

Freedom of Information Act 2000

Freedom of Information Management Report

1 January 2011 – 31 December 2011

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Background

The Freedom of Information Act (FOI) 2000 came fully into force on 1 January 2005.

This report provides a summary of how we have managed the requests and gives a statistical breakdown of the requests over the last calendar year.

Underlined key words in this report link to further information.

Management of requests: January 2011 – December 2011

Briefly, the central FOI team handle all non 'business as usual' requests. Working practices have changed during 2011 due to organisational restructure. The FOI team now contact officers directly to provide information in relation to a request. When it is not clear which directorate and/or team is responsible for a request Director's secretary will support the team in identifying correct individuals.

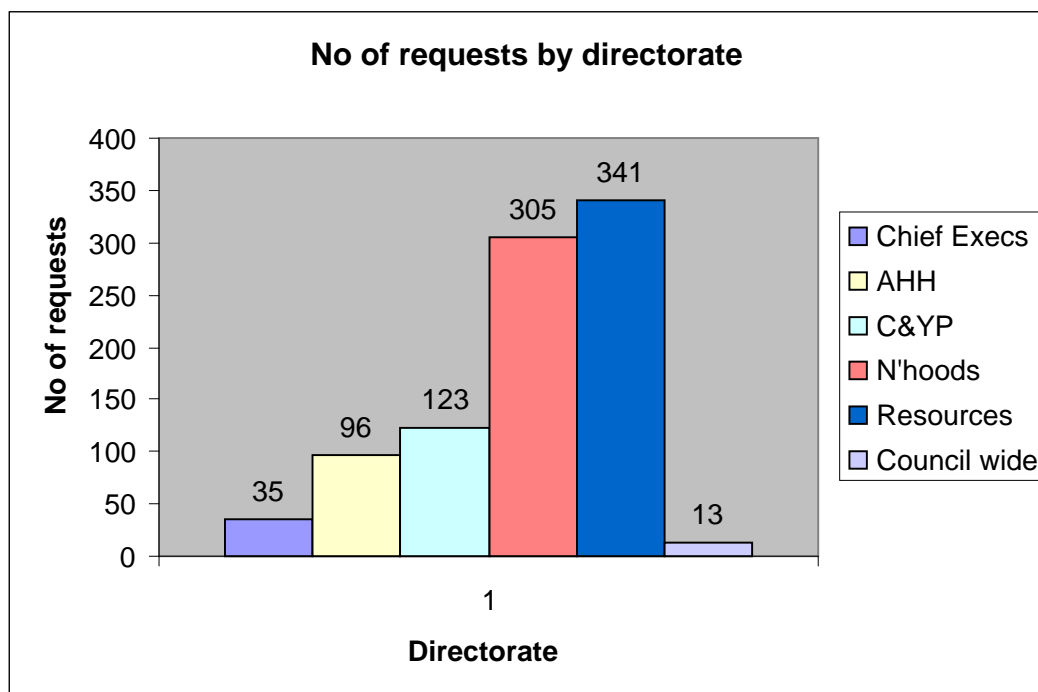
We also maintain a [register](#) published on Derbynet.

We also maintain an external facing register on our website. We are still one of a few authorities to publish such a list of requests. [Click here to see a copy of our public facing register.](#)

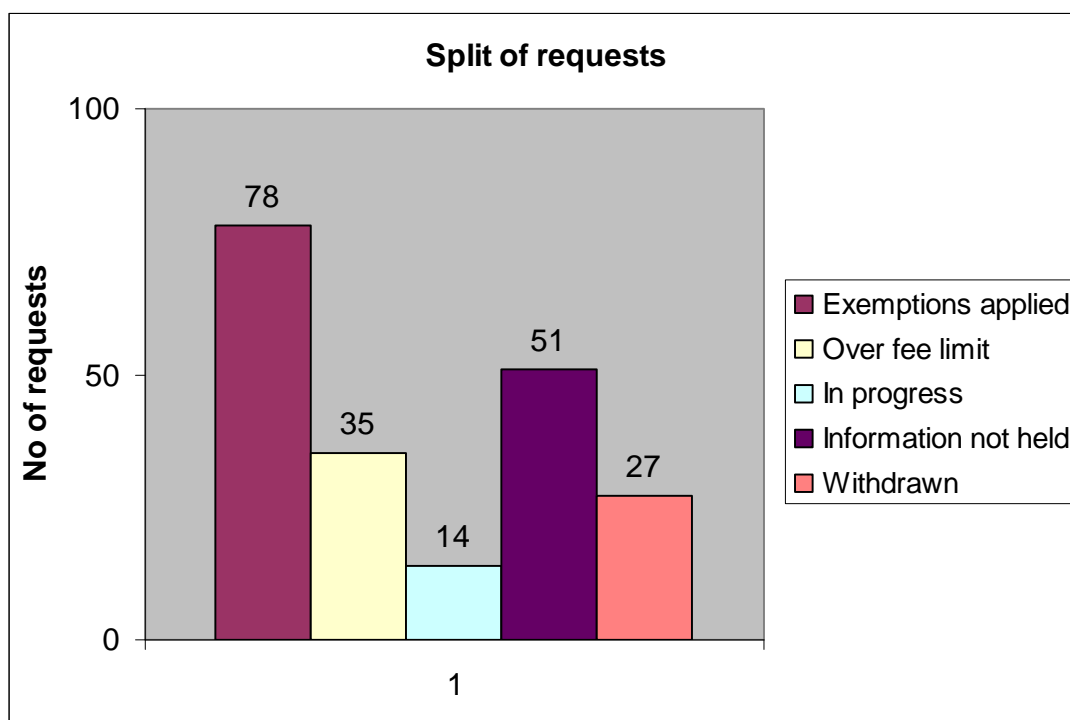
Request statistics

Between 1 January and 31 December 2011 we received and logged **767** FOI requests and **146** Environmental Information Regulation – EIR requests [913 in total].

On the next page is a chart that shows the breakdown of number of requests received by each directorate.



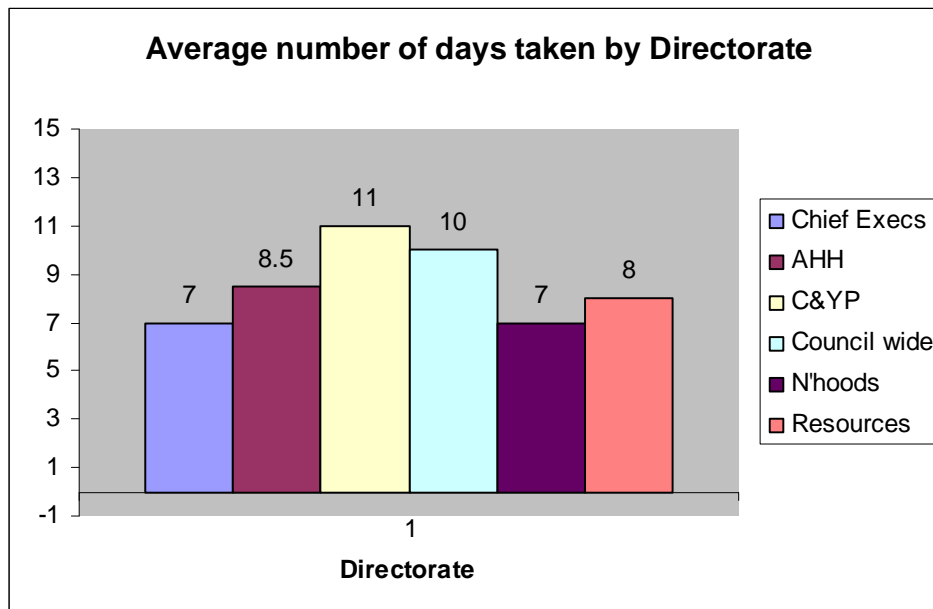
Of the 913 requests received 708 requests were completed in full. The chart below shows how the other 205 requests have been handled.



Of the **913** requests received:

- **708** were completed in full
- **14 are still in progress**
- **78** were refused because an Exemption applied
- **51** were refused because we did not hold the information requested
- **35** were refused because the request would take longer than 18 hours to retrieve, extract and supply the information requested
- **27** requests were withdrawn

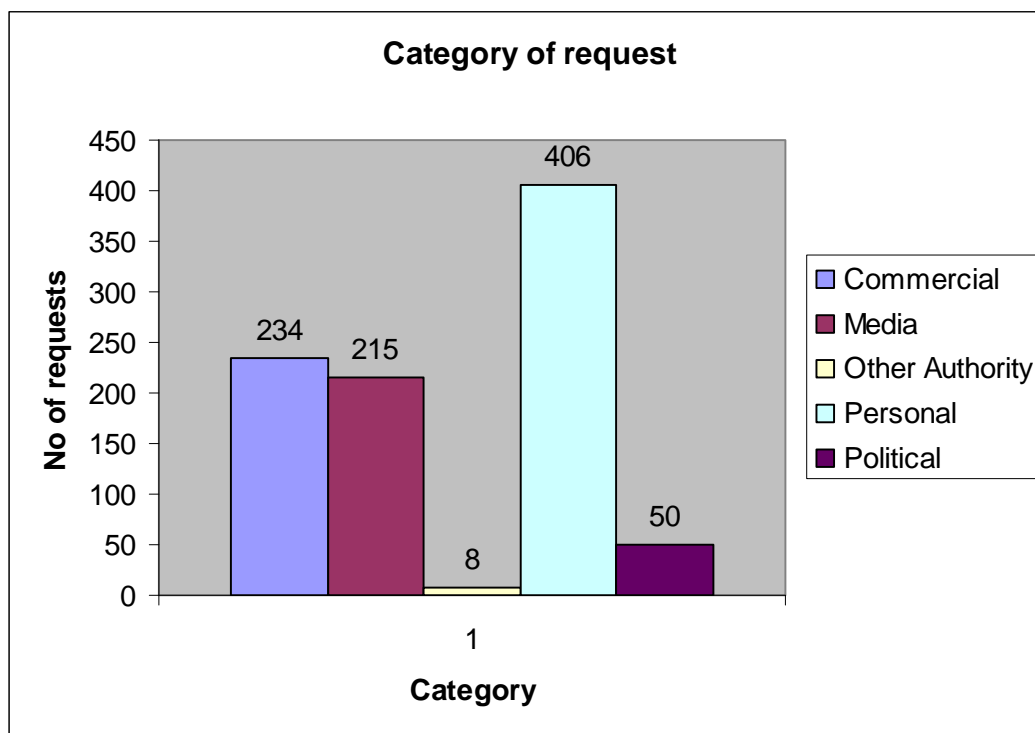
The next chart shows the average number of days it has taken to complete requests, broken down by directorate.



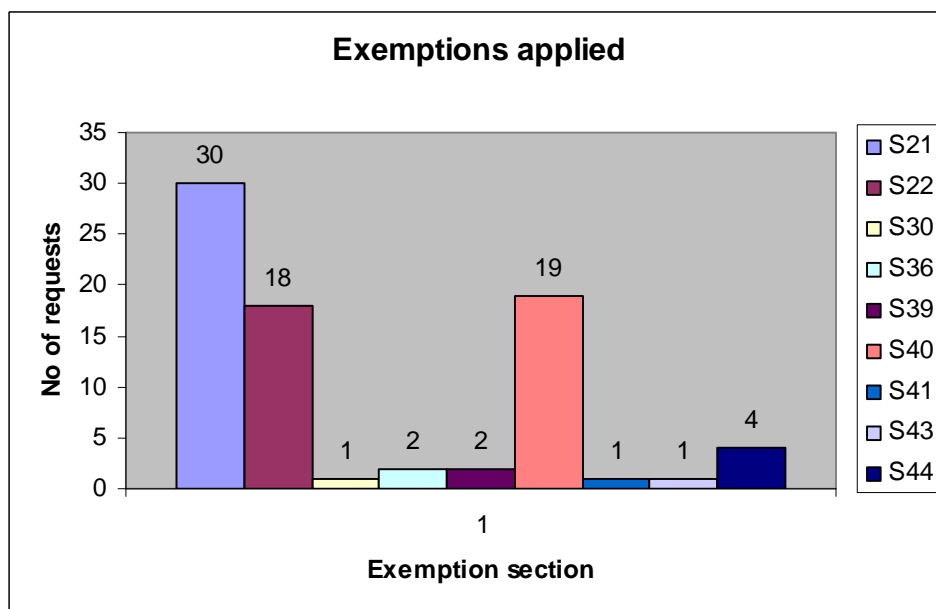
The average number of days it has taken the Council as a whole to respond to FOI requests is **9** days.

This year is the first year we breached the 20 day response limit on 1 request.

The chart below shows the category of requests received.



The chart below shows the breakdown of Exemptions applied to 78 requests.



S21 – Information accessible by other means, the information requested was information already covered by our [Publication Scheme](#) or available from another public authority.

S22 – Information intended for future publication, this was requests for various pieces of information that we intend to publish at a later date

S30 – Investigations and proceedings conducted by public authorities, this was a request for information following an accident at a private gym that was being investigated by our Health & Safety team. To disclose the information at that time could have prejudiced our investigation so this exemption was applied.

S36 - Prejudice to effective conduct of public affairs, this exemption was applied to two requests in the year. One was in response to a request asking for detailed results following an audit carried out in nurseries across the City. We believed that this applied because those nurseries achieving a low result may adversely affect their business and would prevent us from being able to carry out audits in the future due to lack of trust. The other was a request to access the review report carried out by the Office of Surveillance Commissioner into our use of the Regulation of Investigatory Powers Act. There were a number of improvement recommendations to our practices that we believed by highlighting them would enhance the Council's enforcement activities which may appear that this activity was being carried out unlawfully or improperly but legally this would not be the case. We believed that to disclose this information would not be in the public interest and prejudice the effective conduct of public affairs.

S39 - Environmental information covered by the Environmental Information Regulations. This exemption was applied to two requests this year. One was in response to a request for Ordnance Survey (OS) data to be provided in GIS format. Our current licence restricts us from sharing the data in this way and when asked for consent to do so OS refused. The other was in relation to a request for correspondence from a planning file that was subject to a long running dispute between two neighbours.

S40 – Personal information, some of these requests for information were Subject Access Requests under the Data Protection Act and others were where we had to redact personal details from information requested for example environmental health investigation reports.

S41 – Information Provided in Confidence, this was used in relation to a request for information about the Council's new Electronic Document Records Management System – EDRMS. Detailed costing schedules were withheld from publication.

S43 – **Commercial Interests**, this exemption was applied primarily when details of contracts were requested and those contracts were subjected to Commercial Confidentiality clauses on full pricing schedules.

Appeals

The independent appeals officer is Richard Boneham, Head of Governance & Assurance.

Last year we dealt with 5 internal appeals. 1 was upheld and 4 were not upheld.

1 request was referred to the Information Commissioner. This was in relation to providing information from owners of properties on the current Local List. The applicant believed we were deliberately withholding information. The ICO was satisfied that we had provided all information requested. No further action was required.

General information

All requests from and sent to media applicants are copied to Yvonne Wilkinson, Head of Corporate Communications.

A report is generated on a weekly basis stating what requests have been received and responded to during the week. This is sent to the Chief Executive, Strategic Directors and the Leaders of the political parties.

Common requests

Below is a list of the most common requests received from January – December 2011.

Adults, Health and Housing

Empty Property information

Residential Care – Statistics and funding information

Children and Young People

BSF Information

Exclusions

Children in care statistics

Adoption and fostering statistics

Neighbourhoods

People who have died with no known next of kin/public health burials

Revenue taken and no of parking tickets issued

CCTV Information

Waste/collections and recycling statistics

Resources

Costs relating to external consultants

Compensation claims

Number of Staff employed

No of RIPA requests

Business Rates/Rateable Value/Credits/write offs