



INFORMATION GOVERNANCE – FREEDOM OF INFORMATION ANNUAL REPORT 2011

SUMMARY

1.1 This report provides a summary of the Freedom of Information statistics for 2011.

RECOMMENDATION

2.1 To note the report.

REASONS FOR RECOMMENDATION

3.1 The Audit and Accounts Committee is responsible for providing assurance to the Council on the effectiveness of the governance arrangements.

SUPPORTING INFORMATION

- 4.1 As part of the quarterly Governance Update report, Members have received statistics regarding the Freedom of Information (FOI) requests received by the Council. At the December meeting, Committee was notified that an annual report would be tabled at the February 2012 meeting. The Information Governance Manager's full report is attached at Appendix 2.
- 4.2 The Council received 913 requests under the Freedom of Information Act during 2011. FOI requests totalled 767 and Environmental Information Regulation (EIR) requests totalled 146. Of the 913 requests, 708 (77.5%) were completed in full, with a further 14 still in progress as at 31 December 2011. The Council refused 164 requests (18%) because it was able to either
- Apply an exemption under the Act;
 - The Council did not hold the information; or
 - The request would take longer than the "appropriate limit" (18 hours) to complete.

Note: The report in Appendix 2 provides more detail on the exemptions applied.

The number of requests withdrawn by the applicant in the year was 27 (3%).

- 4.3 The number of requests received showed an increase of 33.3% over the total number of requests received in 2010. Table 1 below shows the number of FOI requests received since the Act came into force.

Table 1: Number of FOI Requests Received by Calendar Year

Year	Number of FOI Requests
Jan - Dec 05	183
Jan - Dec 06	239
Jan - Dec 07	250
Jan - Dec 08	358
Jan - Dec 09	581
Jan - Dec 10	685
Jan – Oct 11	913

- 4.4 The majority of the requests (70.8%) were received by 2 directorates – Resources (37.4%) and Neighbourhoods (33.4%). The average number of days taken to complete a request was 9 days. The report gives a breakdown of the average number of days taken by each directorate to complete a request. Unfortunately, for the first time since the Act came into force in 2005, the Council breached the 20 working day limit for one request.
- 4.5 The Act allows for an applicant to lodge an appeal against a refusal to provide information. In 2011 the Council received 5 appeals. These were all thoroughly investigated by the Independent Appeals Officer and 1 appeal was upheld.
- 4.6 One request was referred to the Information Commissioner by the applicant. Following investigation by the Information Commissioner's Office, the decision was taken that the Council had provided all the information that it was obliged to do.

OTHER OPTIONS CONSIDERED

- 5.1 N/A

This report has been approved by the following officers:

Legal officer Financial officer Human Resources officer Service Director(s) Other(s)	
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For more information contact: Background papers: List of appendices:	Richard Boneham, Head of Governance and Assurance, 01332 643280 richard.boneham@derby.gov.uk None Appendix 1 – Implications Appendix 2 – FOI Management Report 2011
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IMPLICATIONS

Financial and Value for Money

1.1 None directly arising

Legal

2.1 None directly arising

Personnel

3.1 None directly arising

Equalities Impact

4.1 None directly arising

Health and Safety

5.1 None directly arising

Environmental Sustainability

6.1 None directly arising

Asset Management

7.1 None directly arising

Risk Management

8.1 None directly arising

Corporate objectives and priorities for change

9.1 The functions of the Committee have been established to support delivery of corporate objectives by enhancing scrutiny of various aspects of the Council's controls and governance arrangements.