

202-03-134719

January 2017

Request

My FOI request is about the partial list of responses published on the disclosure log on your website at this page:

<https://www.gov.je/Government/FreedomOfInformation/Pages/FOIDisclosureLog.aspx>

Can you please supply:

A

The criteria or official policy referred to when choosing which responses to post publicly on your website.

B

All previous responses to valid FOI requests which are not posted publicly on your website.

I know from making previous requests that responses are sent via PDF document attached to an email. I expect the number of documents may exceed normal email attachment file size limits (for me it's 50 MB per email), therefore I am happy to arrange a convenient alternate digital delivery or collection method.

Response

There is no legal obligation on the States of Jersey to publish a log of responses provided to applicants.

The log of responses at

<https://www.gov.je/Government/FreedomOfInformation/Pages/FOIDisclosureLog.aspx> lists the vast majority of the requests and responses provided to applicants. 1,213 requests have been published on the website as at 1 February 2016.

When responses are suitable for publication the Central Freedom of Information Unit aims to publish within 48 hours of the response being sent to the applicant. However, this may not always be possible for a number of reasons, including workload or the size, number or quality of files which need to be uploaded.

A

The authority does make exceptions in a few limited circumstances and each request is evaluated individually for publication weighing the public interest against other criteria which include (but are not limited to):

- the request is likely to identify the requester
- is of limited general public interest
- any necessary redaction needed would further reduce the value of the request to the public.
- Departmental security.

The most frequent category of request not to be published are those relating to planning applications which identify private property and individuals.

If a requester has asked for an internal review on the handling of a request, the response will not be published until that review.

B

Accompanying this request are responses to valid Freedom of Information requests which have not been posted on the website.

The table below corresponds to those responses and details why they have not been uploaded.

Request	Reason
1	Non-publication was an oversight which has been corrected.
2	Request to view file at Jersey Archive – no public interest
3	Redaction and non-disclosure make the response meaningless to anyone but requester – unable to supply requester's letter.
4	Redaction and non-disclosure make the response meaningless to anyone but requester – no public interest.
5	Security reasons. Potential risk of SoJ systems being targeted.
6	Limited public interest.
7	Request to view file at Jersey Archive – no public interest.
8	Redaction for legal reasons and non-disclosure make the response meaningless to anyone but requester – no public interest.
9	Redaction needed to personal information – no public interest.
10	Not published to reduce spam/nuisance calls and messages.
11	Redaction needed to personal information – no public interest.
12	Non-publication was an oversight which has been corrected.
13	No information provided.
14	No information provided.
15	Redaction needed to personal information – no public interest.
16	Redaction needed to personal information – no public interest.
17	No public interest.
18	No information provided – no public interest.

As agreed with the requester on clarification, this number excludes the requests in relation to planning applications. The Department of the Environment receives regular requests from members of the public to provide copies of planning information that are not ordinarily published on the online planning register.

This information usually consists of emails between various parties or general correspondence on historic planning cases (ie applications received before year 2000). In most cases the Fol requester has been involved in the application in some way and is asking for information that not only relates to the planning application but also includes their own personal data.

In such cases the Personal Information exemption (Article 25 (2) (a) and (b) of the Freedom of Information (Jersey) Law 2011) is applied only to the personal data of anyone other than the Fol requester. The redaction is not applied to the requester's own personal data. Responses to these requests are therefore not published on the States of Jersey website as the response has been adapted to provide disclosure only to the individual requesting the information.

These responses also often involve large quantities of paper-based data, and as such in many cases it is not possible for them to be converted into an electronic format within the 12.5 hour time limit set out in Regulation 2 (1) of the Freedom of Information (Costs) (Jersey) Regulations 2014. In such case requesters are invited to collect the data directly from the department.

For clarity, except where indicated on the table, the responses will not be published on the website as a result of this request.