

8th April 2008
Complaint

Your ref: Name Redacted/Daedalus

Our ref: R00031

Freedom of Information Request – HMS Daedalus, Lee-on-the-Solent

Introduction

I am writing to convey the findings of my review into the handling of “Name Redacted” original FOI request concerning HMS Daedalus dated 22nd November 2007.

Findings

The original request was addressed to the Executive Director, Paul Hudson, who had already left SEEDA in May 2006. After a short delay the letter was forwarded to his successor who instructed the responsible manager to prepare a response. This manager then delegated the response to the Daedalus Project Manager, who had previously discussed this matter with “Name Redacted” and had already assisted him by providing information relating to the general nature of his request.

The Daedalus Project Manager was aware of the sensitive nature of the situation, concerning organisations using the Daedalus airfield, and sought legal advice on the disclosure of the information requested in “Name Redacted” letter.

The blanket advice received was that as legal action might be taken by organisations using the Daedalus airfield, this information should be withheld. Therefore the manager formed the view that a minimal reply was all that could be provided and this would be sufficient to satisfy the requestor. Unfortunately at this stage (Dec 19th 2007) “Name Redacted” was not made aware of SEEDA’s complaints procedure, which would have allowed a more rapid response to the request, had they chose to use it.

The manager was also not fully aware of the scope of the Freedom of Information Act and was unaware of the need to respond within the appropriate timescale and provide the information requested, where available, and subject to appropriate exemptions. In this case, although the response was within 20 working days, the refusal to provide the requested information was not valid.

Given that “Name Redacted” did not come back to SEEDA after having received the response on 19th December, not having been informed of our complaints

procedure, we believe that the extended delay to the final response to his request was unavoidable and not an additional fault on the part of SEEDA.

Actions

Having received the complaint from via the Information Commissioner's Office we acted promptly and efficiently to provide all the information requested, where it was held by SEEDA, there not being any reason why it should not be provided.

SEEDA accepts that the initial response fell short of an acceptable standard and we recognise the need to raise staff awareness of the Freedom of Information Act to ensure this type of incident does not recur. I am pleased to report SEEDA is taking proactive steps, on a number of fronts, to improve the way that we handle FOI Requests:

1. SEEDA is the process of recruiting a full time employee who will be responsible for managing the handling of FOI requests and Parliamentary Questions. There is a close link, for SEEDA, between these two types of enquiry and it will be beneficial to have management responsibility for responses under one person. In the meantime we have taken steps to employ an interim resource, and to clarify responsibilities and streamline processes for handling FOI requests.
2. The new recruit will also be responsible for introducing a new managing process, new IT monitoring tools and providing briefing sessions on a rolling basis to ensure that all staff are aware of the need to act promptly on the handling of FOI requests.
3. In the mean time, SEEDA has retained a specialist consultant to ensure that FOI procedures as properly observed in all instances. The consultant is also currently evaluating the need for additional 'refresher' training for staff.

Conclusions

I trust you will find our approach to this review acceptable; however I would also welcome any further advice you may be able to give us.

Please contact me if you have any queries.