

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter:	Annual report on the Freedom of Information (FOI) & Environmental Information Regulations (EIR) Acts
Meeting/Date:	Corporate Governance Panel 26 th Nov 2104
Executive Portfolio:	Councillor Chapman, Executive Councillor for Customer Service
Report by:	Head of Customer Service
Ward(s) affected:	All or list individual Ward(s)

Executive Summary:

This an annual report on the Freedom of Information and Environmental Information Regulations Acts.

The numbers of requests received by the Council continues to rise, and already in 2014 more requests (677 to date) have been received as in the whole of 2013 (HDC received 571).

Approximately 25% of the requests are not disclosed (as they are for information already in the public domain or are for information the Council is not responsible for). The remaining requests are dealt with. Earlier in 2014 the Council did not meet its target time for responses within 20days – this was due to the loss of experienced Officers who administer/manage the system combined with record levels of submissions. These posts were replaced, and with new Officers in post, performance is now meeting target.

More work is required in this area to ensure compliance, and in the coming year more training and support is planned to ensure Officers continue to respond to requests from the public in a timely manner.

Recommendation(s):

Corporate Governance Panel is asked to note the content of this report.

1. PURPOSE

1.1 The purpose of this report is to:

- Analyse the requests for information received by the Council under FOI & EIR.
- Highlight any issues that have been encountered and the action taken to correct issues.

2. BACKGROUND

2.1 The public has had the right to access information held by the Council under the Freedom of Information Act. The Freedom of Information Act (FOI) works alongside the Environmental Information Regulations (EIR) which came into force in 2004. IMD are responsible for managing the process for dealing with FOI and EIR requests.

3. ANALYSIS

3.1 FOI and EIR Requests received

3.2 The table below shows the number of requests due for completion* by Huntingdonshire Council each month over the past 3 years.

Month	2012	2013	2014
January	36	-	50
February	40	63	84
March	46	52	74
April	25	53	78
May	53	42	75
June	44	48	71
July	42	56	65
August	32	48	60
September	25	59	73
October	41	52	47
November	40	45	48*
December	30	53	
Total	454	571	725

3.2 Further detail is supplied in the Appendices to this report.

3.3 In 2013, 93% of requests were completed in time (meeting the target on 90% within 20 days). However, to date, the number of requests completed on time in 2014 has dropped below this level, and currently stands at c.70%.

3.4 This is due to a number of factors. There has been an increased demand for FOI/EIR over previous years with highest ever recorded intake. In addition there have been several changes of personnel within the IMD Team over the past 12 months, with a significant loss of knowledge on the structure of the organisation, the process for completing requests and confidence in dealing with teams who are not providing the requested information within the statutory timescales.

3.5 However, since the backlog of cases has been reduced, and stability achieved with the IMD Team, there has been an increase in compliance with the legislation, and in the last 3 months the target has been met.

3.6 Support and refresher training to staff on both FOI and EIR has also been given and this has helped services in dealing with requests.

3.7 Types of FOI/EIR requests

3.8 The most frequent requests continue to be for:

- Land Charges information
- Contracts
- NNDR information
- Planning Preliminary Enquiry files

3.9 The majority of people requesting information continue to be members of the public but there have been a number of requests from companies and the media.

3.10 Reviews of FOI/EIR requests

3.11 During 2013 there were 3 complaints received with regard to the handling of FOI requests as well as 1 complaint from the Information Commissioner. In 2014, to date there have been 6 complaints reviewed by the Internal Review Panel. All complaints have been dealt with; on 2 occasions the applicant has escalated their complaint to the Information Commissioner. Decisions are still under consideration by the ICO at the time of this report.

3.12 Training

3.13 There is a continuing need to make Officers and Members aware of the FOI/EIR legislation. FOI/EIR training has been included in the essential training for all Officers as part of their Personal Development Plan.

3.14 Interactive online training has been setup to give self-service training for Officers and Members. A new online DPA training package should improve monitoring capacity. A FOI/EIR course is available on the [e-learning zone](#). Additional training on EIR/ FOI was provided to a number of staff at HDC, overall comments from attendees were that this training was beneficial.

4. COMMENTS OF OVERVIEW & SCRUTINY PANEL

4.1 None – paper is intended for Corporate Governance Panel.

5. KEY IMPACTS/RISKS? HOW WILL THEY BE ADDRESSED?

5.1 The future provision of FOI/EIR will be examined bearing in mind the decision to share IT services with Cambridge City Council and South Cambridgeshire District Council. This may mean some changes to where this activity is delivered, and plans are in place to assess the options.

6. WHAT ACTIONS WILL BE TAKEN

6.1 The next steps for FOI/EIR are to continue delivering Business As Usual. In the coming months it is also intended to relaunch the Council's Information Management Strategy and conduct more staff awareness and briefing sessions.

These will continue to ensure FoI/EIR is dealt with efficiently by the organisation.

7. LINK TO THE LEADERSHIP DIRECTION

- 7.1 This supports the aim of 'Ensuring we are a customer focussed and service led council'. HDC must comply with the law concerning FoI/EIR.

8. CONSULTATION

- 8.1 None

9. LEGAL IMPLICATIONS

- 9.1 There are no direct legal implications arising from this report. However, consideration should be given to the legislative requirements with regards to timescales for responding to and dealing with request in order to prevent complaints to the ICO.

10. RESOURCE IMPLICATIONS

- 10.1 There are no direct resource implications arising from this report. However, consideration should be given to the additional administrative burden if non-compliance with relevant response deadlines was to re-emerge as an issue.

11. OTHER IMPLICATIONS

(Equalities, environment, ICT, etc)

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- 11.1 None

12 REASONS FOR THE RECOMMENDED DECISIONS

- 12.1 This paper updates Members on how FoI/EIR has been dealt with by HDC. Record levels of requests are being received. At times in 2014 performance fell below target levels, but with an appropriate management response, performance is now achieving targets.
- 12.2 Members of the Corporate Governance Panel are asked to note the contents of this report.

13. LIST OF APPENDICES INCLUDED

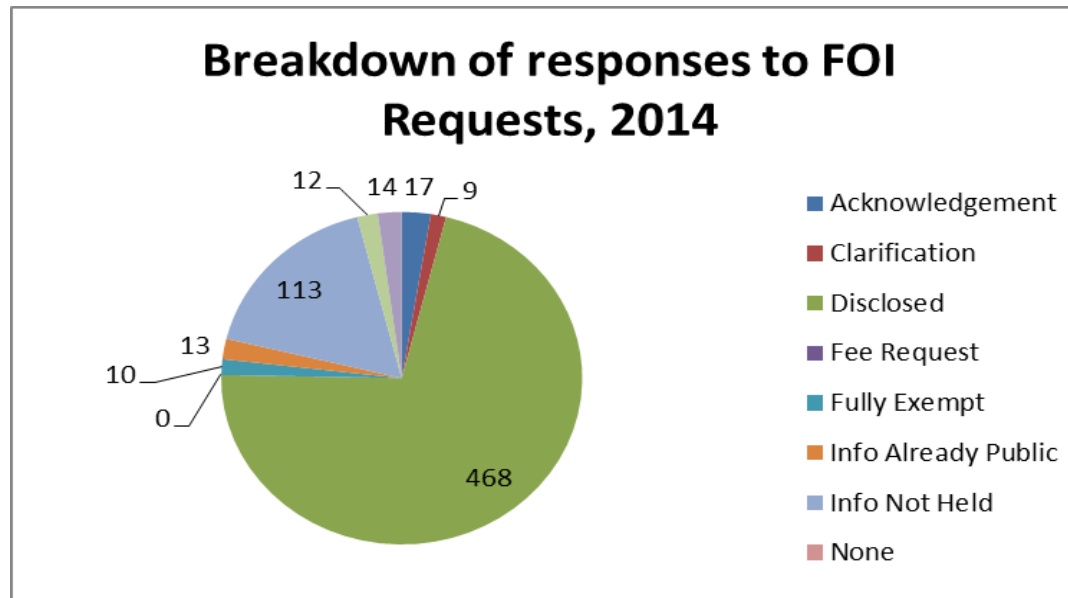
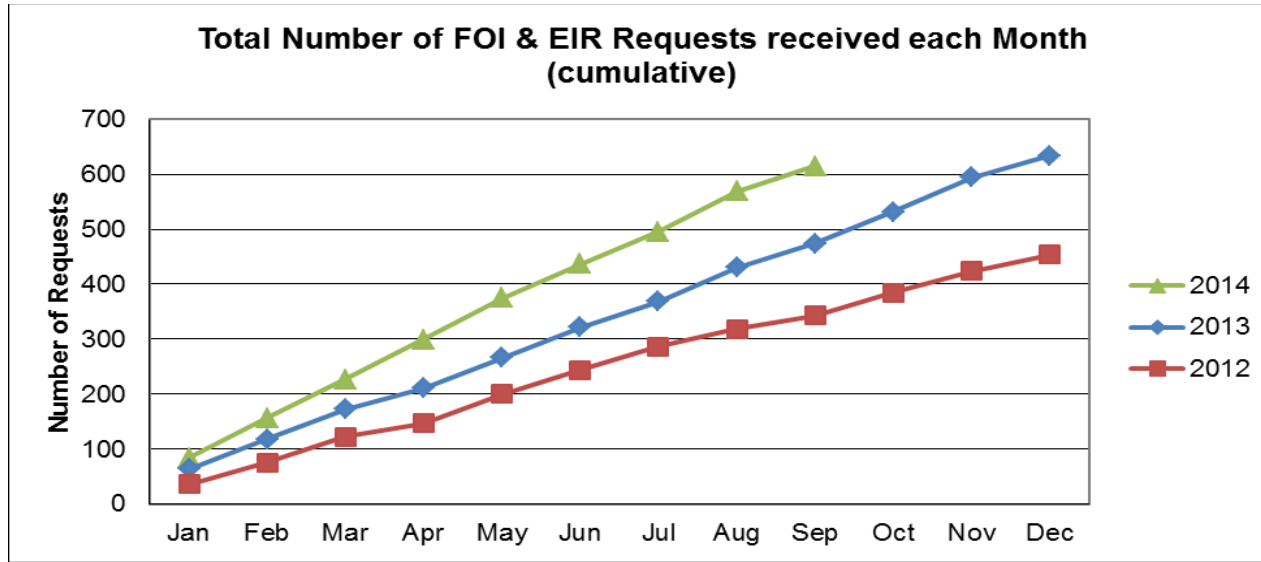
Appendix 1 – Charts and further information

BACKGROUND PAPERS

None

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Number of Requests received by department, 2013 and 2014 (to 31st October)

