

Sent by email: xxxxxx

Direct Line: xxxxx
Web Site: www.dft.gov.uk
Our Ref: FOI 7551
Date: 26/04/2011

Dear xxxxxx

Freedom of Information Act Request – F0007551

Thank you for your request made under the Freedom of Information Act e-mailed on 8 April 2011.

You asked:

“Yesterday Normal Baker (sic) advised that the government would be trying to see if they could get more companies to be flexible with their staff working arrangements to try and help ease congestion on the railways etc.

Can you please advise what percentage of staff in the DfT central London offices have official start times before 0800 and finish times after 1700 so I can if the DfT is practicing what it is preaching itself? This is not to include security and other staff involved in servicing buildings but for staff who could otherwise be called white collar.”

In DfT central London offices we operate a Flexible Working Hours Scheme with core hours of 10am to 4pm when the majority of staff are required to be in the office. Staff are also encouraged to agree a local working pattern with their line manager, which means we have some staff working from as early as 7.30 am and some finishing at 8.30 pm in order to provide business continuity. Other working arrangements include part-time, compressed hours and remote working (e.g. from home).

With regard to your specific request for the percentage of staff who have official start times before 0800 and finish times after 1700, we have estimated that the cost of complying with your request would exceed £600. Section 12 of the Act (the full text of which is attached at Annex A) does not oblige the Department to comply with requests that exceed this limit, and we are therefore refusing your request.

We are unable to answer your request within the cost limit as we do not keep a central record of these varied working patterns and we would need to contact every team within our central London office in order to determine, locate, retrieve and extract this information.

If you send us a new, more specific request, we will consider if that can be dealt with within the limit. This may include reducing your scope to specific working arrangements, such as the number of part-time workers within our central London office.

If you are unhappy with the way the Department has handled your request or with the decisions made in relation to your request you may complain within two calendar months of the date of this letter by writing to the Department's Information Rights Unit at:

Zone D/04
Ashdown House
Sedlescombe Road North
Hastings
East Sussex TN37 7GA
E-mail: FOI-Advice-Team-DFT@dft.gsi.gov.uk

Please see attached details of DfT's complaints procedure and your right to complain to the Information Commissioner.

If you wish to discuss any of the above, please contact me. Please remember to quote the reference number above in any future communications.

Yours sincerely

sent by e-mail

xxxxxxxxx

Your right to complain to DfT and the Information Commissioner

You have the right to complain about the way in which your request for information was handled and/or about the decision not to disclose all or part of the information requested. In addition a complaint can be made that DfT has not complied with its FOI publication scheme.

Your complaint will be acknowledged and you will be advised of a target date by which to expect a response. Initially your complaint will be re-considered by the official who dealt with your request for information. If, after careful consideration, that official decides that his/her decision was correct, your complaint will automatically be referred to a senior independent official who will conduct a further review. You will be advised of the outcome of your complaint and if a decision is taken to disclose information originally withheld this will be done as soon as possible.

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:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Annex A

Section 12 exemption:

Exemption where cost of compliance exceeds appropriate limit

(1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.

(2) Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit.

(3) In subsections (1) and (2) “the appropriate limit” means such amount as may be prescribed, and different amounts may be prescribed in relation to different cases.

(4) The Secretary of State may by regulations provide that, in such circumstances as may be prescribed, where two or more requests for information are made to a public authority—

(a) by one person, or

(b) by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign,

the estimated cost of complying with any of the requests is to be taken to be the estimated total cost of complying with all of them.

(5) The Secretary of State may by regulations make provision for the purposes of this section as to the costs to be estimated and as to the manner in which they are to be estimated.