



Report Reference Number: (A/21/13)

To: Audit & Governance Committee
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Status: Non-Executive
Ward(s) Affected: All
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Title: Annual Report of Information Requests 2021

Summary:

This report sets out the number of requests responded to by SDC under the Freedom of Information Act and Environmental Information Regulations in 2021.

Recommendations:

That the Report be noted.

Reasons for recommendation

Part of the role of the Audit and Governance Committee is to monitor the Council's response to requests for information under the Freedom of Information Act and Environmental Information Regulations.

1. Introduction and background

1.1 The Officer Corporate Information Governance Group chaired by Karen Iveson, as the Council's Senior Information Risk Officer (SIRO), has undertaken a review of the Council's suite of Information Governance policies and reporting. Previously, an Information Governance Report was provided to Members of Audit and Governance Committee (A&G) for information, written by a Legal Officer, with lead officer being the Council's SIRO. That report included the statistics about requests for information. This year, Veritau Ltd (as the Data Protection Officer for SDC) is reporting to A&G on all aspects of Information Governance apart from requests for information under Freedom of Information legislation.

1.2 At SDC the requests for information are managed and co-ordinated in house by business support. Individual officers within each service area are

responsible for responding to requests allocated to them. Officers can seek legal advice where required through the Better Together legal shared service and/or advice from Veritau Ltd, on the application of exemptions.

1.3 A planned training refresh is shortly to take place for the Extended Leadership Team, facilitated by Veritau Ltd about handling requests for information governed by the legislation.

2. Requests Received and Responded to between January 2021 and December 2021 (FOI and EIR requests)

2.1 The Council has maintained an 85.99% response rate within time, which is to be commended, particularly in light of the ongoing pressures faced by the covid pandemic last year.

Month	FOI Received	FOI completed within time	FOI completed out of time	% completed in time (20 days)	% completed out of time (20 days)
Jan-21	41	36	5	87.80%	12.20%
Feb-21	54	50	4	92.59%	7.41%
Mar-21	74	59	15	79.73%	20.27%
Apr-21	53	40	13	75.47%	24.53%
May-21	41	34	7	82.93%	17.07%
Jun-21	46	46	0	100.00%	0.00%
Jul-21	38	32	6	84.21%	15.79%
Aug-21	36	34	2	94.44%	5.56%
Sep-21	59	50	9	84.75%	15.25%
Oct-21	41	33	8	80.49%	19.51%
Nov-21	36	35	1	97.22%	2.78%
Dec-21	45	36	9	80.00%	20.00%
Total	564	485	79	85.99%	14.01%

3. Implications

3.1 Legal Implications

The Council has a duty to comply with the Freedom of Information legislation and maintain timeliness of response. The information is kept under review by the Information Commissioner's Office. It is best practice to report figures annually to the Audit & Governance Committee to maintain political oversight.

4.2 Financial Implications

Failure to comply with legislation could put the Council at risk of legal challenge for breach of legislation. Breach of the legislation can result in a fine.

4.3 Policy and Risk Implications

Failure to comply with guidance in responding to information requests would put the Council at risk of legal challenge for breach of legislation.

4.4 Corporate Plan Implications

n/a

4.5 Resource Implications

n/a

4.6 Other Implications

n/a

4.7 Equalities Impact Assessment

n/a

5. Conclusion

5.1 The percentage of requests responded to in time continues to demonstrate that the way in which requests are handled is fit for purpose.

5.2 To seek further improvement, whilst the administrative system to co-ordinate and track requests for information is adequate, this has recently been reviewed by the Solicitor to the Council and further support is being provided through Veritau Ltd by introducing an Officer Handbook, and refresher training will be delivered to Officers to maintain standards and continue compliance with legislation.

6. Background Documents

none

7. Appendices

none

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