

PART A

AGENDA

ITEM **4**

Report to: Audit Committee  
Date of Meeting 9<sup>th</sup> January 2008  
Report of: Head of legal and Democratic Services  
Title: Requests made under the Freedom of Information Act 2000

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**1. SUMMARY**

This is the quarterly report of requests made under the Freedom of Information Act 2000.

From 1<sup>st</sup> April to 30<sup>th</sup> June 2007 the Council received 18 requests all but one of which were replied to in the required time. A list of the requests is attached at appendix 1 for information

From 1<sup>st</sup> July to 30<sup>th</sup> September 2007 the Council received 19 requests of which 4 were not replied to in the required time. A list of requests is attached at appendix 2 for information.

**2. RECOMMENDATIONS**

To note the contents of this report.

Contact Officer:

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Report approved by Managing Director

### 3.0 **DETAILED PROPOSAL**

- 3.1 The Freedom of Information Act 2000 came fully into force on 1<sup>st</sup> January 2005. As a public authority we are obliged to answer written requests for information under the Act within 20 working days
- 3.2 Functions Committee asked for quarterly reports to assess the impact of the Act and the types of requests received. This now falls within the remit of this Committee.
- 3.3 This is the first report for this financial year and covers the periods 1<sup>st</sup> April to 30<sup>th</sup> September 2007. At the last Committee which dealt with information requests members asked for more information on the nature of the request and whether it could have been accessed by other means than a formal FOI Act request.  
Officers have amended the appendices to inform members whether the information could be obtained elsewhere.
- 3.4 In the period 1<sup>st</sup> April to 30<sup>th</sup> June 2007 the Council recorded receiving 18 requests for information under the Act all but one were replied to within the statutory 20 working days. The appendix provides information on why it was late.
- 3.5 The requests have been varied. 7 related to Environmental Services, and 6 Planning and Development. There appears to be a trend in requests for Environmental Services as there were 6 the previous quarter. Appendix 1 gives a brief summary of each request.
- 3.6 In the period 1<sup>st</sup> July to 30<sup>th</sup> September 2007 the Council recorded receiving 19 requests for information. 4 missed the statutory deadline. The appendix gives an explanation of why they were not responded to on time. 6 requests in this quarter related to Environmental Services. Appendix 2 gives a brief summary of each request.
- 3.7 Three requests were refused in total one was deemed to be a request for exempt information and two were refused on grounds of cost because of the amount of time it would have taken to provide the information. These are reference 1081806, 1072762 and 1074154.
- 3.8 The complaints officer continues to emphasise to departments the need to respond to requests within the statutory time frame. The Head of Legal and Democratic Services has also launched quarterly lunch and learn sessions on the Act to provide a refresher.

#### 4.0 **IMPLICATIONS**

##### 4.1 Financial

The Head of Finance comments that this report indicates that information is found using existing staff resources. If, in the future, the requests increase in number and/or complexity then it may become necessary to review this situation.

##### 4.2 Legal Issues (Monitoring Officer)

The Head of Legal & Democratic Services comments that ongoing training will be provided across the council to ensure officers are aware of the Council's responsibilities under the Act

##### 4.3 Staffing

Requests are currently being managed within existing resources

##### 4.4 Accommodation

No implications

##### 4.5 Equalities

No implications

##### 4.6 Community Safety

No implications

##### 4.7 Sustainability

No implications

##### 4.8 Risk Management

The Council's complaints officer monitors responses to requests under the Act. Each service has an officer who has the responsibility of administering request in their service. Lagan is used to keep a record of requests to ensure time limits are met.

The intranet has FAQ's about the Act and it is included in officer induction.

#### Appendix 1

Summary of FOI requests April – June 2007

#### Appendix 2

Summary of FOI requests July – September 2007

Background papers:

The following background papers were used in the preparation of this report. If you wish to inspect or take copies of background papers please contact the officer named on the front page of the report.

File:

Freedom of Information response file.