Legal - Freedom of Information

Key Metrics

Summary of Freedom of Information requests

Requests closed within target

Closed cases outcome summary YTD

How are we doing against our targets?

The overall intake of new requests for Period 13 (P13) was 109. This is an 11% decrease from the previous period and an 8% increase on requests received in P13 of 2017/2018. The average weekly intake of requests for the period was 27, decreasing from 30 per week in P12. The number of high profile cases received during P13 reduced by 33% compared to the previous period. At end of year 2018/19, the number of requests received was 1622 – this is an increase of 14% on requests received in 2017/18.

We achieved 100% compliance during P13. The overall YTD compliance rate remains at 99%, equalling the rate achieved in 2017/18. This represents a consistently high level of performance throughout the year and remains substantially above the regulator’s benchmark of 90%.

We provided information in response to 61% of requests during P13. This was a 5% decrease from P12 and maintains our YTD disclosure rate at 61%. This meets our KPI and ends the year with a disclosure rate 5% higher than the 56% YTD achieved in 2017/18.

We received only three new first stage appeal (known as Internal Reviews - IRs) during P13. The YTD proportion of responses where an IR takes place remains very low, at 4% of all closed requests. This indicates that the quality of our responses to requests remains consistently high, and is the result of applying the lessons learned from IRs to the handling of first-time requests. No IRs were closed during P13.

Three second stage appeals are being investigated by the Information Commissioner’s Office (ICO). In two cases, the grounds for appeal are that Network Rail holds further information which was not considered for disclosure; the third case concerns our decision to withhold the estimated cost of a planned project. The first appeal is from a lineside neighbour asking for information about an embankment and ditch on Network Rail land adjoining his fields; further enquiries to our subject matter experts have located a considerable amount of information which should have been disclosed. This information has now been provided to the requestor and the Head of FOR is continuing to seek an informal resolution with him; this would remove the need for the ICO to issue a public Decision Notice. Our initial response to the request breached the EIR legislation, and ‘lessons learned’ will be provided to Information Officers, stakeholders and our subject matter experts. Our enquiries are ongoing for the remaining two appeals.

It remains the case that there have been no third stage appeals to the First-Tier Tribunal.