



Council name	COTSWOLD DISTRICT COUNCIL
Name and date of Committee	CABINET – 1 NOVEMBER 2021
Report Number	AGENDA ITEM 08
Subject	FREEDOM OF INFORMATION ACT REQUESTS
Wards affected	All
Accountable member	Cllr Joe Harris, Leader of the Council Email: joe.harris@cotswold.gov.uk
Accountable officer	Claire Hughes, Business Manager for Corporate Responsibility Email: claire.hughes@publicagroup.uk
Summary/Purpose	A report to update members on the Council's compliance with the Freedom of Information Act 2000 and to set out proposals for the future management of requests for information.
Annexes	Annex A – Performance Statistics for 2020/21 and Q1 and Q2 of 2021/22
Recommendation(s)	<i>It is recommended that Cabinet:</i> <i>a) Notes the report;</i> <i>b) Supports the publication of quarterly statistics on the Council's website as set out in paragraph 4.1 of this report;</i> <i>c) Requests that the Business Manager for Corporate Responsibility undertakes further research into the options available for publishing all Freedom of Information requests on the Council's website and reports back to Cabinet in January 2022; and</i> <i>d) Whilst the options for recommendation c) are being considered, supports the creation of a frequently asked Freedom of Information requests webpage as set out in paragraph 4.3 of this report.</i>
Corporate priorities	Delivering our services to the highest standards
Key Decision	NO
Exempt	NO
Consultees/ Consultation	None other than those required as part of the reporting processes.



1. BACKGROUND

- 1.1** The Freedom of Information Act 2000 (the Act) provides public access to information held by the Council. It does this in two ways:
- The Council is obliged to publish certain information about its activities; and
 - Members of the public are entitled to request information from the Council
- 1.2** The Act covers any recorded information that is held by the Council. Recorded information includes printed documents, computer files, letters, emails, photographs and sound or video recordings.
- 1.3** Unless one of the statutory exemptions applies, the Council is required to provide copies of information requested by members of the public.

2. PUBLICATION OF INFORMATION

- 2.1** As referenced above one of the requirements of the Act is an obligation on the Council to publish certain information about its activities. To assist public bodies in complying with this requirement the Information Commissioners Office (ICO) has developed and published a model publication scheme that provides a framework for publication of relevant data.
- 2.2** The Council has fully adopted the model publication scheme and this is available via the website: <https://www.cotswold.gov.uk/about-the-council/council-data-and-access-to-information/council-data-and-information-listings-freedom-of-information-publication-scheme/>. As such the Council has complied with this requirement.

3. REQUESTS MADE BY MEMBERS OF THE PUBLIC

- 3.1** In addition to publishing information, the Council is also required to respond to requests for information received from members of the public. The statutory timescale for responding is 20 working days, although it should be noted that this was relaxed for a period during the height of the Pandemic.
- 3.2** Statistics showing the number of requests received by the Council for the financial years 2019/20, 2020/21 and Q1 and Q2 of 2021/22 can be found in Annex A. This Annex also provides information relating to the percentage of requests that have been complied with within the statutory 20 working days.
- 3.3** Members may also wish to note that no complaints regarding the Council's handling of Freedom of Information requests have been referred to the ICO since 2018.



4. FUTURE IMPROVEMENTS

4.1 *Publication of statistics*

4.1.1 The ICO best practice encourages all public authorities with over 100 Full Time Equivalent (FTE) employees to publish, on a quarterly basis, details of their performance on handling requests for information, including:

- The number of requests received during the period;
- The number of the received requests that have not yet been processed (you may also wish to show how many of these outstanding requests have extended deadlines or a stopped clock, e.g. because a fee notice has been issued);
- The number of the received requests that were processed in full (including numbers for those that were met within the statutory deadline, those where the deadline was extended and those where the processing took longer than the statutory deadline);
- The number of requests where the information was granted in full;
- The number of requests where the information was refused in full (you may wish to identify separately those where this was because the information was not held);
- The number of requests where the information was granted in part and refused in part;
- The number of requests received that have been referred for internal review (this needs only reporting annually).

4.1.2 Given that the Council does not have over 100 FTEs it has no requirement to publish the data as recommended. However, to demonstrate the Council's commitment to openness and transparency it is suggested that this information is published every quarter with effect from the end of Q3 2021/22 and, where possible, the retrospective data for Q1 and Q2 of this financial year is published as soon as possible.

4.2 *Publication of all requests*

4.2.1 A further matter of best practice identified by the ICO is the publication of all requests received and the Council's responses. Officers have commenced exploring options to establish how this may be feasible. However, at this time no firm recommendation can be made. Therefore Cabinet is asked to note that this work is underway and that the Business Manager for Corporate Responsibility will report back to Cabinet with the potential option in January 2022.

4.3 *Introduction of frequently asked FOI's*

4.3.1 As part of the data collection process officers track information regarding the details of requests received. This enables them to identify key themes and frequently asked questions. At one of the partner Councils this tracking has facilitated the creation of a 'frequently made freedom of information requests' webpage where Officers actively can publish information in an attempt to reduce the number of requests received. Whilst the options referred to in 4.2 above are explored Cabinet is asked to endorse the creation of a similar webpage for Cotswold District Council.



5. FINANCIAL IMPLICATIONS

- 5.1 None associated with this report

6. LEGAL IMPLICATIONS

- 6.1 Save from the legal matters referred to there are no further legal implications arising directly from this Report.

7. RISK ASSESSMENT

- 7.1 There is a legal, financial and reputational risk to the Council if it fails to respond to requests for information promptly.

8. EQUALITIES IMPACT

- 8.1 There are no equalities impacts arising from this report

9. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

- 9.1 There are no climate or ecological emergency implications arising from this report.

10. ALTERNATIVE OPTIONS

- 10.1 Cabinet may determine to note the report and not to endorse recommendations b), c) and d)

11. BACKGROUND PAPERS

- 11.1 None

(END)