



Award winning systems for fast moving businesses

1 Time to respond

Different information requests have different response periods for public sector organisations.

For example DPA request must be answered in 40 calendar days.

A FoI request must be answered in 20 working days (i.e. excluding bank holidays and weekends).

The 20 working day clock starts:

- the day **after** the public authority receives the request. According to section 10(1) the time limit for compliance is the twentieth working day **following** the date of receipt.

or

- the day the authority receives further information it reasonably requires in order to identify and locate the information requested; section 1(3).

A request is received when it is delivered to the public authority, or when it is delivered to the inbox of a member of staff. The date of receipt is **not** the date the request is passed to the appropriate person for processing.

In respect of e-mails, however, where an automated 'out of office' message provides instructions on how to re-direct a message, the request would not be 'received' until it was re-sent to the alternative contact.

It is in the interests of the public authority to ensure that mail is distributed, and acted upon, promptly. Public authorities will also need to give thought to their procedures for dealing with communications where a member of staff is unexpectedly absent. (See also question 10 below – 'What happens if a public authority does not respond within the time limit?').

Public authorities may wish to consider the following good practice points:

- It may be helpful to provide and publicise a separate e-mail address for FOI requests, although there would still be a duty to deal with requests received anywhere within the authority;
- To cover periods of absence, it would be advisable for staff to use the automated 'out of office' facility for e-mails and to provide alternative contact details.
- Where an alternative contact is provided in an 'out of office' message, the contact should advise the original recipient of action taken in respect of the request.
- It would be good practice to acknowledge receipt of requests and to refer to the 20 working day time limit, so that applicants know their request is being dealt with. It would also be good practice to let applicants know when they might expect a full response.



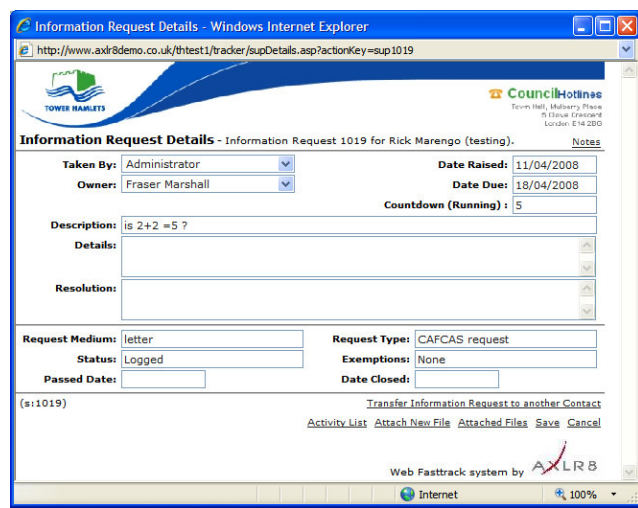
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Under section 1(3) of the Act, "where a public authority –

- (a) reasonably requires further information in order to identify and locate the information requested, and
- (b) has informed the applicant of that requirement"

the authority is not required to comply with the request until that further information is provided. Whilst the applicant may have made an FOI request under the terms of the Act, by describing the information he/she seeks, the 20 working day time limit would not start until the authority had sufficient information to enable it to deal with that request.

As can be see from the screen shot below, the system "knows" that a CAFCAS request has 5 days to run once it is logged.



The bank holidays will be ready loaded into your system and you can also update them if you need new ones.

- It has the 4 set response periods for a standard implementation:
- FOI 20 working days (excludes weekends and bank holidays)
 - EIR same as FOI
 - CAFCAS same as FOI except it's 5 days
 - DPA 40 days (no exclusions - just 40 calendar days).

Please let us know if you want more.

AXLR8



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Bank Holiday List - Windows Internet Explorer

http://www.axlr8demo.co.uk/thtest1/tracker/listIgnoreEntries.asp

Bank Holiday List

Add Date

Bank Holiday Date List (Click on the 'X' to remove an entry)

Bank Holidays	
<input type="checkbox"/>	27 December 2011
<input type="checkbox"/>	26 December 2011
<input type="checkbox"/>	29 August 2011
<input type="checkbox"/>	30 May 2011
<input type="checkbox"/>	02 May 2011
<input type="checkbox"/>	25 April 2011
<input type="checkbox"/>	22 April 2011
<input type="checkbox"/>	03 January 2011
<input type="checkbox"/>	28 December 2010
<input type="checkbox"/>	27 December 2010
<input type="checkbox"/>	30 August 2010
<input type="checkbox"/>	31 May 2010
<input type="checkbox"/>	03 May 2010
<input type="checkbox"/>	05 April 2010
<input type="checkbox"/>	02 April 2010
<input type="checkbox"/>	01 January 2010
<input type="checkbox"/>	28 December 2009
<input type="checkbox"/>	25 December 2009
<input type="checkbox"/>	31 August 2009
<input type="checkbox"/>	25 May 2009
<input type="checkbox"/>	04 May 2009
<input type="checkbox"/>	13 April 2009

Done Internet 100%

Hopefully, the buttons ("Add Date" and Clicking "X" to remove a date) on this facility are self explanatory.