

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter:	Annual report on HDC compliance with the Freedom of Information (FOIA) & Environmental Information Regulations (EIR) Acts
Meeting/Date:	17 th January 2017
Executive Portfolio:	Executive Councillor for Commercial Services Information Governance Manager (3C ICT)
Report by:	All Ward(s)
Ward(s) affected	

Executive Summary:

This is an annual report on the Council's compliance with the Freedom of Information Act 2000 and Environmental Information Regulations 2004. This report covers the period July 2016 to October 2017 in order to incorporate data since the last report. Future reports will return to a 12 month format.

The number of requests received by the Council in 2016 (780) increased from the previous year, following a long period of growth. Customer Services and Communities receive the highest request count. The request count for the report period is 908.

The majority of requests are concluded by providing all the information requested. Efforts to proactively make more information open and accessible via the web site has resulted in the ability to defer 16% of requests; in contrast to just 1% previously reported; effectively reducing the burden of requests to Services and in particular Revenues.& Benefits.

A shared request management system was integrated in July 2017. This new process places more ownership on the Services whereby key responders and champions are designated and responsible for ensuring their Service responds within the timeframe. The Information Governance Officer (a new position filled in June 2017) coordinates all formal requests and allocates specialist support from the Information Governance team where officers require this.

This new process has been successful. After a sustained period functioning below target (90%) in 2016, the Council is now achieving above 90% and even 100% compliance. See appendix A.

Recommendation(s):

Corporate Governance Committee is asked to comment on this report.

1. PURPOSE

1.1 The purpose of this report is to:

- Report on the requests for information received by the Council under FOIA & EIR and highlight any issues encountered and actions to be taken to improve performance.

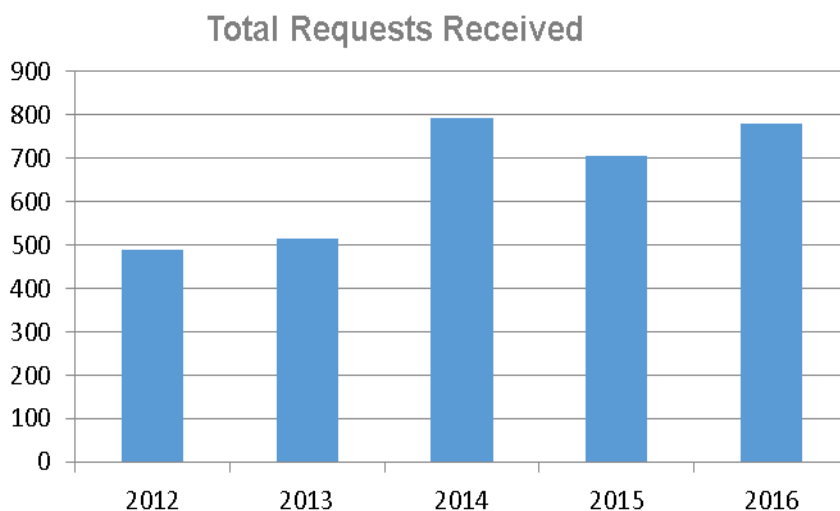
2. BACKGROUND

2.1 The public has the right of access to information held by the Council under the Freedom of Information Act. The Freedom of Information Act (FOI) works alongside the Environmental Information Regulations (EIR). Service areas are responsible for responding to requests, and 3C ICT Information Governance Team manage the process, provide support and ensure compliance. The Council works to a target of 90% response compliance within 20 days (statutory requirement) as advised by the Information Commissioner.

2.2 The Council receives many requests for information in all service areas. Most are dealt with as part of the day-to-day business, but where a request is out of the ordinary, specifically invokes the legislation, or is likely to engage an exemption, it is formally logged and processed. This report relates to those formally processed requests.

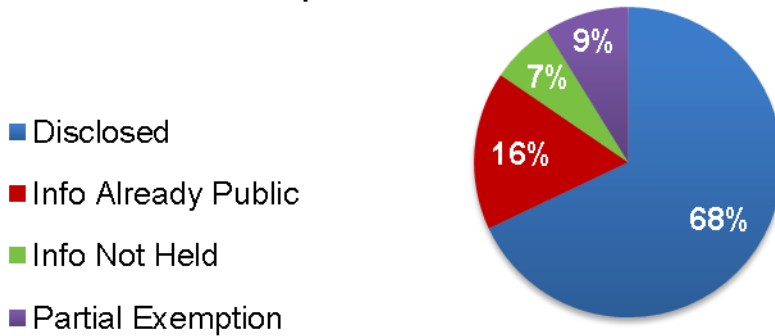
3. REQUESTS FOR INFORMATION

3.1 Total requests received in 2016 were 780. (report period 908). The new process (July 2017) ensures that only official requests are now logged any informal queries are now handled swiftly outside of this process.



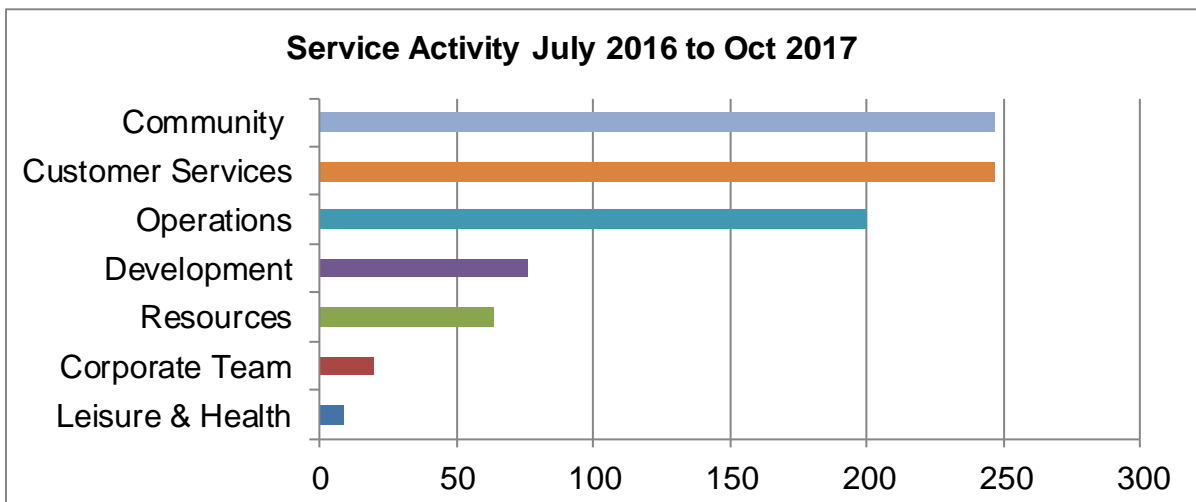
3.2 Most requests are disclosed. 9% of requests are subject to a partial or full exemption to disclosure. A greater proportion of the information of regular interest is now proactively published and updated on a monthly basis. The IG team will continue efforts to support Services to increase this Open Data offering.

Resolution of Requests



3.3 Completion of requests within the statutory time-frame during the 15 month report period was on average 78%.The target is currently 90%. The period from July 2017 to date is good though, and the work to improve the process and engagement from officers has resulted in above target and 100% compliance.

3.4 Customer Services and Community receive the highest demand. Its anticipated the next report will show a reduction as business rates information is now proactively published comprising 10% of requests. Information relating to the environment is consistently in demand.



3.5 The source of requests is becoming more difficult to assess, since many are sent from anonymous webmail addresses, therefore this is not reported.

3.6 Requestors have the right to an 'internal review' of their case if they are not satisfied with the outcome or how the request was handled, before taking further action to the Information Commissioner's Office. During the report period 10 internal reviews were undertaken, 4 were the subject of further complaint to the Information commissioner, however in all cases the Commissioner found in the Councils favour or were resolved with no further action.

4. KEY IMPACTS/RISKS

4.1 The key impact of non-compliance with FOIA/EIR is public scrutiny from the regulator. Poor service or inadequate information management will lead to loss of trust from our customers. Inability to act in accordance with the Act and the Governments accountability and transparency directive will lead to reputational damage. Furthermore the right of access is bound with the Human Rights Act in respect of the right to privacy. Unlawful disclosure of personal information may lead to publicly enforced audit, warning, reprimand, corrective order and fine by the regulator.

5. WHAT ACTIONS WILL BE TAKEN

5.1 The strategy under 3C ICT for the next 12 months will continue on: Improvements to the new FOI tracking system.

5.2 Service specific FOI training on the exemptions. Including improved records management methods.

5.3 Weekly FOI reports to HoS to enable proactive engagement.

5.4 An FOI disclosure log published via the Councils web site.

5.5 An Open Data strategy to manage the process; the quality and frequency of publication of the Councils key assets and compliance with the Transparency Code directive. To enable data to be given the widest publication but enabling correlation with partner data across the district.

6. LINK TO THE LEADERSHIP DIRECTION

6.1 Supports the objective to become a customer focused organisation under the strategic priority of becoming a more efficient and effective Council.

7. CONSULTATION

7.1 None

8. LEGAL IMPLICATIONS

8.1 HDC must comply with the law concerning FOIA/EIR.

9. RESOURCE IMPLICATIONS

9.1 There are no direct resource implications arising from this report.

10. OTHER IMPLICATIONS

10.1 None

11 REASONS FOR THE RECOMMENDED DECISIONS

11.1 This paper updates Members on how requests under FOIA/EIR have been dealt with by HDC. The author suggests a broader scope to the report to in future include compliance with requests handled under the Data Protection Act/ The General Data Protection Regulations. These relate to requests for the personal data of individuals. As well as an overview of the Councils 'Open' data. Neither have previously been included in this annual report.

11.2 Members of the Corporate Governance Committee are asked to comment on the contents of this report.

12. LIST OF APPENDICES INCLUDED

12.1 Appendix A - Percentage of Requests Handled Within the Statutory Time frame

13. BACKGROUND PAPERS

13.2 None

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Appendix A - Percentage of Requests Handled Within the Statutory Timeframe

Responses Within 20-day Statutory Timeframe (%)

