

# Procedure Committee

## Oral evidence: Written Parliamentary Questions, HC 49

Wednesday 20 May 2026

Ordered by the House of Commons to be published on 20 May 2026.

[Watch the meeting](#)

Members present: Cat Smith (Chair); James Asser; Bambos Charalambous; Mr Lee Dillon; Mary Kelly Foy; Tracy Gilbert; Katrina Murray; Lee Pitcher; Michael Wheeler.

Questions 34-72

### Witnesses

**I:** Dr Ben Worthy, Reader in Politics and Public Policy, Birkbeck College, University of London; Jenna Corderoy, Investigative Reporter, Democracy for Sale UK; Alex Parsons, Democracy Lead and Senior Researcher, mySociety.

**II:** Warren Seddon, Director, Freedom of Information and Transparency, Information Commissioner's Office.

**III:** Clare Brunton, Acting Director, Constitution, Honours and Memorialisation, Information and Major Events, Cabinet Office; Eirian Walsh Atkins, Deputy Director, Freedom of Information, Cabinet Office

Written evidence from witnesses:

- [WRP 05 mySociety](#)
- [WRP 17 Information Commissioner's Office](#)

## Examination of witnesses

Witnesses: Dr Ben Worthy, Jenna Corderoy and Alex Parsons.

**Q34 Chair:** Welcome to this public evidence session of the Procedure Committee. We are continuing to take evidence for our inquiry into written parliamentary questions. Today's session is all about the interactions between WPQs and requests for information under the Freedom of Information Act—known as FOI requests—and how those two separate systems compete.

We are delighted to have three panels this afternoon, beginning with three expert witnesses on the FOI requests aspect of this inquiry: Dr Ben Worthy, Jenna Corderoy and Alex Parsons. Before we begin, could you please introduce yourselves for the record?

**Jenna Corderoy:** My name is Jenna Corderoy and I am a reporter for Democracy for Sale, which is an online media outlet where we publish investigations via newsletters. We mainly produce investigations into matters concerning lobbying, donations and transparency in political life. We specialise in obtaining documents under the Freedom of Information Act, and we often challenge Government Departments when we get refusals. We also monitor threats to the Freedom of Information Act. FOI is an incredibly important tool to hold the powerful to account, so I thank the Committee for taking the time to consider FOI and how it relates to written parliamentary questions.

**Alex Parsons:** I am Alex Parsons. I am a senior researcher at mySociety. We are a UK-based civic charity that runs services such as TheyWorkForYou, where we republish written questions, and WhatDoTheyKnow, where we publish FOI requests that have been made in public. Our interest in this area is improving Government transparency and the quality of information that is generally available in public debate.

**Dr Worthy:** My name is Ben Worthy. I am an academic based at Birkbeck college, University of London. I am a reader in politics and public policy, and I have been studying transparency and FOI for the past 20 years or so.

**Q35 Chair:** Thank you all so much. My first question is for you, Alex. Can you set the scene by explaining the difference between WPQs and FOI requests? We had some really useful evidence on this from mySociety, and I wondered if you could summarise that for the record.

**Alex Parsons:** Written questions build on the convention of Government openness to Parliament. In the same way that Committees have access to information, they are a right available to MPs in general. They are limited to Government Departments, but are built out of those conventions.

Freedom of information, on the other hand, is a right of access to information held by everyone—more than 48,000 different public authorities. That is the key distinction: one is a distinct legal regime, whereas the other is bound up in parliamentary conventions and rights.



## HOUSE OF COMMONS

In principle, there is a lot of overlap between the two regimes, especially in requests made to Government Departments. Government's rules on this are that they should generally treat written questions as equivalent and under the same rules, so you often see written questions refused using the language of the Freedom of Information Act.

In practice, written questions should do slightly better. There is a slightly higher cost limit, and it goes beyond just asking for a document that already exists. In principle, additional analysis can be done within that cost limit—for example, to understand what is in a table or to produce new information—which is not the case under freedom of information.

In practice, the lack of an appeal route means that the two routes are not always equivalent, in the sense that if information is withheld, there is a right for people to first ask for an internal review and then go to the Information Commissioner, whereas that is not the case for written questions; it is generally held that, because it is part of parliamentary proceedings, there cannot be a right of appeal. Our recommendation with this is that there should be a conversion mechanism that makes that route available for written questions.

**Q36 Chair:** Ben or Jenna, is there anything you would like to add? Are there any critiques on that?

**Dr Worthy:** I did some research about MPs' and peers' use of freedom of information in the early 2010s. As Alex was saying, one thing we discovered was that there was a distinction in MPs' heads in terms of how they used it. They spoke of using PQs as a very quick and convenient way to obtain some information—one interview described it as a ready-made press release—whereas freedom of information lent itself more towards long-term investigative work, digging deeper into an issue or building a national picture. As Alex said, there is a lot of overlap, but a lot of MPs also saw them as distinct and different tools for accessing different sorts of information.

**Jenna Corderoy:** Alex just brought up the lack of appeal route for written parliamentary questions, and I would say that MPs are more likely to get a swifter response when submitting written parliamentary questions, but I argue that, in theory, the FOI Act is stronger by way of appeal. As Alex was saying, if an MP is unhappy with their written parliamentary question answers, they have no right to appeal, but under the FOI system you can ask for an internal review and someone independent will review it. If you are still unhappy, you can go to the Information Commissioner's Office, which is the independent regulator, and they will conduct an assessment, and if you are still unhappy, you can go to the tribunal, where you will place your case in front of a judge.

Unfortunately, though, I want to draw attention to the current FOI appeal system; it is a long and drawn-out process. If you are requesting an internal review, you are looking at 20 to 40 working days to get a response. If you are unhappy and go to the ICO, you are looking at a long time to get a case officer to conduct an assessment of the handling of your

request. By the time it goes to the tribunal, you are looking at about a year into the process. In theory, it is good to have an appeal system, but it can unfortunately take a long time, and it takes the sting out of the newsworthiness of your original request.

- Q37 Lee Pitcher:** Jenna and Ben, you have already expanded a little on what I am about to ask, but do add more if possible. What evidence have you seen of WPQs being used as a follow-up on FOI requests, or vice versa?

**Dr Worthy:** In our research some time ago, we did see an overlap, but I did a little bit of initial research for the Committee, looking at the last year of written parliamentary questions. When I looked over it—this confirms the research we did earlier—a lot of written parliamentary questions, probably about 75% of them, seemed to be about FOI, but in the 25% that were actually talking about FOI, there were some very interesting uses. There were quite a few questions within that 25% that were asking a Department or body to publish a response and obviously chasing up an FOI request. I also found a few that were using FOI as a jumping-off point or reference point, either with data they tried to get hold of or not.

Another thing we found in the project was that FOI was being used when a written question had not got the information they wanted. There was quite a lot of interplay. I found it particularly interesting when a question was asking to publish a response or set of responses because the MP had found that their FOI request that had been asked but not yet answered may have some particularly valuable or pertinent information. I have done a little bit of rough coding here, and I am happy to supply the Committee with that afterwards.

**Lee Pitcher:** That would be very useful. Thank you.

**Jenna Corderoy:** In terms of the overlap between freedom of information and written parliamentary questions, as a journalist, I find looking through written parliamentary questions quite fascinating. When I do so, I note how MPs have raised FOI queries on behalf of individuals, or perhaps even constituents as well. I have seen MPs even put in written parliamentary questions to chase FOI requests that they or their office have put in. I can provide numerous examples of MPs asking about FOI performance for certain central Government Departments, and I have seen lots of MPs putting in written parliamentary questions about FOI policy itself, so there is a large overlap between FOI and written parliamentary questions.

- Q38 Mary Kelly Foy:** You have probably answered my question, which was to you in particular, Ben, about the research you have done on MPs using FOIs. Is there a variety of reasons for using them? To what end do MPs use FOIs?

**Dr Worthy:** I have tried to group it into a few possible uses. The first thing to say is that FOI use, compared with the number of written questions, is very small. It is hard to estimate it, but our estimates were that somewhere between 1% and 5% of all FOI requests are put in by MPs, so they are relatively small numbers. We can break it down into three groups.



## HOUSE OF COMMONS

The first group is individual use by MPs. We estimated that there are about 15 to 20 regular users of freedom of information, and this is for personal campaigns or what we call crusaders.

The second group of users, interestingly, is political parties, which are using organised campaigns around their different portfolios. When we studied this back in the 2010s, it was Labour in opposition that was using it. Now, we can see evidence that the Conservatives have co-ordinated FOI campaigns. Over in the Senedd, Plaid Cymru was making co-ordinated use until recently, and there are also examples in Northern Ireland.

The other really interesting group that uses FOI is MPs who, as Jenna and Alex said, are picking up FOIs from elsewhere. There is much wider use of MPs either being given or coming across FOI data from other people and then using it. The one question in our research that I recently tried to ascertain was, "Is there a wider hidden use of FOI by MPs?" The reach of freedom of information means that it covers the police, hospitals and local government. I found a few examples of Polly Billington, who is the MP for East Thanet, using FOI relating to Kent county council. We have other examples of MPs who seem to be using FOI for the local police and other areas.

Why do so few MPs use it? We tried to answer that question. MPs probably do not need to use FOI that often, because they have so many ways of getting access to information and, like journalists, they often need the information quite quickly. In that way, a written question should get the information much sooner than a freedom of information request would. There are a different set of MPs using it. There are a few peers who seem to be using freedom of information as well, but we estimate that there are probably about five or 10 peers altogether who use it regularly.

**Q39 Bambos Charalambous:** This is a question for all members of the panel. How do the public and organisations outside Parliament make use of written PQs, for example by making use of the responses to them that are published on a daily basis?

**Alex Parsons:** This is one of the more interesting uses. With TheyWorkForYou, we run email alerts, which lets people subscribe to messages from individual MPs, Lords or Members across the devolved Parliaments, or to specific key words. We have found an interested group of specialist users who subscribe to specific Ministers, who are looking for written question responses or specific policy areas. We found that this was a generally useful tool for the third sector for getting updates on policy. We surveyed people about this, including civil servants inside operational Departments such as DWP, who found that this is a good way of getting out up-to-date policy stuff from the Minister at the centre.

That is a definite use that we found: for people who have a real interest in those operational Government policies, the most live update comes through these quick responses to MPs. Also, because it is done in public, interest in where that information goes can be wider, but that is harder to detect unless you can survey people.

**Jenna Corderoy:** I do not have anything further to add.

**Dr Worthy:** I did some research a little while ago about TheyWorkForYou and mySociety. As part of that, we asked for information on the most visited parts of the Parliament website, and the written answers pages came 20th on the list, which I thought was reasonably high. That might be something worth looking into, but I think the main way that the public hear about questions is probably when they are featured in MPs' newsletters and updates—I had a quick look and found that quite a few MPs semi-regularly mentioned them: "I asked this written question and got this response"—especially if it relates to constituency business, and possibly also through the local media, when they report on it.

Q40 **Lee Pitcher:** Alex, this is more for you, I think. We have heard that some MPs see WPQs as a way of communicating their workload to residents and others, and their level of activity. Do you think that TheyWorkForYou has an impact on how WPQs are used by MPs and on how many are submitted?

**Alex Parsons:** It is a good question. Historically, we listed the number of WPQs asked on the MP profile pages. We stopped doing that in 2020, as part of a general refocus and move away from some of the numerical values—although I think that stuff is still widely believed to be there, so it could still be influencing behaviour even if that is not what we do. It is interesting: if you look at who asks WPQs, some ask an awful lot, some ask very few—it follows a power law, like lots of things do. For some, it is a major way in which they are an MP—"They way that I am an MP is that I ask lots of questions"—whereas for other MPs, that is not how they see their role. It is definitely interesting to see which MPs use that as a main focus of their role, and it would be useful for us to describe it in that way, as a certain way of being.

In general, we certainly do not currently have a view that more is necessarily better, but I do not think it is invalid to say that that is a different way of being an MP that it is worth highlighting to our audiences and to constituents in that way. It is interesting, sometimes you see these graphics about communicating activity, in which parliamentary question plays a part. That is definitely interesting, the way this happens in public, even if things are not immediately then acted on, or if you are asking questions to see what you get back—you ask five questions and maybe one is interesting. Those can still be useful for people—they might pick up a half-response and say, "Actually, that's still interesting to me"—and even non-answers can be an interesting story in their own way.

Q41 **Michael Wheeler:** We are seeing what appears to be an increased use of AI, for both asking and answering WPQs. From your work across FOI, have you seen any evidence of AI being used by people to access the system in relation to FOI requests?

**Dr Worthy:** I have done two surveys of freedom of information offices at local government level, in January 2025 and January 2026. I asked: "To what extent are you seeing an increase in freedom of information requests



## HOUSE OF COMMONS

that have been in some way assisted by AI?" The very rough statistics that we got are that people thought in 2025 that 5% of FOI requests had been AI-assisted, and this year that had gone up to 11%. It is really important to remember that those increases come alongside rising FOI requests to local government, so that is 5% of a lot of requests, which are growing in number.

What is also important about AI is that not only has the number increased, but there is also a hidden cost. Requests generated by AI tend to be more complicated and harder to work through, and often involve more communication with the person who sent them. There might be a parallel with the kind of carding system here, where AI-generated requests require a lot more work underneath.

There was also an open question about what we meant by using AI. It is not clear to what extent these are just tidied up using AI, to what extent AI has prompted a request, or to what extent AI may have generated the whole thing. There are examples from the US of bots that fire off FOI requests—there is a particularly fascinating one used by a journalist to fire off a request to the FBI every time an obituary is published, called FOIA The Dead.

I also want to flag the fascinating answer to the parliamentary question from Peter Bedford back in 2025. He found that some Government Departments were using AI also to answer written parliamentary questions. I think that opens up some more debate, which I think Alex can deal with.

**Alex Parsons:** Written questions and FOI are part of a broad suite of interactions with the Government or representatives, all of which, as AI lowers some of the barriers to entry, increase volume. Similarly, there is an argument about this in terms of correspondence to MPs. It is not necessarily that those requests are invalid or worse; they can be when they increase the complexity, but in other cases they can increase the sharpness. It is a mixture of things. The easier things are the worst, but I think as a systematic point of view, how to deal with that is interesting. If something was rationed by it being hard to do, is the response to that to ration it in a different way, or to explore efficiencies in the wider system?

Our view on this in the FOI space is that the big efficiency of WhatDoTheyKnow is because we publish in public; not only does that discourage repeated questions, because you can find it by googling and get to something you have already answered, but people passively can get the information without needing to ask. That is a nice thing we see with written questions and the use of the alert system—because it is already in public, the value is already spread out and efficient. That is something we want a lot more with these AI interactions. Where can we convert something that has a private benefit to an individual, like if I make an information request to my local councillor and I get something back, that increases the load but the benefit is only to me. But if we can push more things into public, the benefits spill out more to everyone. That is where we focus our thoughts on the system. It is that systematic efficiency.



**Jenna Corderoy:** On FOI and the use of AI, I am no expert on AI but I can see how people are turning to use AI to draft requests. AI can help requesters exercise their legal rights, which is a good thing, and make the law a bit more accessible. I am all for that. I have experimented with using ChatGPT when it comes to drafting requests, and I am still experimenting around with it. It is okay, but I think because I have had so much practice and have familiarised myself with the specific language that comes with FOI, and I think my FOI requests are better. I find that the ones I generated by AI are a bit more general and verbose.

I am just a little bit worried about AI producing errors or case law that does not quite exist, or not producing the original source of information that it is relying upon. There is probably an increase in the use of AI when it comes to drafting requests. It is here to stay, but I don't think AI should be used as an excuse to reduce cost limits. I am sure the Committee is aware of a recent *FT* article, in which it was reported that Government officials were discussing a reduction in the cost threshold of complying with a freedom of information request. As I am sure the Committee knows, the cost threshold for complying with a request is set at £600 for central Government Departments and £450 for other public bodies. I want to emphasise that any reductions on limits are most likely to have a serious impact on the ability to access information that is in the public interest. I just wanted to add that.

Q42 **Chair:** Can I ask all three of you for any views on whether AI generally will have an impact on the landscape of information transparency more widely? Is there anything else you would like to add on that broadbrush question?

**Alex Parsons:** I guess there are certain things from the other side—a lot of the cost of FOI or written questions is finding the information inside the Government Departments. In principle, new search technologies that make it easier to discover should improve the ability to discover relevant information to this query, and to process it in a way that identifies aspects of it. There is an increase in volume on one side, but in principle, an increase in capacity on the other side. The purpose is not necessarily just to answer the public's questions, but also for Government to understand itself. A general point is that if people cannot find relevant information inside the cost limit, for a query inside the Department itself, that means they also could not find that information. So there is that sort of aspect—improving internal capacity to understand how Government work as well as communicating it outwards.

**Dr Worthy:** I agree. The warning is that the technology is changing so quickly as well. The quality of FOI request that AI could generate two years ago is very different from the ability that it will have to create FOI requests in two years' time. When discussing AI, we are at the point of a sort of AI winter. There are lots of very negative narratives and worrying things about AI—that is true—but there are benefits, and it is not a zero-sum game. Improved processes, using AI within Government, could improve the requesting process for the requester, and vice versa. A number of people—FOI officers—in my survey said that they had noticed

that some FOI requests were better because they used AI, as they were more to the point. So it is not just a wholly negative picture.

**Chair:** As there are no further questions from the Committee, that is the end of our first panel. If there is anything that you want to add at a later date, we would be very happy to hear from you in writing.

## Examination of witness

Witness: Warren Seddon.

Q43 **Chair:** We are delighted to continue this afternoon's spotlight on the operation of the Freedom of Information Act, with Warren Seddon from the Information Commissioner's Office. Before we begin, will you introduce yourself for the record, Warren?

**Warren Seddon:** I am Warren Seddon, director of FOI transparency at the Information Commissioner's Office. I should probably say at the outset that, although data protection is a reserved matter and we are a UK-wide regulator, for freedom of information we regulate only in England, Wales and Northern Ireland—there is a Scottish information commissioner. I say that just in case I accidentally say "the UK"—I do not want to get in trouble with my colleagues in Scotland.

Q44 **Chair:** Thank you for clarifying that. The various Scottish members of the Committee will appreciate that.

My first question follows on from the first panel, which I saw you listening to intently. Is there anything you would like to add about the operation of the FOI system and how it differs from WPQs?

**Warren Seddon:** I guess there are a couple of things to bring out, without wanting to pre-empt too many questions. One difference is that the Freedom of Information Act is requester-blind, so it appeals to Members perhaps because they know that the answer they will get—certainly when the request gets to us—has not taken into account who they are; it is about information and whether exemptions apply. That is a legal position in relation to it.

We have also been doing a bit of research—I think I can say this; I saw it literally before I logged off to come here—in relation to AI. There is definitely something going on there in terms of how it is increasing people's use of the Freedom of Information Act. We have just run a poll suggesting that around 12% of people say that they make an FOI request because a generative AI has prompted them to do so when they have been researching something. Certainly, within the complaints system as a whole, we have seen a massive increase over the past 12 months in what is coming through to us.

In the two years prior to the last financial year, we had got ourselves into quite a good position operationally. We were closing 95% or 96% of cases in less than six months, and no cases were going over a year.

In the last 12 months, we saw our intake increase by 16% in Q1, 38% in Q2, and then 60% in Q3 and Q4. That is in a context where, historically, over two decades of the FOI Act, you see a 20% to 25% increase every five years. We have seen a massive surge in the number of complaints in the system. Although the evidence is not there to pull that apart in detail, I think AI is probably driving that.

- Q45 **Chair:** Colleagues will ask further questions on AI, but I want to ask a second question about cost. As you may know, the cost limit for written parliamentary questions is pegged at 140% of the cost limit for FOI requests. What is your view on how the cost limit is reviewed and, in the ICO's view, whether the current cost limit for FOI requests remains appropriate?

**Warren Seddon:** The cost limit has not changed. There has been a bit of debate about it in the past, but it broadly works as it stands. It is well used; if you look at the central Government statistics, around a quarter of refusals are due to the cost limit, so it is in play a lot, and we see it a lot in the complaints that we get.

Importantly, it ties to things for which you can make a reasonable estimate. As Ben mentioned in the previous panel, it is about locating the information and those kinds of activities where, from a regulatory perspective, you can look at it and go, "Well, that's reasonable. That estimate works." We would potentially have concerns in future if, when considering the balance of the public interest, thinking time started to be included as well, because that would suddenly become very difficult, from a regulatory perspective, to test and to hold account on.

Broadly, it works quite well at the moment in how it is applied. Because the limits and the hourly rates have not changed, it has stayed pretty static in how it is used in practice.

- Q46 **Bambos Charalambous:** Could you explain to us how the appeal route for FOI requests works? Also, when you have to refer back, how often is information that was initially withheld released as a result of an internal review or an appeal to the ICO?

**Warren Seddon:** Under the appeals system at the moment, we must accept a complaint and make a decision, unless a small number of reasons apply. One is that the local complaint system has not concluded. There is an internal review stage built into public authorities' processes, where they get the second chance to look at it.

We do not have statistics for the public sector as a whole—that is something we are looking to improve over the next 12 months. In central Government, again, between 20% and 30% of internal reviews result in a different decision, so that does add something to the process.

You can then come to the Information Commissioner, which is free of charge. We will take an independent, impartial look at the case to see whether the Act has been complied with. In around 2,000 cases a year, we issue a statutory decision stating whether the Act has been complied with,



## HOUSE OF COMMONS

whether information should be released and whether a response should be issued, if it is as simple as no response having been received.

If you are not happy with our decision, you can then go to the first-tier tribunal, which again is free of charge. That is a full merits review of our decision, so it goes back to the start and is looked at again. If you are not happy with the first-tier tribunal, you can then appeal on a point of law to the upper tribunal, and so on up to the Supreme Court, depending on whether you get permission to appeal. Those are obviously a very small minority of cases on strict points of law.

- Q47 **Bambos Charalambous:** Can I go back to the 20% to 30% of cases that are resolved via internal review? Is that because the reason given for not disclosing the information is one that you disagree with, and the authority has reflected and said, "Actually, that's right"? It is not, say, commercially sensitive information or something like that?

**Warren Seddon:** Yes, there will be examples of that. Cabinet Office colleagues might be better placed to answer, because we do not tend to see those cases, so it is difficult for me to say. What I can add is that, in terms of what comes to us, we will either uphold or partly uphold the complaint in around 55% of cases—so we uphold the complainant's view around half the time.

- Q48 **Michael Wheeler:** How has the ICO observed FOI requests being used by MPs? Have there been any particular noticeable trends over the period of time?

**Warren Seddon:** Apologies; we do not really have great data on this, in part because the system is requester-blind. The fact that it is an MP, ultimately, does not sway the decision. I am also conscious that sometimes requests might be made by the offices of Members, and will be captured under the name of the researcher and so on, so we do not really have data on the trends. Ben's research is probably, in terms of what I am aware of, the most authoritative—if that is the right word—that is out there on MPs' usage.

- Q49 **Michael Wheeler:** I completely accept and understand that. I was going to ask you to compare us to members of the public, but if it is requester-blind, that would not necessarily be possible. More widely, are there any particular trends across the whole of the piece that you have observed in terms of use of FOI?

**Warren Seddon:** In percentage terms, it would be very small. One of the things it is important to remember about FOI that can sometimes get a bit lost is that it is a really local tool. If you look at the complaints that come to us, between 20% and 25% will be about central Government, 40% to 45% will be about local government and then just under 10% will be about schools, education establishments, the health service, the justice sector and so on.

In the research that I mentioned at the outset on why people are making requests, 29% said it was because of an issue that matters to them.



Again, it is 20% in terms of a local matter that matters to someone, so FOI is a well-used tool by the public. We have done previous research that suggests that more than 10 million people have made an FOI request. A huge amount of that is about a local thing that matters to them that they think is important. They just want to find out about it and are using their statutory rights to do so.

**Q50 Tracy Gilbert:** In your written evidence, you mentioned an increase in FOI appeals. How large has that increase been? What do you think may be driving it?

**Warren Seddon:** I touched on that a bit at the start, but in practical terms, in the previous financial year we had 7,639 complaints that came to us, which was the second highest ever—the previous year was around 8,000. Because of that volume increase that I talked about at the start, last year we got 10,713 complaints, and because of the trajectory I described, we think we are probably going to get just under 12,000 this year—it really peaked only in the last six months of the previous financial year.

In that context, we have just had an indicative spending review settlement that is effectively flat cash—in fact, just a bit less than flat cash—so we have 60% more work coming into the system with slightly fewer people to do it. It is fair to say we are struggling at the moment and we are looking at options, such as tech solutions, but our standing caseload has gone from just below 1,500 to nearly 4,000, as of this morning. We have gone from closing the vast majority of cases in fewer than six months to it now taking us eight months to allocate a case that comes in, apart from a small number that we prioritise, so the system at the complaints end is under real pressure.

Going back to the point about AI, this is not just a rest-of-the-UK issue; our colleagues in Scotland are seeing a similar pattern. Interestingly, there is a former BBC journalist, Martin Rosenbaum, who has done a bit of research looking at different complaint systems, and it looks to be a trend across complaint systems.

One of the things that we are seeing with AI tools is that although there is a bit of an increase coming in at the front end, and in some areas it is quite high, in others it is less so. What it is probably doing is giving people more confidence through the process. Whereas previously you might have got an answer and gone, “Oh, it’s an internal review,” now you might just go to an AI tool and ask, “How do I do this?”, and it will give you a couple of pages and looks quite legalistic.

Similarly with the complaints process, it is just giving people more confidence to go through the complaints system. That is happening not just in an FOI context, but across different bits of the complaint system in the public sector. I think I saw the Solicitors Regulation Authority yesterday saying in one of its posts that it had seen a 52% increase in complaints about solicitors, so it is not just an FOI thing.



## HOUSE OF COMMONS

In terms of the impact on performance and how the system is working at the funding levels that we are seeing coming in right now, there is a real concern from our perspective about where we will end up. We are projecting at the moment that, by the end of this financial year, it will take about 16 months to allocate a case, which is not good from our perspective.

**Q51 Tracy Gilbert:** You mentioned AI being an underlying reason why these increases may be happening. Are there any other underlying reasons?

**Warren Seddon:** I am slightly reluctant to say, because the hard evidence is not there, but from that work that Martin did, and by just applying a bit of common sense, this all happened really rapidly. It has happened, really, in the last 12 months, and exponentially, certainly for part of that time. It has not just happened in one bit: it has not just happened in our FOI system but across multiple organisations. If you think about what happened about 12 months ago, a load of new GenAI tools were rolled out that people have started using and accessing. That really has to be the reason why, but I do not have a piece of evidence that I can point to that says, "This is definitely it."

**Q52 Mary Kelly Foy:** Regarding the wider transparency landscape, in addition to the Freedom of Information Act 2000, are there any other recent changes that have impacted the ability of MPs to gain access to the same or similar information using other methods?

**Warren Seddon:** When we talk about FOI, there are also the Environmental Information Regulations 2004, which came into force at the same time and apply specifically to environmental information. We regulate them, and they act very similarly to the Freedom of Information Act—a bit stronger, in some places—and apply to a wider range of organisations in some circumstances, such as to the utility companies. From a general perspective, that has broadly been the information rights landscape.

**Q53 Mary Kelly Foy:** Are any further changes likely in the near future, particularly with the growth of AI?

**Warren Seddon:** I might have to refer you to my colleagues who are coming in for the next panel. As the regulator, we ultimately do not have policy responsibility. What I can say is that we obviously stand ready to be part of any discussion about changes. There are provisions where you can extend FOI in certain circumstances—there are plans at the moment to bring tenant management organisations under the regime, for instance, and that can be done through secondary legislation—but I defer to colleagues on the next panel for that one.

**Chair:** As there are no further questions from colleagues, that is the end of our questions, Warren. Thank you so much for your time this afternoon. You have been very generous. If there is anything further, feel free to write to the Committee. We are happy to take written evidence as well.



HOUSE OF COMMONS

## Examination of witnesses

Witnesses: Clare Brunton and Eirian Walsh Atkins.

Q54 **Chair:** Good afternoon and welcome back to this public evidence session of the Procedure Committee. We are delighted to be continuing our spotlight on FOI with our final panel for today: Clare Brunton and Eirian Walsh Atkins from the Cabinet Office. Could you introduce yourselves for the record?

**Clare Brunton:** My name is Clare Brunton. I am the acting director for constitution, honours, information and major events in the Cabinet Office, so FOI falls within my directorate.

**Eirian Walsh Atkins:** I am Eirian Walsh Atkins. I am the deputy director for FOI in the Cabinet Office, which means that I have responsibility for the Cabinet Office's casework function for FOI, but also for the legislation as a whole.

Q55 **Chair:** Could you briefly set out for us how the Government handle FOI requests, with particular emphasis on how decisions are made about whether to release information?

**Eirian Walsh Atkins:** Every Government Department is a separate public authority for the purposes of FOI. Each one has a slightly different way of managing the FOI process, whether that be through a central team that handles all FOI requests from beginning to end or through more of a hub-and-spoke model, whereby FOI requests come into a central team and are then allocated to the relevant policy team to answer.

Normally, the subject matter experts will consider what information is in scope of the request and whether any of that is sensitive, in line with the exemptions set out under the Act. If a public interest test is required, they will carry that out, and a draft response will then go back to the FOI team for checking, as a general rule, before it is issued.

**Clare Brunton:** I have nothing to add.

Q56 **Katrina Murray:** Thank you for coming in. Could you explain the operation of the Cabinet Office's cross-Government co-ordination role in relation to FOIs?

**Eirian Walsh Atkins:** Yes. The Cabinet Office holds policy responsibility for freedom of information as a whole. That means that we oversee the operation of the Act to ensure that its scope still covers all relevant public authorities. If a new body is created, we might advise on how to bring it within the Act, if appropriate.

We also operate a centre of excellence, which is an advisory function. Where a Department has a particularly sensitive or tricky request, or where it cuts across one of the Cabinet Office's equities, it can come to us and ask for our advice on that FOI request. If appropriate, we would give that advice.



## HOUSE OF COMMONS

We also run a round-robin list, whereby if an FOI request appears to have been made to two or more Government Departments, those Departments might refer it to us and we would add it to a circulated list. Sometimes, but generally very infrequently, we would offer advice on how to handle that FOI request, ensuring that Government Departments respond consistently.

**Katrina Murray:** Have you anything to add, Clare?

**Clare Brunton:** No. You will see that Eirian is definitely the expert here. There is nothing for me to add.

Q57 **Katrina Murray:** Does the Cabinet Office have any role in supporting the performance of different Departments in carrying out that work? What performance standards are Departments held to?

**Eirian Walsh Atkins:** The answer to that is yes and no. A different Cabinet Office team from mine collects the official statistics relating to FOI, from all Government Departments and other monitored bodies. When you see figures like "94,000 FOI requests last year were received by central Government and other monitored bodies", those will be Cabinet Office FOI statistics.

One of the things reported within those statistics is timeliness—that is, how many FOI requests were answered within 20 working days or were appropriately extended to consider the public interest test. That number should be 90%. If it is not 90%, the Information Commissioner's Office will take note. It might ask the Department why it did not make 90% in that quarter or year. If it continues to be a trend, it might take further action. That is really for the ICO to do, not the Cabinet Office.

Where we might come into that is if a Department is having trouble meeting the standard: it might come to us and say, "We're really struggling to hit our 90%. Have you got any suggestions, thoughts or ideas based on your experience of dealing with other Departments and best practice?"

**Clare Brunton:** It is the centre of excellence that the team operates that assists. Departments tend to come to us and ask for assistance, rather than us imposing it on them, although if we knew that a Department was particularly struggling, we might offer assistance.

Q58 **Mr Dillon:** Are you able to comment on how frequently Departments contact you? Are there any themes in what they contact you about? Does any particular Department stand out?

**Eirian Walsh Atkins:** Departments can contact us whenever they want. We have a departmental inquiries inbox that they can email. We also have a list of sensitivities on the Cabinet Office gov.uk page, which lists things that Departments might contact us about. We receive quite a few emails about requests that trigger those sorts of sensitivities. It might be something specific to the Cabinet Office, such as Cabinet collective



## HOUSE OF COMMONS

responsibility, where we hold the policy responsibility and all the experts locked in 70 Whitehall.

In terms of performance, I would say it is relatively infrequent. The performance of a Government Department against FOI is a matter for that Department and its permanent secretary.

**Q59 Mr Dillon:** How often are those Departments engaging with you to be able to get to the 90% compliance figure? Are you able to share with the Committee afterwards the level of interaction between different Departments and the centre of excellence, for example?

**Eirian Walsh Atkins:** I am not sure whether there would be any very interesting information there. What I can share with the Committee, if it might be helpful, is the most recent statistics on which Departments are meeting and not meeting the target. They have recently published the 2025 annual statistics for FOI. But as I say, as a general rule Departments will try to manage their FOI performance internally, because it is the responsibility of their accounting officer.

**Q60 Mr Dillon:** The value of that piece of work is that it would demonstrate to us whether a particular Department is having lots of complex FOI requests coming to it, or whether it does not have the skills to answer them, so it is more reliant on the centre of excellence. That could lead to a recommendation that a particular Department might need more resource to stop it leaning on the centre of excellence.

**Eirian Walsh Atkins:** I think I can confidently tell you that all the FOI teams across Government Departments are well able to deal with their FOI requests, in terms of skill. The problem, as you have heard from the ICO and the earlier panel, is probably the increasing casework volumes and how each Department determines the best way to meet that increasing casework volume.

**Q61 James Asser:** Have the Government observed any trends in the frequency or nature of FOI requests from MPs? What role are these playing in the Government's accountability to Parliament?

**Clare Brunton:** FOI is name-blind, so we cannot specifically look at which ones are coming from MPs unless they clearly say that they are from an MP. As you all know, it is often a caseworker or someone in the office who asks, so it is quite difficult for us on the FOI side to monitor specifically what comes from an MP or their team. More broadly, across the trends on FOI—Eirian, do you have a sense of it? We could definitely speak to what is coming into the Cabinet Office.

**Eirian Walsh Atkins:** MPs have always made FOI requests, and MPs' researchers have always made FOI requests. I have not noticed any particular increase in MPs making FOI requests at this time, but I can only speak for the Cabinet Office, which has only about 2,500 of the FOI requests that come into central Government every year.

**James Asser:** Fair enough.



## HOUSE OF COMMONS

**Q62 Lee Pitcher:** Where you get a WPQ and an FOI requesting the same information, what co-ordination happens in Government in responding to those requests?

**Clare Brunton:** In the Cabinet Office, we do not have a central team that receives both of them. The FOIs come to the FOI team; the PQs come to the parliamentary team.

For example, another area of mine is honours. If we got a written PQ and also an FOI about an honours case, the same person in my team would answer that one. The co-ordination comes at policy team level rather than at central co-ordination level. As is set out in guidance, the answer should be the same between an FOI and a written PQ. The information that is provided should be the same on both fronts; the only difference is in the time allowed for an answer, which is shorter for a written PQ than for an FOI. The actual content should be the same.

**Q63 Lee Pitcher:** So that is within the Department but not across Departments. If an FOI or a WPQ goes to a different part of Government, there is no co-ordination in the response, because you will not see it—because there is no central point.

**Clare Brunton:** Correct, but if the content is the same, it should go to the same person. The co-ordination should happen at that level.

**Q64 Chair:** The information should be the same in the response to the FOI and to the WPQ, but I have heard from colleagues that they are not getting answers to WPQs but are finding the information out subsequently in an FOI. How often do you think that happens?

**Clare Brunton:** I would not want to put a guess on it. I do not have that information, but I think you are seeing the Leader of the House of Commons soon; I suggest that that is something to ask him. We only see the FOI responses. I would not be able to give you more than an anecdotal guess on the very small bits that cross into my directorate. I would draw it back to the point that it should be the same as the "Guide to Parliamentary Work" states. That is what teams should be working on. The information in the FOI should be the same as in the written PQ.

**Q65 Chair:** Have you ever seen it be different?

**Clare Brunton:** Not in my area, because obviously we stick very closely to the guidance on what we should be doing. From reading evidence submitted to your Committee, I know that there have been instances in which it has not been the same, but there should not be.

**Q66 Bambos Charalambous:** We heard in previous sessions that, written PQs from the Lords sometimes receive different responses from written PQs from the Commons. It does not happen very often, from what I gather, but sometimes it occurs. Have you experienced that with FOI requests?

**Clare Brunton:** No. No matter who the FOI request is from or where it comes from, it is all the same. We pay very little attention to that,



## HOUSE OF COMMONS

because it is name-blind. Where it comes from does not come into it, in a sense. It should be exactly the same.

- Q67 **Tracy Gilbert:** Thank you both for coming along today. What is the Government's view of the wider landscape of transparency mechanisms available to MPs and the public? What is the role of FOI requests within that?

**Eirian Walsh Atkins:** There is quite a wide ecosystem of access to information, legislation and schemes. The bit that we have experience of is FOI and the EIRs and, to a slightly lesser extent, the Data Protection Act, which is probably not relevant to the WPQ space. From our perspective, FOI is a right of access to recorded information for everybody, whereas the WPQ system is purely for parliamentarians. I am not sure that we would have any wider view on it than that.

- Q68 **Tracy Gilbert:** Is the freedom of information and transparency landscape changing within Government, or for Government?

**Eirian Walsh Atkins:** We have all seen an increase in transparency over the 20 years since the Act came into force, certainly. The previous panels have spoken about the importance of FOI in increasing transparency and accountability. That is a growing curve of transparency from 2005 onwards.

- Q69 **Chair:** To the best of your knowledge, to what extent is AI used in the Cabinet Office for dealing with FOI and written parliamentary question responses?

**Eirian Walsh Atkins:** I cannot tell you about WPQs. Can you, Clare?

**Clare Brunton:** No, but the Leader of the House can when you speak to him.

**Eirian Walsh Atkins:** On FOI, I would say that AI has almost no current use in responding to FOIs in the Cabinet Office. That is partly because we have only relatively recently moved to our latest AI model. It does look as though it will have some really interesting possibilities in making the FOI process a lot smoother for requesters.

One thing that we are really interested in and keen on is how we can make the FOI process easier for the end user and for public authorities, but we do not really have any detailed plans on how to implement that; we are still exploring the possibilities. At the moment, AI has very little to no use in the Cabinet Office for responding to FOIs.

**Clare Brunton:** We are keen to explore how, as AI develops and AI in Government develops, it can make transparency easier for everyone. You might get a number of FOIs from a number of people on the same topic, and we are very keen to explore how AI can particularly help in that case. We have just not quite got there yet.

- Q70 **Chair:** In your incoming FOI requests, do you see a lot of evidence that AI is playing a role in the input?



## HOUSE OF COMMONS

**Clare Brunton:** I do not think so. I asked that question of Eirian before this session. Obviously it is hard to tell because you cannot always tell what is being written by AI, but when you look at the trends of FOIs, there has not been a huge uptick as AI comes in. It has been quite a steady growth. I am sure some of that is AI, but actually it has been a fairly steady growth over the last 20 years or so anyway. We have not noticed any spikes.

**Eirian Walsh Atkins:** As the earlier panel said, where people are using AI is at the more complex end of FOI, in the complaint stages and in litigation to help them with those slightly trickier processes. I do not think that AI is being used significantly in initial requests to the Cabinet Office.

Q71 **Chair:** Do Ministers sign off FOIs?

**Eirian Walsh Atkins:** It is not usual for Ministers to sign off FOIs. The decision on whether information is releasable is bound by the legislation, so when you are looking at whether information is releasable, you would be looking at the exemptions. You would then be carrying out a public interest test and determining whether information was releasable. This is probably getting a bit technical, but Ministers do not really have very much of a role in FOI until you get to whether you need the opinion of a qualified person in relation to section 36.

Q72 **Mr Dillon:** Has a Minister ever got involved in the public interest test?

**Eirian Walsh Atkins:** I could not say absolutely whether they have or not. I have done about 30,000 FOI requests in the Cabinet Office over the last 10 years.

**Clare Brunton:** There is certainly not a process for Ministers to be involved in that test.

**Chair:** If there is anything further that you wish to add, the Committee is always happy to receive it in writing. That concludes this afternoon's evidence session.