



FREEDOM OF INFORMATION

AUDIT AND STANDARDS COMMITTEE - RESPONSE TO MEMBERS LETTER FREEDOM OF INFORMATION REQUESTS, SEPT. 2021

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KEY FOI FACTS

- The Freedom of Information Act 2000 provides public access to information held by public authorities.
- The Act covers any recorded information (printed documents, computer files, letters, emails, photographs, and sound or video recordings) held by a public authority
- The Act does not give people access to their own personal data. If a member of the public wants to see information that a public authority holds about them, they should make a Subject Access Request
- A public authority has 20 working days from receiving a request in which to provide a response
- The act contains a variety of provisions for the exemption from disclosure of certain types of information. Public authority are also not obliged to comply with a request for information if the request is vexatious
- The Office of the Information Commissioner (ICO) oversees the operation of the Act

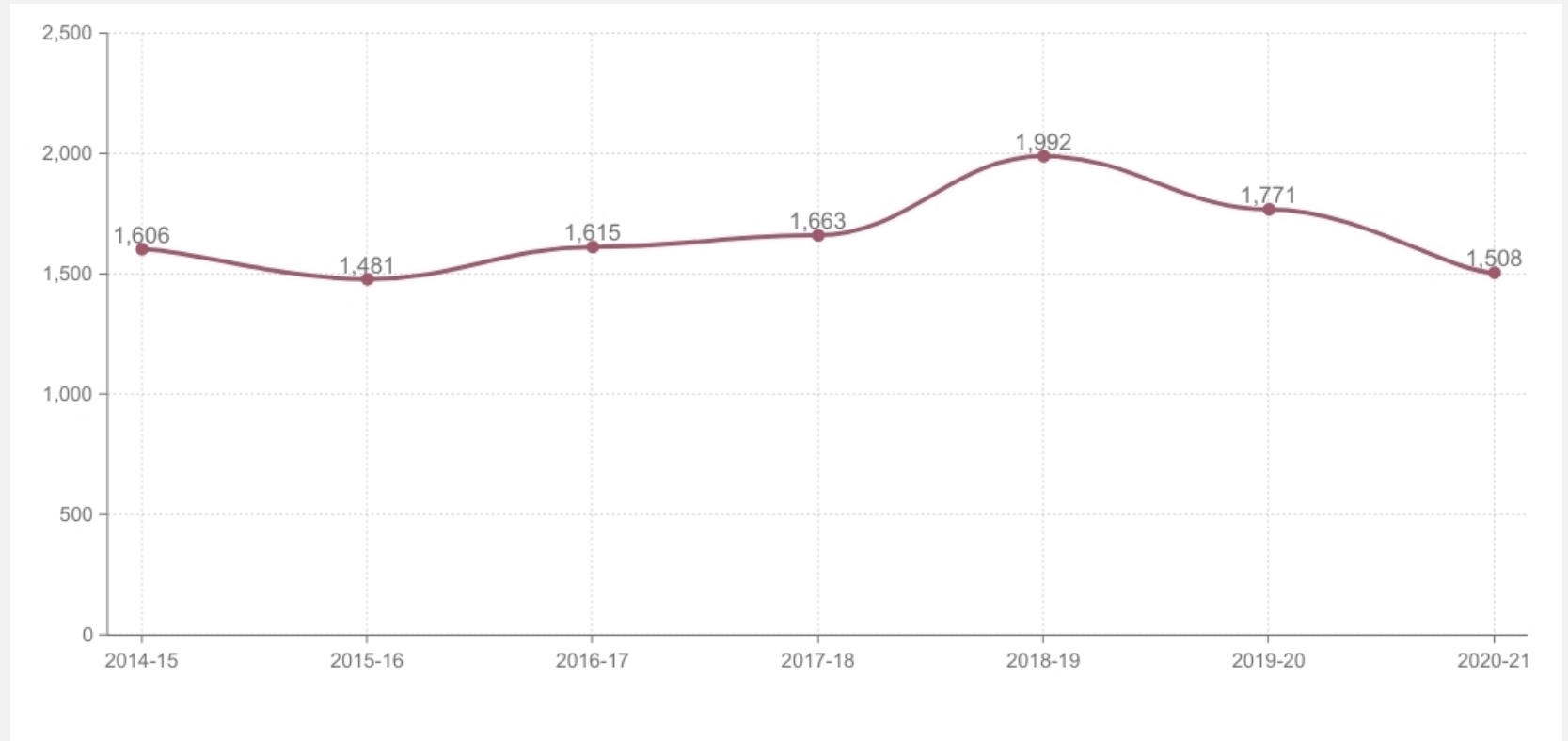
PERFORMANCE DATA – VOLUMES

From April 2020 to March 2021 there were 1,508 FOI requests received by the authority. This is a decrease of 263 (-15%) from the previous financial year.

Although there has been some fluctuation in volumes of request received over the years, the overall picture for the last 7 years has been relatively stable (-/+26%)

Corporate volumes prior to 2014/15 were recorded by calendar year and so are not shown

Total volumes of FOI requests received by BHCC (2014/15–2020/21)



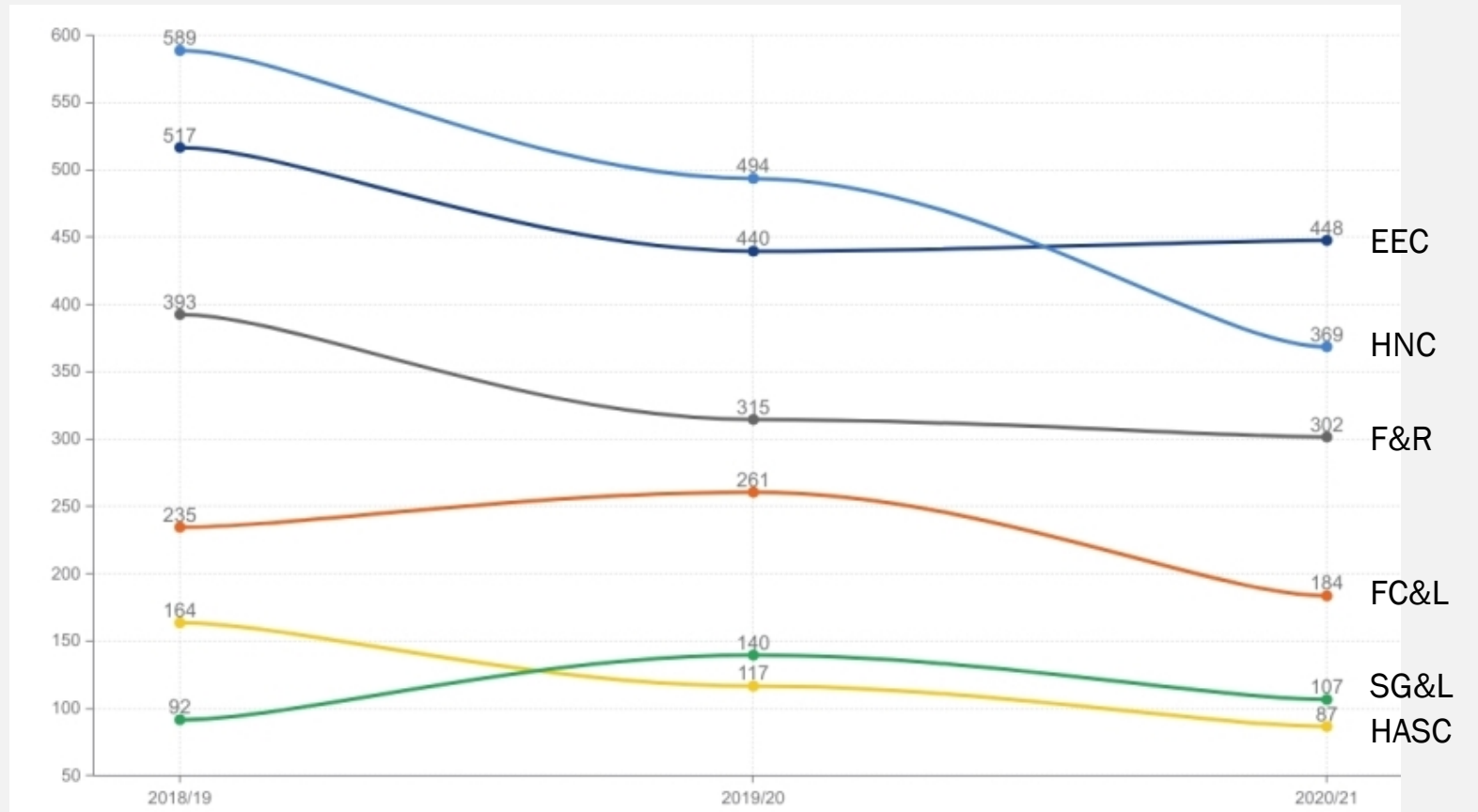
PERFORMANCE DATA – VOLUMES

From the peak in 2018/19 corporate volumes have declined by 484 (-24%).

Around half of this decline can be attributed to the decline in requests received by HNC 220 (-37%). Requests for 4 of the other 5 directorates have also decreased:

- HASC -47%
- F&R -23%
- FC&L -21%
- EEC -13%
- SG&L +16%

Volumes of FOI requests received by Directorates (2018/19-2020/21)



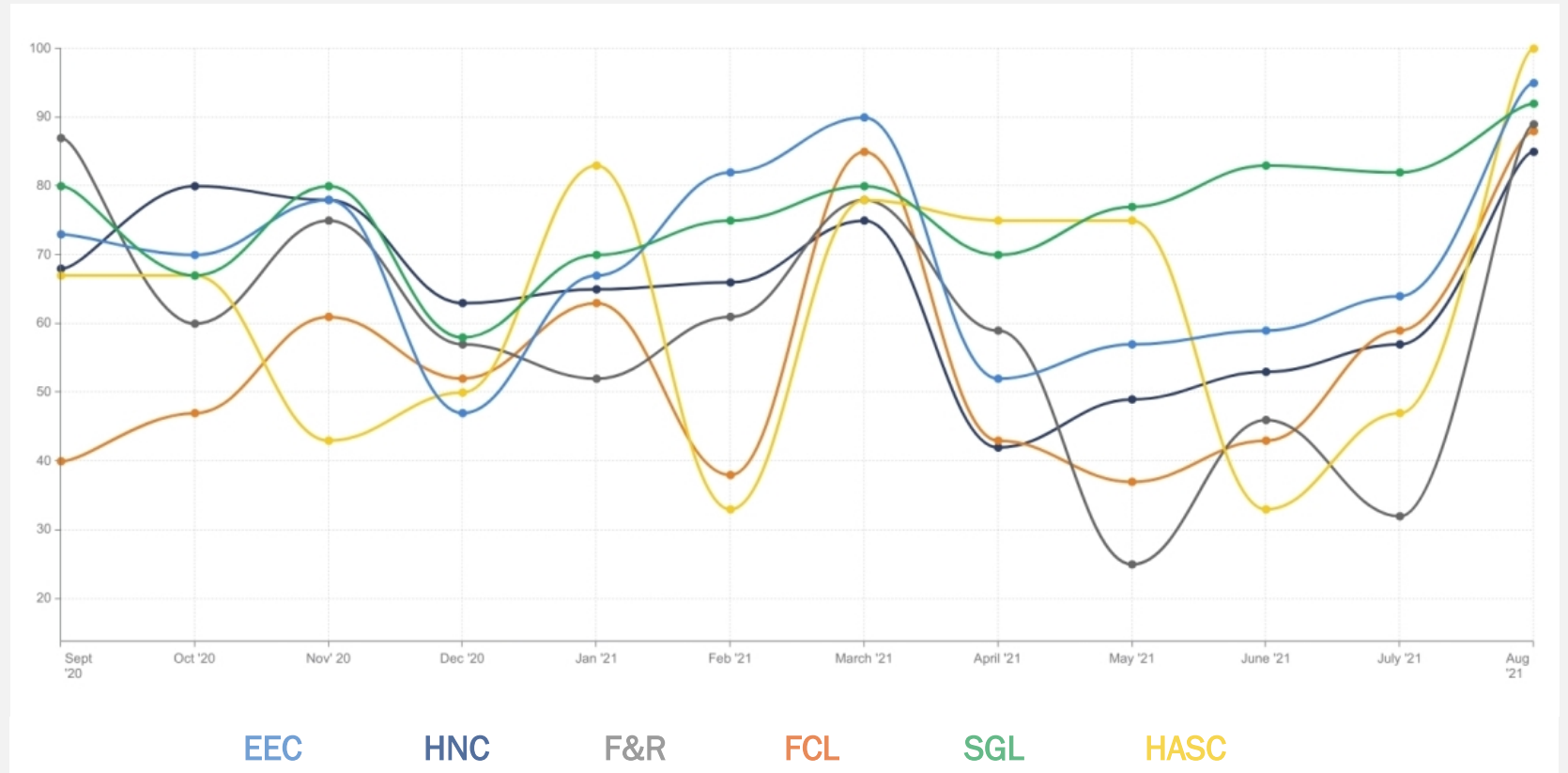
PERFORMANCE DATA – TIMELINESS

The Act requires FOI responses within the statutory deadline of 20 working days.

The combined corporate average dipped to a sustained low between April and July 2021. However, performance in August 2021 has significantly improved across all directorates to achieve a corporate average of 92% of requests responded to within 20 days.

The ICO set a target of 90% compliance with the 20 day deadline. BHCC has never achieved this target as an average for the year.

Directorate compliance with the 20-working day response time over the last 12 months



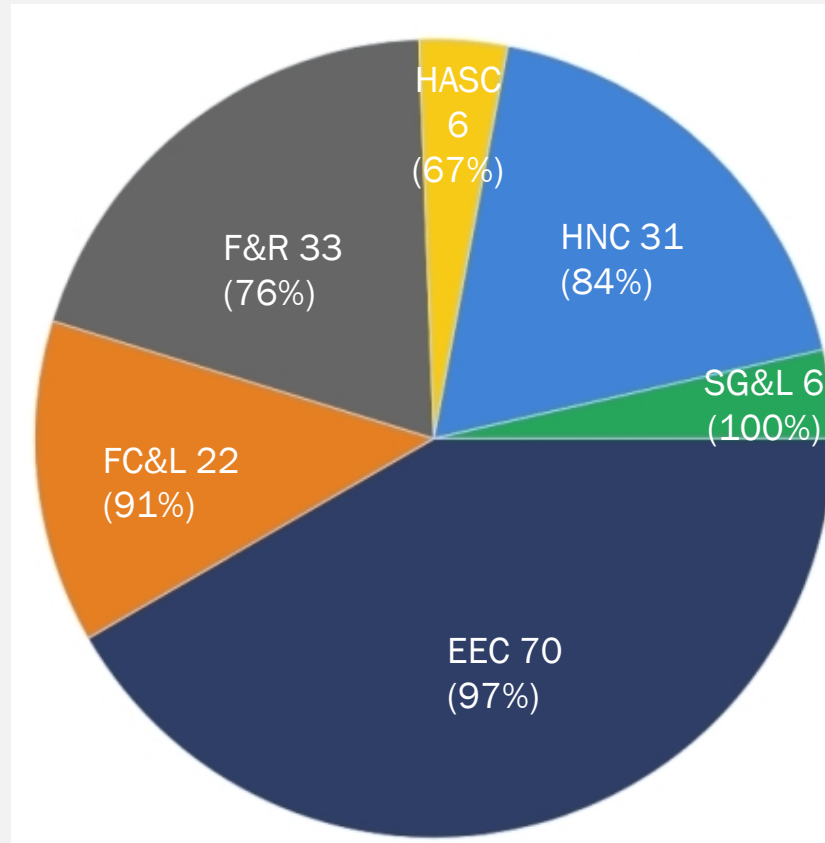
PERFORMANCE DATA – TIMELINESS

As of September 3rd 2021, there were a total of 168 overdue requests, 89% of which were long overdue (40 days or more since receipt).

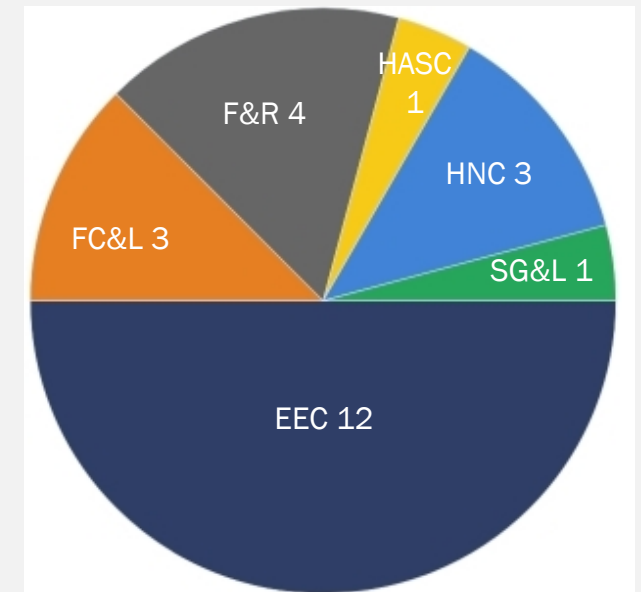
As of the same date there were 24 internal reviews* underway, 50% of which were with Economy, Environment and Culture.

*Internal reviews are carried out where there is a challenge regarding the scope, accuracy or completeness of the information provided. Reviews are carried out by officers with no prior involvement in the case

Volumes of overdue requests, plus percentage of 'long overdue' requests by directorate as of 3 Sept. 2021



Volumes of internal reviews by directorate as of 3 Sept. 2021



PERFORMANCE DATA – COMPARISON WITH LONDON BOROUGHS

A comparison of 2020/21 BHCC responses within statutory deadline against those of London Boroughs in the year 2018/19 shows that BHCC would rank 12th out of the 16 authorities.

Only 4 of the authorities meet the ICO target of 90% compliance

Data for 2018/19 is the latest available data for London borough responses within 20 days

London Borough	20-day Response Compliance Rate, 2018/19
Barnet	99%
City of London	97.3%
Camden	93%
Ealing	90.7%
Lambeth	89.7%
Richmond upon Thames	88.1%
Tower Hamlets	86
Haringey	83%
Sutton	74%
Enfield	72.7%
Croydon	65.3%

Brighton & Hove (2020/21)	64%
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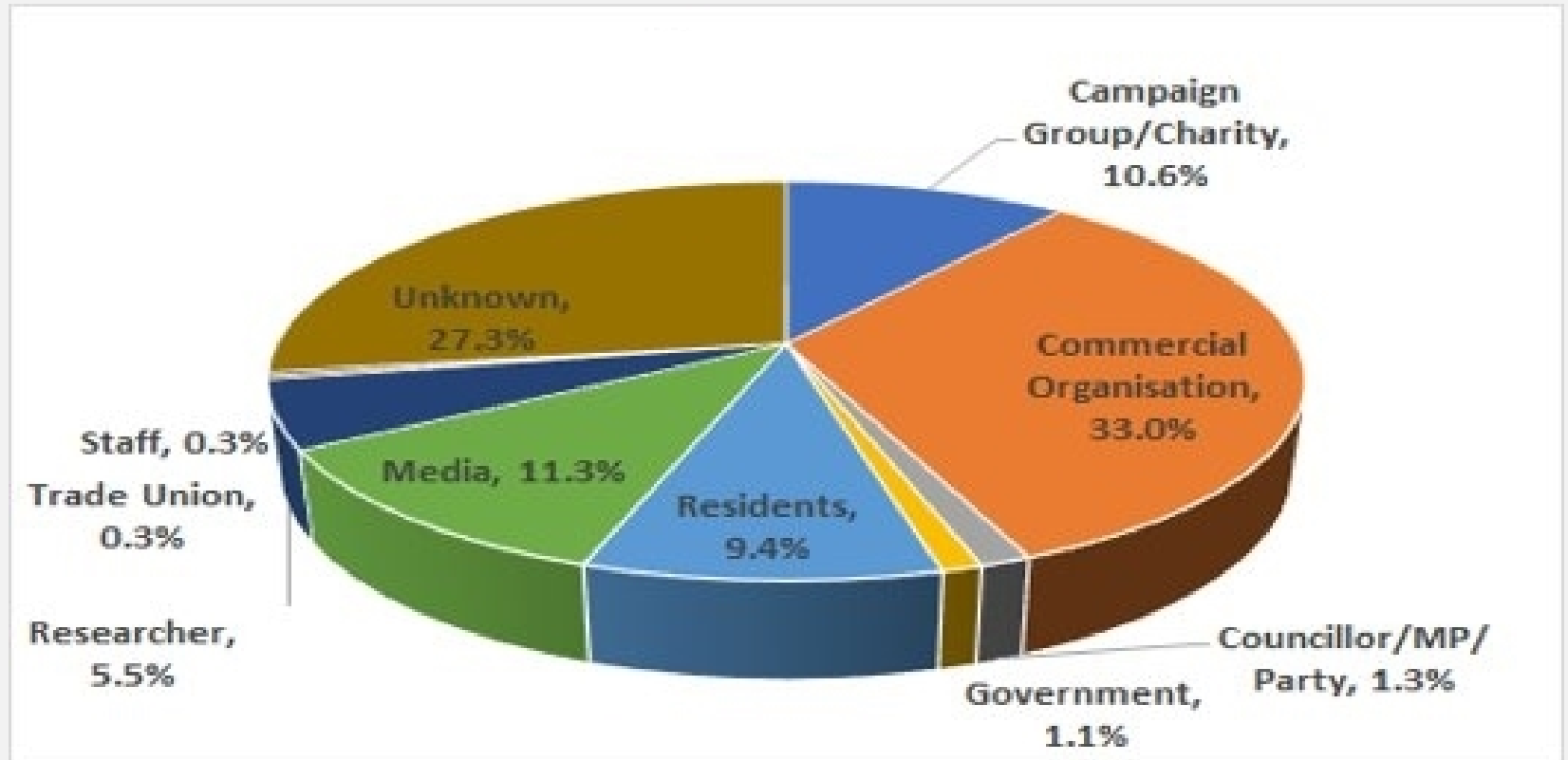
Wandsworth	61.9%
Hillingdon	60.2%
Waltham Forest	57.3%
Hackney	55%

FOI DATA – REQUEST SOURCE

Of the 1,508 FOI requests received from April 2020 to March 2021, it was not possible to identify the source category of 27.3%.

Of the identifiable sources, commercial organisations form by far the largest category (33%)

Breakdown of requestor categories 2020/21



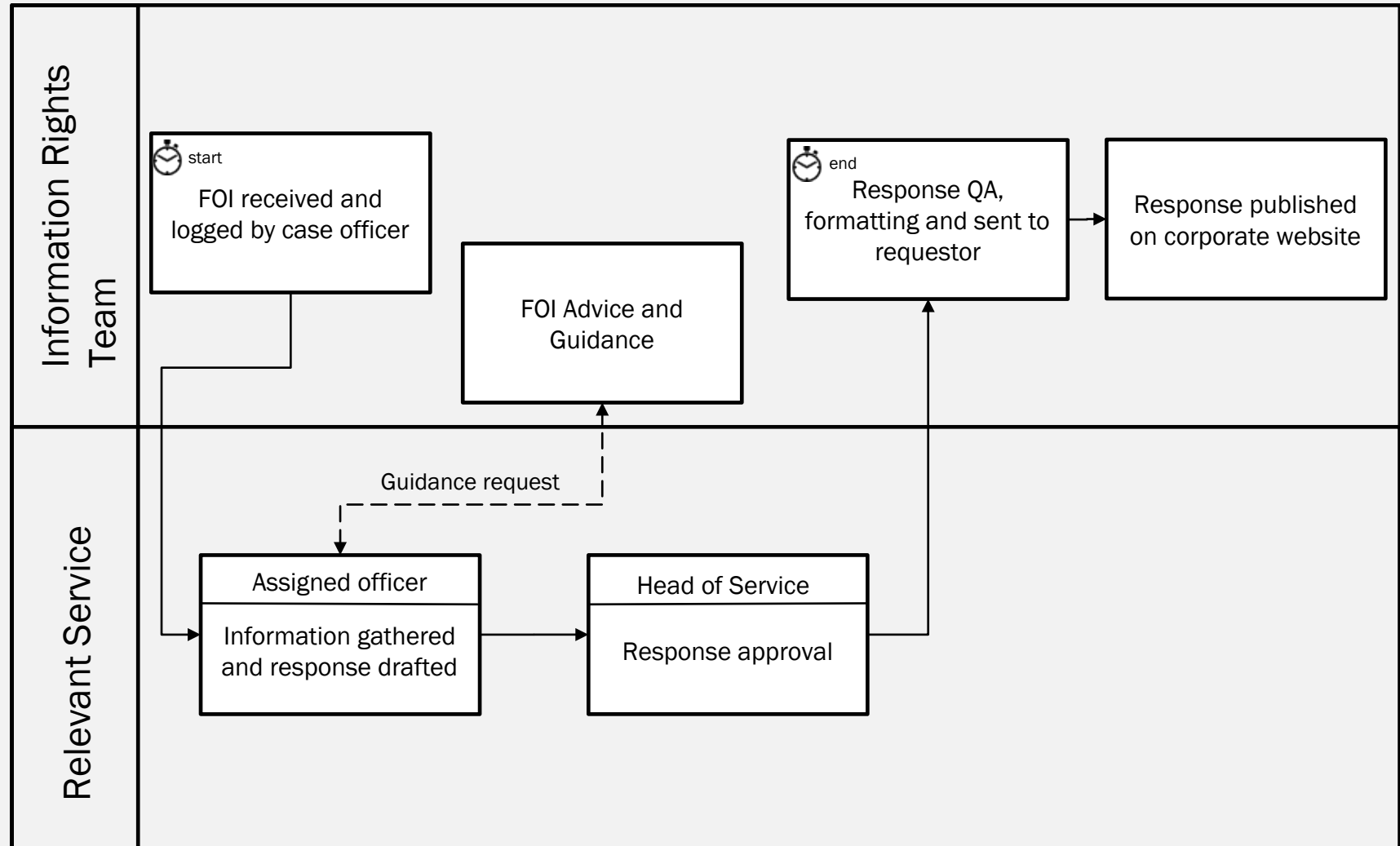
FOI PROCESS

Recent process changes include:

- Introduction of a case management system (iCasework)
- Additional Info. Rights Team resource
- Introduction of corporate KPI for FOI

Future improvement include:

- Possible move of the function to SG&L to operate alongside customer complaints
- Adoption of the same digital tool used for Members questions



FACTORS IN FOI PERFORMANCE

PRIMARY FACTORS	
Departmental Priorities/ Network Resilience	<ul style="list-style-type: none">• Capacity issues and competing priorities within services• Officers assigned FOI data gathering are frequently unable to exert influence
Information Management	<ul style="list-style-type: none">• Poor information management practices (data quality, duplication, unstructured information silos, poor email management, etc.) requires unduly burdensome information gathering activity
SECONDARY FACTORS	
FOI Team Resourcing	<ul style="list-style-type: none">• 1.5 FTE during 2020/21. Currently 2.25 FTE (plus Snr IG Consultant 0.5)
Lack of Published Information	<ul style="list-style-type: none">• Data that is frequently the subject of FOIs (e.g., BHCCs Contracts) is either not published or not kept up to date
Case Complexity	<ul style="list-style-type: none">• In addition to complexity created by the nature of a question, some FOI cases may require an additional process/sign off step while others may require consultation with the requestor or a third party.

ALTERNATIVE INFORMATION CHANNELS

Contacting your local Councillor directly

All member contact details are published on the corporate website, via the 'Find your local councillor' link

- There is no limit on the scope of what can be asked
- Questions and responses are not in the public domain
- There are no statutory timeframes for a response

Contact a Council service directly

Questions can be address to any services either by online form or telephone numbers published on the corporate website

- There is no limit on the scope of what can be asked
- Questions and responses are not in the public domain
- There are no statutory timeframes for a response

Making a Complaint

Complaints can be logged via the 'Complaints and Compliments' section of the corporate website

- This function is limited to Complaints and Compliments only
- Complaints and responses are not in the public domain
- There are published timeframes for a response (10 days)
- There is a clear escalation process, ending with the Local Government Ombudsman

