

## **Freedom of Information Management Report 1 January – 31 December 2013**

### **Background**

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

This report will provide a summary of how we have managed the requests and will give a statistical breakdown of the requests over the last calendar year.

The Audit and Accounts Committee receives quarterly updates on data relating to requests made under the Freedom of Information Act.

### **Management of requests: January 2013 – December 2013**

The Information Governance team in Resources handle all non 'business as usual' requests. The team contact officers directly to provide the required information in relation to each FOI request. When it is not clear which directorate and/or team is responsible for a request, the support of the Strategic Directors Pas is enlisted to help the team to identify the correct individuals.

Towards the latter part of 2012 The Leader of the Council requested that the team add text to each formal FOI response indicating the true cost to the Council of compliance.

We maintain an external facing register on our website. We are still one of a few authorities to publish such a list of requests. When requests of a similar nature are received, the Information Governance team proactively check to see if a previous response has been provided and deal with the request accordingly. This is a transparent action to the business. We also maintain a register of all requests which is published on iDerby.

### **Request statistics**

Between 1 January and 31 December 2013, the Information Governance team received and logged 1,209 Freedom of Information (FOI) / Environmental Information Regulation (EIR) requests. The split between the 2 is shown below:

FOI	946
EIR	263

The breakdown of the total requests received by each directorate is shown below in Table 1. Figures for 2012 have been included for comparison.

Table 1:

<b>Directorate</b>	<b>Requests 2012</b>	<b>Requests 2013</b>
Adults, Health and Housing	114	131
Chief Executive's Office	43	53
Children and Young People	114	162
Council-wide	34	24
Neighbourhoods	305	378
Public Health	0	15
Resources	313	446

The Information Governance team proactively responded to a further 56 requests that are not included in these figures where the request was the same or substantially similar to previously provided and published responses.

Table 2 below shows the category of the 1209 requests received in 2013, with a comparison to the figures from 2012.

Table 2:

<b>Category</b>	<b>Requests received 2012</b>	<b>Requests received 2013</b>
Commercial	280	354
Media	155	160
Other Authority	6	15
Personal	456	633
Political	26	47

Table 3 below shows the average number of days it has taken to complete requests, broken down by directorate.

Table 3:

<b>Directorate</b>	<b>Average Response Time (requests included)</b>
Adults, Health and Housing	8.22 (98)
Chief Executive's Office	10.84 (37)
Children and Young People	9.26 (122)
Council-wide	11.67 (15)
Neighbourhoods	7.72 (287)
Public Health	6.33 (15)
Resources	8.25 (327)

The average number of days it has taken the Council as a whole to respond to FOI requests is **8.35** days. This compares to 8 days in 2012.

Of the 1209 requests received, 932 requests were completed in full. Table 4 below shows how the other 277 requests have been handled.

Table 4:

<b>Status of requests not fully completed</b>	<b>No of Requests</b>
still in progress	48
Full/part refusal - Exemption applied	111
refusal - information requested not held	37
refusal - would take longer than 18 hours to retrieve, extract and supply the information requested	39
Request withdrawn/closed due to no clarification being received	36
Request transferred to another public authority	6

Table 5 below shows the breakdown of Exemptions applied to 111 requests.

Table 5:

<b>Exemption Applied</b>	<b>No of requests</b>
Section 21 - Information accessible by other means	57
Section 22 – Information intended for future publication	15
Section 31 – Law Enforcement	7
Section 40 – Personal information	24
Section 43 – Commercial Interests	4
Section 44 – Statutory Prohibition on Disclosure of Confidential Information	4

**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

**S31 – Law Enforcement** - these were all requests for information on empty properties or homes, with one exception, which was about IT security.

**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 personal injury claims.

**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.

**S44 – Statutory Prohibition on Disclosure of Confidential Information –** these requests included a request for information about complaints to Trading Standards and a request for information about a financial investigation.

## **Appeals**

Independent appeals officer is the Head of Governance & Assurance.

Last year 8 appeals were received. 2 are currently still being reviewed, 3 were upheld, 2 were not upheld and 1 was reviewed and deemed not be an appeal.

## **General information**

All requests from and sent to media applicants are copied to the 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 CEO, Directors and the leaders of each of the political groups.

We also collect and record the time it takes officers to locate, retrieve and prepare the information for disclosure. Of the 1,160 requested processed in full during the year, Council officers have recorded that they spent 1,995 hours 30 minutes dealing with FOI requests . Based on a cost of £25.00 per hour (the designated cost under the Act) this equates to a total cost for dealing with FOIs of £49,888.

## **Common requested topics/issues in 2013**

The list below provides a summary of the most common FOI requests during the year:

- Equal pay
- Discretionary Housing Payments/Under occupancy/Bedroom Tax
- Business Rates

- No known next of kin
- Recycling collection service
- Parking income
- Children in care – obesity
- Schools – agency spend
- Zero hour contracts
- Highways maintenance

Head of Governance & Assurance  
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