result will be that this limit will be reached much more quickly and reasonable requests will be refused on cost grounds.

The second proposal – allowing authorities to aggregate FOI requests from the same person or organisation and refuse them all if the total exceeds the cost limit – will also restrict access to information. UNISON, as well as the press and campaigning groups, will find attempts to uncover information vital to our members interests curbed if we are restricted to a single request to a particular authority within a three month period.

These proposals risk weakening the power of the Act to promote robust accountability and sound public decision making.

The proposals are also likely to undermine other Government attempts to increase local accountability, including in the recent White Paper on Local Government.

Finally I would point out that the Constitutional Affairs Committee clearly stated in its report "Freedom of Information - one year on" that "We see no need to change the fees regulations" (recommendation 20).

It would be a great pity for Labour Party members and supporters and other progressives if after 25 years of commitment to freedom of information, a Labour Governments shining achievement is watered down.

On behalf of UNISON's 1.4 million members I urge you to reconsider the current proposals.

Yours etc,

Dave Prentis  
General Secretary  
UNISON