

27 July 2017

Aileen Murphy  
National Audit Office  
157-197 Buckingham Palace Road  
Victoria  
London  
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Dear Aileen

**Re: Public Inspection Period**

We are currently in the middle of our Public Inspection period for the 2016/17 accounts as required by the Local Audit and Accountability Act 2014 and the Accounts and Audit Regulations 2015.

In 2015/16 we were inundated with an unprecedented volume of queries and a significant portion of these requested information that it would take an excessive amount of officer time to respond to including multiple requests for thousands of invoices and contracts to be provided. We did our best to support the queries where we could including senior officers meeting the electors individually, but ended up having multiple objections to the external auditor, which they have spent the year working to resolve. None of the objections have been upheld and the 2015/16 accounts were signed off as unqualified.

This year we have an even larger volume of queries, most from the same individuals. A significant portion of the queries are again unreasonable in our view asking general questions like 'all the transactions with all the supporting details' of certain areas of the Council, or multiple queries asking for thousands of invoices and contracts to be disclosed. Furthermore some of the queries repeat previous requests from the last years Public Inspection or queries that have already been dealt with under FOI requests during the year.

With Freedom of Information (FOI) requests, the FOI Act 2000 is clear regarding the right for an Authority to refuse a request due to the cost of compliance with a query and this cost is defined clearly. The Act is also clear on the right of the Authority to refuse repeated or vexatious requests. However we have found no such clarity with the Public Inspection period in the Local Audit and Accountability Act 2014 or in the Accounts and Audit Regulations 2015. The NAO guidance on Public Inspection states that requests must be reasonable and that

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Councils can reject a Public Inspection query if the request is not reasonable. However what is 'reasonable' is subjective and we believe this point needs clarification.

It is our intention to apply the FOI legislation and guidance to define what constitutes a reasonable request under Public Inspection. We will therefore apply the FOI rules relating to the cost of compliance, repeated requests or vexatious requests across the Public Inspection queries and use this to inform our test of reasonableness. We find being clear on this upfront will enable us to better support our electors with their queries and balance this with the answers we can provide.

We would also welcome your support in developing the guidelines related to Public Inspection going forward to ensure that, like FOI requests, Councils and the public have clarity on their approach to these queries.

Yours sincerely

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