Freedom of Information Act

Information Commissioner & Tribunal Decisions

What do they mean in practice?

A half-day course in central London – 16 May 2006

The UK Information Commissioner has issued over 150 decision notices under the Freedom of Information Act and Environmental Information Regulations since the beginning of 2005. The Scottish Information Commissioner has issued over 120 notices, many throwing light on issues not yet addressed by his UK counterpart. More decisions are being issued every week. The Information Tribunal, which hears appeals against the UK Commissioner, has issued its first decisions, adopting a distinctive, pro-openness approach. Between them, these decisions provide many important rulings demonstrating how the exemptions, public interest test and procedural requirements of the legislation should be applied.

About the trainer

The course will be presented by the Campaign’s director, Maurice Frankel, who has worked in the field for 22 years. He was actively involved in persuading the government to introduce FOI and seeking improvements to the legislation in Parliament. He now trains public authority staff and requesters in the legislation. He was a member of the Lord Chancellor's Advisory Group on Implementation of the FOI Act and before that the Home Secretary’s Advisory Group on Openness in the Public Sector. He sat on the ODPM group looking at aligning the Local Government Act 1972 with the FOI Act. He was a member of the Commonwealth Group of Experts whose FOI Principles were adopted by Commonwealth Law Ministers in 1999. He drafted the successful private members’ bills which became the Access to Personal Files Act 1987, the Access to Medical Reports Act 1988, the Environment and Safety Information Act 1988 and the Access to Health Records Act 1990. He received an OBE for services to open government in 2004.

The course will cover key decisions to date under both the UK and Scottish legislation highlighting those that:

- Set precedents for future cases
- Require public authorities to change the way they respond to requests
- Conflict with or uphold official guidance
- Reveal differences in the interpretation of the UK and Scottish legislation
- Identify Scottish decisions that may indirectly affect UK authorities and vice versa
- Illustrate good practice
- Indicate how the law is evolving

This course is primarily aimed at public authorities, lawyers and other specialists working in the field. Those new to the legislation may find the Campaign’s course ‘Get to Grips with the FOI Act’ more suitable – see www.cfoi.org.uk.

If you’re unable to attend this course but would like to be informed about future courses please contact us by email at admin@cfoi.demon.co.uk or telephone on 020 7831 7477.
Course content:
An examination of the issues highlighted by decisions so far, including:

- The Freedom of Information / Data Protection interface
- “Fair” & “unfair” disclosure of personal data
- FOI & EIR requests: the dividing line
- “Vexatious” or “abusive” requests
- When is information “held”?  
- When records can’t be found
- Advice & assistance for requests exceeding the cost limit
- Can it be “confidential” without a confidentiality agreement?
- Requests from competitors
- Requests about staff misconduct
- Revealing differences between ministers
- Disclosures that inhibit frankness
- What evidence of prejudice is needed?
- Disclosures that damage reputation
- Where the public interest test has tipped the balance

Course details
Date: 16 May 2006  
Time: 1.30 pm – 5.00 pm  
Cost: £200 per person

Venue
Local Government House  
Smith Square  
London SW1P 3HZ

Ways to book
Campaign for Freedom of Information  
Suite 102, 16 Baldwins Gardens  
London EC1N 7RJ

Email: admin@cfoi.demon.co.uk
Phone: 020 7831 7477
Fax: 020 7831 7461

Booking form

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Please reserve…..places(s) on the 16 May 2006 course

Others attending from your organisation:
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PAYMENT OPTIONS  
☐ I enclose a cheque for £……payable to ‘Campaign for Freedom of Information’  
☐ Please invoice my organisation. Invoice to be sent to:  