

Amendment to Freedom of Information Act relating to Datasets

[Section 102 of the Protection of Freedoms Act 2012](#) amends the FOIA from September 2013 with respect to the provision of 'datasets'.

A dataset is defined as:

“information comprising a collection of information held in electronic form where all or most of the information in the collection—

(a) has been obtained or recorded for the purpose of providing a public authority with information in connection with the provision of a service by the authority or the carrying out of any other function of the authority,

(b) is factual information which—

(i) is not the product of analysis or interpretation other than calculation, and

(ii) is not an official statistic (within the meaning given by section 6(1) of the Statistics and Registration Service Act 2007), and

(c) remains presented in a way that (except for the purpose of forming part of the collection) has not been organised, adapted or otherwise materially altered since it was obtained or recorded.”

➤ What you need to know

This concerns raw data that QM holds such as income and expenditure, lists of assets, organisation structure charts, contacts and employee statistics, but not any reports derived from such data.

If any person makes a request under FOIA for any data which meets this definition, then it must be provided in a machine-readable format, such as a CSV file. It will also have to be published on our website as part of the [Publication Scheme](#) (which will be done by the Records & Information Compliance Manager).

Where the dataset might include copyright material we should still make it available under the [Open Government Licence](#). Nothing in FOIA overrides any intellectual property rights. There is, however, a new allowance to charge for providing datasets. QM does not intend to make use of the charging model, which is discouraged anyway, but reserves the right to on a case-by-case basis.

There is no new right to obtain information that was not previously accessible under FOIA; the changes are about providing the information in a re-usable form and making it available for reuse, if it is a dataset.

In essence, there is not much change from current practice. However, you need to be aware of the requirement to provide any data in a re-usable format in the event that I forward a request to you and it is apparent that it will fall under this new provision.