

# Freedom of Information Act Environmental Information Regulations



Information Commissioner's Office  
Promoting public access to official information  
and protecting your personal information

## Circular (or round robin) requests

The Freedom of Information Act 2000 (FOIA) and the Environmental Information Regulations 2004 (EIR) give rights of public access to information held by public authorities. This is part of a series of guidance notes produced to help public authorities understand their obligations and to promote good practice.

This guidance will assist public authorities in approaching requests that have been circulated to a number of public authorities.

### Overview

You should handle all written requests for information that provide the name of the requester and an address for a response - including those in circulated questionnaires or round robin requests - in accordance with the requirements of the FOIA and the EIR. The requester does not have to provide a name if the request is for environmental information.

### Background

Almost as soon as the FOIA came fully into force, public authorities started receiving enquiries, sometimes in the form of a questionnaire, which were being circulated to numerous authorities in the same sector. Common themes for these circular questionnaires were contracting arrangements, staff recruitment arrangements and the names of contacts at the authority.

### What do the Act and the Regulations say?

Section 1 FOIA:

(1) Any person making a request for information to a public authority is entitled—

- (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
- (b) if that is the case, to have that information communicated to him.

Section 8 FOIA:

(1) In this Act any reference to a "request for information" is a reference to such a request which—

- (a) is in writing,
- (b) states the name of the applicant and an address for correspondence, and
- (c) describes the information requested.

(2) For the purposes of subsection (1)(a), a request is to be treated as made in writing where the text of the request—

- (a) is transmitted by electronic means,

- (b) is received in legible form, and
- (c) is capable of being used for subsequent reference.

Regulation 5 (1) EIR:

... a public authority that holds environmental information shall make it available on request.

## **Correct approach**

Whatever the form in which they arrive and whatever the purpose behind the request, written requests for information trigger a requirement to consider properly the legal obligations in the FOIA. If the information requested falls within the definition of environmental information, you need to consider the requirements of the EIR.

If a circular questionnaire - or any other round robin request for information - identifies the requester (which can include a corporate name) and provides an address for an answer, you must consider your responsibilities under the FOIA. If the request is for environmental information, the requester does not have to provide a name and you need to consider the provisions of the EIR.

If you receive a written questionnaire you should:

- identify which questions amount to requests for information held on record;
- be ready to offer advice and assistance that is reasonable in the circumstances; and
- provide a response in line with the requirements of the legislation.

If any questions invite comment or opinion that is not held on record, you can either:

- provide the comment or opinion as part of your normal business activities; or
- reply that the information is not held.

## **Vexatious and manifestly unreasonable requests**

If a request is valid, any consideration of whether it is vexatious or manifestly unreasonable should be carried out in accordance with our guidance:

[Dealing with vexatious requests](#) and [Manifestly unreasonable requests](#)

## **Estimating Costs**

If you receive multiple requests in a single document you may be able to aggregate costs when estimating them in accordance with section 12 of the FOIA. You should consider any guidance we produce on this point.

## **Other considerations**

You may wish to consider our guidance on

[Consideration of requests without reference to the identity of the applicant or the reasons for the request](#) (GPG6)

### [Interpreting a request](#)

Public authorities should be voluntarily making available to the public as much information as possible. If there are themes that can be identified or anticipated in circular requests, preparing the information and publishing it can reduce the number of requests and the time taken to answer them. For further information on publication schemes, see our guidance: [Model publication scheme](#).

### **More information**

This guidance will be reviewed and considered from time to time in line with new decisions of the Information Commissioner, Tribunal and courts on freedom of information cases. It is a guide to our general recommended approach to this area, although individual cases will always be decided on the basis of their particular circumstances.

If you need any more information about this or any other aspect of freedom of information, please contact us.

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