

XXX

**Via email:**

XXX

XXX  
Business Transformation  
Department for Transport  
Great Minster House  
Zone 3/31  
33 Horseferry Road  
London SW1P 4DR

Direct Line: XXX

Fax: XXX

GTN No: XXX

E-Mail: XXX@dft.gsi.gov.uk

Web Site: [www.dft.gov.uk](http://www.dft.gov.uk)

Our Ref: F0008121

12 October 2011

Dear XXX,

### **Freedom of Information Request - F0008121**

I am writing to confirm that the Department has now completed its search for the information which you requested on 17 September 2011. You asked:

***“Under the Freedom of Information act 2000, I request access to and copies of all documents, including emails, meeting reports, minutes, emails and official communications relating to:***

**The department’s policy on the flying of flags – including the Union flag, the flags of *England, Scotland, Wales and Northern Ireland* and the European Union flag - at official buildings, since May, 2001”.**

The Department for Transport was formed in 2002 and is made up of a central department and seven executive agencies as follows:

Highways Agency  
Driver & Vehicle Licensing Agency  
Driving Standards Agency  
Vehicle & Operator Services Agency  
Maritime & Coastguard Agency  
Vehicle Certification Agency  
Government Car & Despatch Agency

This response covers both the central department and our executive agencies.

The Department for Transport does not have an individual policy for flying flags on its buildings.

The Department for Culture, Media and Sport (DCMS) issue the guidance for flying flags on UK Government buildings, and we follow the guidance. The guidance can be found on the DCMS website at the below address:

<http://www.culture.gov.uk/flagflying/protocol.html>

We are confident that any internal correspondence held in the Department would simply relate to the practical implementation of that guidance. We do not keep a central record of this type of correspondence. Therefore to determine, locate, retrieve and extract all of the correspondence for the Department – comprising the Central Department and seven Executive Agencies – would incur costs, in excess of the appropriate limit of £600. Section 12(1) 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. We are therefore refusing this part of your request.

In keeping with the spirit and effect of the Freedom of Information Act, all information is assumed to be releasable to the public unless exempt. A copy of the response and the information provided may now be published on our website together with any information that will provide a key to its wider context.

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 have any queries about this letter, please contact XXX. Please remember to quote the reference number above in any future communications.

Yours sincerely,

**XXX**

### **Your right to complain to DfT and the Information Commissioner**

You have the right to complain within two calendar months of the date of this letter 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**

### **12 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.