

## Paul Francis (Med-Edt)

**From:** Mark.Radford@kent.gov.uk  
**Sent:** 20 February 2009 14:11  
**To:** Paul Francis (Med-Edt)  
**Subject:** FOI/06/801 - Savings to be achieved by Kent TV - Complete by 20 February 2009  
**Importance:** High

Dear Mr Francis

Thank you for your letter of complaint which was received by us on 12 January 2009.

I have thoroughly considered your complaint regarding the initial determination of the Corporate Access to Information Co-ordinator not to provide you with a breakdown as to where, specifically, savings have been made because the cost of providing this information would exceed the appropriate limit of £450 (equivalent to 18 hours at £25 per hour).

My findings with reference to your grounds of complaint are as follows-

**1. That Kent County Council must have information available on which it can support its assertions that it is on course to make savings of £200,000 and so it must have some if not all of that information readily available.**

I have considered your ground of complaint and whilst it is an understandable view as to how information could be collated to ensure that savings have been made it does not reflect the way in which things are done within Kent County Council. Because Kent County Council is a devolved organisation the sum of £200,000 is in fact a target that Directorates will meet collectively by having £200,000 removed from their aggregated budgets. Kent County Council can be sure that the saving will be made because Directorates have £200,000 less to spend. I am informed that there does not exist a reporting mechanism under which Directorates have to account for which publications have been reduced, cut or curtailed in order to achieve the saving. Nevertheless, Kent County Council knows the saving will be made because the money is not available to be spent in the first instance.

Because there is no reporting mechanism in existence under which Directorates have to account for precisely how the savings have been made, in order to comply with your request someone would have to trawl through every team and unit which issues publications in every Directorate of the Council in order to find that information. I am sure that you will appreciate that this is a sizable task when one considers that Kent County Council produces in excess of 3,750 publications a year. You will no doubt be aware that under Regulation 3 of The Freedom of Information Act and Data Protection Act (Appropriate Limit and Fees) Regulations 2004 the appropriate fee limit for local authorities is £450 which amounts to 18 hours of work at £25 per hour. Local authorities are not obliged to comply with Freedom of Information Act requests where the appropriate fee limit would be exceeded. I am satisfied for the reasons given above that in this case it would take in excess of 18 hours to provide you with a breakdown of how the savings have been achieved on a publication by publication basis. Indeed, I am informed that it would take in excess of 60 hours to obtain the information which you require. Accordingly, I conclude that the Corporate Access to Information Co-ordinator's decision was correct and I dismiss your complaint on this ground.

I am able to inform you, however, that in addition to the £200,000 in savings referred to above, Kent County Council proposes to save a further £160,000 in financial year 2009/10 by reducing Around Kent from four issues to two issues per year.

**2. That there is a requirement under the Local Government Act 1986 for all local authorities to maintain a separate account on their publicity expenditure. Whilst the account may not detail reasons for expenditure it should enable KCC to deal with his enquiry within 18 hours of work.**

I understand that the account to which you refer does not contain sufficient detail of expenditure to enable Kent County Council to detail where savings have been made on a publication by publication basis. I understand that even with this information it would take in excess of 60 hours in order to obtain the information which you require. Accordingly, I again conclude that the Corporate Access to Information Co-ordinator's decision was correct and so I also dismiss your complaint on this ground.

I trust that this explanation now satisfies your enquiry. However, if you are still unhappy with the decision, you can appeal to the Information Commissioner, who oversees compliance with the Freedom of Information Act 2000. Details of what you need to do, should you wish to pursue this course of action, are available from the Information Commissioner's website <http://www.informationcommissioner.gov.uk/cms/DocumentUploads/FOI%20Your%20right%20to%20know%20How%20to%20complain.pdf>

Yours sincerely

**Mark Radford**

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