

<b>Subject:</b>	<b>Response to Members Letter: Freedom of Information requests</b>		
<b>Date of Meeting:</b>	<b>28 September 2021</b>		
<b>Report of:</b>	<b>Assistant Director Human Resources &amp; Organisation Development</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Dan Snowdon</b>	<b>Tel: 01273 291218</b>
	<b>Email:</b>	<b>dan.snowdon@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE****1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 This report provides a response to the request for an officer report detailing key statistics relating to Freedom of Information (FOI) requests.

**2. RECOMMENDATIONS:**

- 2.1 That Audit and Standards committee note the FOI data provided in Appendix 1 (Response to Members Letter Freedom of Information requests.pptx), a summary of which is provided below in section 3.

**3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 The Freedom of Information Act 2000 provides public access to information held by public authorities. The Act places a duty on all public authorities to respond to FOIs within 20 days of receipt.
- 3.2 There has been an overall decline in the numbers of FOIs received (down 15% in 2020/21 from the previous year).
- 3.3 Organisational compliance with requirement to respond within 20 day has also decreased (down from 70.6% in 2019/20 to 64.3% in 2020/21). However, responses in August 2021 were significantly improved, achieving a corporate response rate of 92%.
- 3.4 Of the 168 overdue cases, 89% were overdue by more than 40 days, suggesting that more complex requests are likely to get held in a backlog that services are finding difficult to manage.
- 3.5 The main causes of poor performance are:
- 3.5.1 Capacity in services to collate the information required and formulate a response. Capacity within many services has been a particular issue through the pandemic.

3.5.2 Poor information management practices (data quality, duplication, unstructured information silos, poor email management, etc.) which slows the information gathering activity

3.5.3 Long-term vacancy within the Information Rights team, reducing the capacity to provide advice to services (e.g., regarding the application of exemptions) and provide adequate reporting and reminders. However, this issue has now been addressed and the team is at full strength.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

4.1 Not applicable

#### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

5.1 Not applicable

#### **6. CONCLUSION**

6.1 Not applicable

#### **7. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

7.1 There are no direct financial implications arising from the recommendation in this report. The cost of staff time in responding to FOI requests is met from within existing staff budgets.

*Finance Officer Consulted: Jeff Coates*

*Date: 13th September 2021*

##### Legal Implications:

7.2 As indicated at para 3.1, the Freedom of Information Act 2000 ('the Act') gives anyone the right to request information from a public authority. The Act makes local authorities subject to a statutory duty to respond to all requests for information by indicating a) whether they hold the information and b) where they hold it, to provide it (unless a specified circumstance or exemption applies) within strict timescales. A response in writing is normally required within 20 working days.

*Lawyer Consulted: Victoria Simpson*

*Date: 15th September 2021*

##### Equalities Implications:

7.3 None

##### Sustainability Implications:

7.4 None

Brexit Implications:

7.5 None

Any Other Significant Implications:

None

**SUPPORTING DOCUMENTATION**

**Appendices:**

1. Response to Members Letter Freedom of Information requests.pptx

