



National Audit Office

The UK's independent public spending
watchdog

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Reference FOI-1578

Date 25 January 2023

LOCAL AUTHORITIES 2021-2022

Thank you for your request of 28 December 2022 in relation to the Local Authorities 2012-2022. You have asked for us to handle your request in accordance with the terms of the Freedom of Information Act 2000 (FOIA).

The specific information you requested states:

“To request how many times the NAO referred a person to local authority in Twenty twenty one Twenty twenty two (Please note they refer to years IE 2021 and 2022) To request subject of the most frequent referral from NAO to local authority”

Having discussed your request with a director and Audit Principal we feel your request is too broad to carry out a proper and comprehensive search within the appropriate limit, as set out in Section 12 of the Freedom of Information Act 2000 (FOIA). Our consideration of Section 12 is explained further in **Annex A**.

Under Section 16 of the FOIA we are required to consider what advice and assistance we can provide to help you submit a request we may be able to respond to. We would suggest you are more specific about what you require in terms of the category of information sought and level of details.

I am sorry I have not been able to help you with your request for information on this occasion. However, we will consider afresh any new request we receive from you. Please be aware, any further request will be treated as a new request and similar considerations and the application of any appropriate exemptions will need to be considered.

Annex B sets out the steps you may wish to take if you are not satisfied with the way we have handled your request for information under FOIA.

I hope you find this response helpful.

Yours sincerely,

NAO FOI Team

157-197 Buckingham Palace Road, Victoria, London SW1W 9SP
020 7798 7000 www.nao.org.uk



Cert No. 8835

ISO 14001

Annex A

Refusal Notice – Section 12 Freedom of Information Act 2000 (FOIA)

Section 12 of the FOIA allows a public authority to refuse a request if the cost of providing the information to the applicant would exceed the 'appropriate limit' as defined by the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004:

The Regulations provide that the appropriate limit to be applied to requests received by public authorities is £450. For the purposes of the estimate the costs of performing these activities should be estimated at a rate of £25 per hour. This is therefore equivalent to 18 hours work.

In estimating the cost of complying with a request for information, a public body can only take into account any reasonable costs incurred in:

- (a) determining whether it holds the information,
- (b) locating the information, or a document which may contain the information,
- (c) retrieving the information, or a document which may contain the information, and
- (d) extracting the information from a document containing it.

For example, taking the first part of your request; 'Items relating to the accounts' will encompass all our audit work on Horseracing Betting and Levy Board (HBLB). Therefore, to consider properly your request we would need to search our audit files, the email folders and shared storage areas of anyone who worked on the HBLB audit across the three years of your request for anything relating to the audit. We consider there will be hundreds of potential files that will need to be reviewed to determine if they are in scope of the request. A conservative estimate would be 200 items per audit year. And taking on average, 5 minutes to review each would take approximately 50 hours, well in excess of the Section 12 limit.

Your clarified request is in three parts but the FOIA best practice guide advises that we should not decide which aspect of your request we should try and meet within the limit as this denies you the right to express a preference as to which part or parts of your request you may wish to receive which can be provided under the appropriate limit. As a result, we are refusing your whole request under section 12 of the Freedom of Information Act 2000.

Annex B

Statement of Policy

Our policy is to respond to requests made under the Freedom of Information Act 2000 as helpfully and promptly as possible, having regard to the principles set out in the Act. I therefore hope you are happy with the way we have handled your request. If you are not, then you should take the following steps.

In the first instance, within 40 working days, write to the National Audit Office Freedom of Information (FOI) Team at FOI.requests@nao.org.uk or by post to:

FOI Team, Green 2, National Audit Office, 157-197 Buckingham Palace Road, London, SW1W 9SP

The Head of FOI will arrange a review, which will be conducted by a senior member of staff who was not involved in decisions relating to your original request. Once the review has been completed, we will write informing you of the outcome.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

<https://ico.org.uk/> or Information Commissioner's Office Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF