

How to access information from a public authority

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How to access information from a public authority

29 August 2024 - We've added a "Searching for information" checklist to the "Top tips" section.

How does it work?

You have the right to request recorded information held by public authorities. The most obvious kind of recorded information is electronic or paper copies of formal documents, like policies or minutes of meetings. But you can also request information held in other kinds of records like emails, photographs or audio recordings.

There are laws that give you this right of access, which are:

- the Freedom of Information Act (FOIA);
- Environmental Information Regulations (EIR); and
- INSPIRE Regulations.

This guidance focuses on the FOIA and EIR. You can find more information on INSPIRE in our [guide to the INSPIRE Regulations](#).

If you ask for information, public authorities must provide it, unless there's a good reason not to.

We use the phrase "information request" to cover the requests you can make using FOIA or EIR.

If you want to request a copy of your own personal information from a public authority, make a [subject access request](#).

Who can you ask?

You can request information from any public authority in England, Wales and Northern Ireland, and UK-wide public authorities based in Scotland. [Scotland has its own legislation which covers Scottish public authorities and its own commissioner](#).

Examples of public authorities include:

- [government departments](#), devolved administrations and other public bodies and committees;
- [local councils](#);
- schools, colleges and universities;
- public health services – including hospitals, GPs, dentists, pharmacists and opticians;
- publicly-owned companies;
- publicly-funded museums, galleries and theatres; and
- [the police](#) and fire services.

You can make an environmental information request to some private or public companies that have public responsibilities – such as water companies.

If you are unsure if you can make a request to an organisation, you can contact us via our helpline on **0303 123 1113** or [our live chat](#).

Top tips

To make information requests as efficiently and effectively as possible, we suggest you take this approach:

1. **Search first.** Public authorities publish a great deal of information. You may find what you're looking for by searching online or looking at the website's sitemap. If the information is already in the public domain, it may be quicker to find it than ask for it. For more tips, see "Searching for information" below.
2. **Keep it clear.** Make your request as simple and straightforward as possible. Use simple language. Numbered lists or bullet-points might help you to structure your request. In general, try to make it as easy as possible for the public authority to understand what you want to receive.
3. **Be nice.** Even if you're dissatisfied with the organisation, try to put that to one side and focus on the information you want to receive. If possible, keep your information request separate from any ongoing email threads or complaints about wider issues.
4. **Read it twice.** Before you send a request, take another look at it to make sure it's clear and easy to follow. If you're unsure, you could seek a second opinion from someone you know. They might spot something confusing that you can fix before you send the request. If the public authority has to ask you to clarify your request, it will take longer for you to receive the information you want.

Searching for information

The following resources could help you find the information you're looking for.

- **Publication schemes, annual reports, policies and datasets published on public authorities' websites.** These kinds of documents explain who the organisation is, what they do, how they do it, and how they are performing. If you can't easily find documents on their website, look for a sitemap, which may help.
- **Disclosure logs on public authorities' websites.** These allow you to read a public authority's responses to previous information requests.
- **WhatDoTheyKnow** is a public register of over 1 million information requests, and responses from thousands of public authorities.
- **Advanced searches** of a public authority's website. For example:
 - Use Google's [advanced search dashboard](#) or similar facilities on other search engines.
 - Add "site:" to your search query (eg "annual report site:ico.org.uk").
 - Search for a specific file type in your search query. In Google it's "filetype:" (eg "ICO annual report filetype:pdf").
- **Previous website versions.** Viewing historic snapshots of an organisation's website may help you retrieve information which is no longer current. You can search for previous website versions using:
 - [UK Government Web Archive](#).
 - Not-for-profit organisation the Internet Archive's [Wayback Machine](#).
- **National regulators or other bodies.** These organisations are likely to publish information they collect about the bodies they oversee. For example:
 - [Office of National Statistics](#) website.
 - Resources available through [gov.uk](#), including [www.data.gov.uk](#).
- **Academic journals, reports or articles.** These might require a subscription, but may also be available through a local library, employer, professional body or education institution.

- **Civil society organisations, expert researchers and journalists.** Expert organisations and individuals publish research and opinion, and share information on social media

Protect public money

Gaining access to public information is your right and public bodies must respect that.

However, requests do cost public bodies time and money to respond to. This is public money and we need to make sure it's spent responsibly.

It is important that you don't submit frivolous or trivial requests.

You should not make requests for the same information more than once, unless the information has changed a lot.

You should not make requests as a way of 'punishing' a public body if you think they have done something wrong. If you do any of the above, the public body could consider your request vexatious and refuse to action it.

How to write an effective request for information

What should my request say?

Do include:

- an email subject line or heading for your letter which makes it clear that you are making an information request. For example, you could use 'request for information,' 'freedom of information request' or 'Environmental Information request';
- the date of your request;
- your name – a request can also be made in the name of an organisation or by one person on behalf of another, such as a solicitor on behalf of a client;
- contact details the public authority can use to respond to you in writing;
- how you would like to receive the information (for example by email or printed out and posted to you);
- a clear description of the information you want; and
- any dates or other details that will help the public authority search for the information you want.

Don't include:

- unnecessary information alongside your request, like details about a wider customer service complaint;
- requests for information if your aim is solely to cause additional work for the public authority; or
- offensive or threatening language.

Whichever department of a public authority receives your information request, the organisation has a responsibility to recognise it as a formal request and respond to it appropriately. But where possible, send your request directly to the team who deal with information requests. It should be straightforward to find their details on the organisation's website by searching for "freedom of information".

There are some dedicated websites, like [WhatDoTheyKnow](#), that can help you submit requests to public authorities.

How should a public authority support me?

Public authorities must provide advice and assistance if you need help to make, clarify or refine a request. An informal discussion with the organisation before you make an information request gives them the opportunity to provide general guidance on how they hold their records, direct you to any relevant information which is already publicly available, or to clarify that they don't hold the information you want. The ICO cannot request information on your behalf.

If you require additional support or reasonable adjustments to allow you to make a request or access the information provided in response to a request, you can ask the public authority to assist you.

For example, you might need to request the response:

5. in braille;
6. in large print; or
7. in audio format.

Section 75 of the Northern Ireland Act 1998 and the Welsh Language Act 1993 may also have a bearing on the ways in which public authorities communicate with you.

If you think a public authority has failed to make a reasonable adjustment, you can seek further advice from:

- Equality Advisory Support Service (EASS); or
- Citizens Advice.

What should my request look like?

You could use our information access request template as a guide.

[Address for correspondence]

[DATE]

Under the [Freedom of Information Act/Environmental Information Regulations], I would like to request the following information:

[be specific about the information you wish to receive. Include details like date ranges and the likely location of information, if possible.]

I would like you to provide the information in the following format:

[specify whether you have a preferred format to receive the information]

Please contact me if you need me to clarify my request.

[providing your phone number might help them resolve issues with your request quickly]

Thanks,

[Name]

Frequently asked questions

Can I make an information request verbally?

Generally, you can only make an information request verbally if you're asking for environmental information. But we recommend that, even if you're making an EIR request, you put it in writing if possible. This means you can keep an exact record of your request.

You can also make a verbal request if you require the public authority to make a reasonable adjustment and accept the request verbally.

If you are making a verbal request, you should:

- use straightforward, polite language;
- focus the conversation on your information request;
- work with the organisation to identify the information you need and where they can find it; and

- check their understanding – ask them to repeat your request and tell them if anything is incorrect or missing before finishing the conversation.

Should I use a public authority's online form to make my request?

Using an online form can make it easier for the public authority to deal with your request. The forms can:

- help structure your request;
- prompt you to include necessary details;
- let you know the best contact point at the organisation; and
- generate a reference number for your request.

A public authority can't refuse a request sent via email or post simply because they would prefer you to use an online form.

Should I keep a record of my request?

You should:

- keep a copy of your correspondence;
- keep any proof of postage or delivery (such as a postal reference number); and
- if using an online form to submit your request, take a screenshot before sending and note down the date you made the request.

This will provide helpful evidence if you need to follow up your request or complain about the public authority's response at a later stage.

What to expect after making an information request

When should a public authority respond?

Usually they need to respond to your request within 20 working days.

If they ask you to clarify your request, the 20 working days don't start until you have provided clarification.

They might also need to extend the time taken to respond to an FOI request if they need to consider the balance of the public interest in disclosing or withholding information you have requested. If they're going to do this, they must write to let you know within the initial 20 working days. Under EIR, they can take up to 40 working days if the request is complex.

If you don't receive a response after 20 working days, follow up with the public authority to make sure they received the request.

Can they charge a fee?

A public authority can charge you for the cost of processing and sending the information, such as photocopying and postage. We call these 'disbursements'.

Keeping your request as specific as possible should help reduce the cost to you. For example, you won't need to pay for the processing and sending of unnecessary information.

If you've requested environmental information, the EIR fees system allows a public authority to charge for working time spent locating information. Any fee should be reasonable – it shouldn't exceed the costs incurred or act as a deterrent. Public authorities must publish a schedule of any fees they charge for providing environmental information.

Will I receive everything I ask for?

Not always.

You have the right to access information that already exists. Public authorities don't have to create new information to respond to your request.

They are not required to answer questions unless they already hold the answer as recorded information.

And sometimes the public authority just doesn't hold the information you've requested. If that's the case it should explain that to you.

A public authority can also refuse your request if it is vexatious, repeated or if it would cost too much to comply. This is to protect public money.

If a public authority estimates that complying with a FOI request would cost more than £600 (for central government, Parliament and the armed forces) or £450 (for other public authorities), then it can refuse your request. The cost of complying can include staff time, worked out by hour.

Under EIR, there isn't a set cost limit beyond which a public authority can refuse a request. It can refuse requests if the cost would be manifestly unreasonable.

Being as specific as possible in your request helps reduce the cost of responding to it. You are then more likely to get the information.

The public authority can refuse an FOI request if it is vexatious (FOI) or manifestly unreasonable (EIR). This means that the request is likely to cause a disproportionate or unjustifiable level of disruption, irritation or distress.

Sometimes people make FOI requests for information which they can access more appropriately under different rules that the ICO doesn't oversee. Disclosure under FOI or EIR is disclosure to the general public. Information about the deceased, for example, or information needed for a court case may not be suitable for the general public to see. However, you may still have the right to ask for that type of information under other legislation. We can't give you detailed guidance on that – but a public authority which holds that type of information should advise you how to access it.

Can they withhold information?

There are valid reasons why a public authority may refuse or partially refuse your request for information. Specific parts of the legislation set out these reasons. They're called 'exemptions' under the FOIA and 'exceptions' under EIR.

If you received a response to a request where a public authority used an exemption or exception, you may want to read our guidance to understand

whether it has done it correctly. This guidance is for organisations, but you should still find it helpful:

- [FOI exemptions](#)
- [EIR exceptions](#)

What to do if you are dissatisfied with the response

Step 1: Ask the public authority to carry out an internal review

Contact the public authority in writing and ask it to review the decision. Politely explain why you disagree with the response, being as clear and specific as possible. If it has withheld information, it should explain why it needs to withhold it. You might find it helpful to get a second opinion from someone you know, to help you assess whether the response is fair and makes sense.

Usually, a public authority should respond to your request for an internal review within another 20 working days. It should carry out the review in an independent and fair way. Don't wait too long to request the review – a public authority could refuse to deal with it if you wait longer than 40 working days.

You could use the following letter template as a guide, adding in the details of your own complaint:

[DATE]

Ref No: [if applicable]

Thank you for your response to my information request, sent on [date], copy attached.

I am dissatisfied with the handling of my request for the following reason(s):

[explain why you are unhappy with the result of your request. For example:

I disagree with the outcome of the public interest test because....

I don't believe the cost of providing the information would exceed the cost limit because...

You have not provided me with enough support to refine my request...

I disagree that the exemption applies because...]

Please carry out an internal review of the handling of my request and consider changing your position.

I understand that you should respond to me within 20 working days, as outlined in the Information Commissioner's guidance:

"The Information Commissioner's Office recommends that public authorities carry out internal reviews within 20 working days. Under Environmental Information Regulations there is a legal requirement that internal reviews must be carried out as soon as possible and within 40 working days."

Thanks,

[Name]

Step 2: Complain to the ICO

If you're unhappy with the outcome of their internal review, you can complain to the ICO and we will make an independent assessment of the response you received. We don't act as your representative. Our role is to regulate the legislation that we oversee for the overall benefit of the public, rather than individual requesters. We don't award compensation.

You can also complain to us if the organisation doesn't respond to your request. But you should follow up with them first, to make sure they have received it.

The easiest way to lodge a complaint with us is [through our website](#).

Before you complain, it's helpful to read our [detailed guidance on our complaints process](#).

We will need to see copies of the most relevant parts of your correspondence with the organisation – your request, their response, your request for an internal review and the outcome of their review.

Please bring your complaint to us within six weeks of their response or your last substantive contact with them.

If you are dissatisfied after we've issued our decision, you then have the right to take the matter to the [First Tier Tribunal \(Information Rights\)](#).

Further advice from the ICO

For further advice, you can contact us via our [live chat service](#) or call our helpline on 0303 123 1113.

Further reading

Our [index of FOI and EIR guidance](#) allows you to access the formal guidance we have produced for public authorities. The people handling your request are likely to base their decisions on this guidance.

We publish our [decision notices](#). These are the formal decisions which we make on specific complaints about FOI or EIR complaints brought to us by members of the public.