

PART A

AGENDA
ITEM

5

Report to: Audit Committee
Date of Meeting 23rd June 2008
Report of: Head of Legal and Property Services
Title: Requests made under the Freedom of Information Act 2000

1. **SUMMARY**

This is a half year report of requests made under the Freedom of Information Act 2000.

From 1st October to 31st December 2007 the Council received 22 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 1st January to 31st March 2008 the Council received 24 requests of which 1 was 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 1st January 2005. As a public authority we are obliged to answer written requests for information under the Act within 20 working days
- 3.2 This report covers the periods 1st October 2007 to 31st March 2008.
- 3.3 In the period 1st October to 31st December 2007 the Council recorded receiving 22 requests for information under the Act all but one were replied to within the statutory 20 working days. Unfortunately the information still has not been provided because the Head of Environmental Services has yet to respond to the request
- 3.4 The requests have been varied. Appendix 1 gives a brief summary of each request.
- 3.5 In the period 1st January to 31st March 2008 the Council recorded receiving 24 requests for information. Only 1 missed the statutory deadline. The appendix gives an explanation of why it was not responded to on time. Appendix 2 gives a brief summary of each request.
- 3.6 A number of requests have come in from organisations such as the Conservative Party and the Tax Payer Alliance, and some have been relating to matters not within the Councils remit, such as schools and more recently transport and they have been referred to Hertfordshire County Council. As Monitoring Officer the Head of Legal and Property Services has refused a request for information which has now been referred to the Information Commissioner. This relates to information about the Office of the Surveillance Commissioners (OSC) (this is the body that oversees the operations of the Regulation of Investigatory Powers Act (RIPA)) and reports from them. Some other requests have been refused on costs grounds.
- 3.7 The complaints officer continues to emphasise to departments the need to respond to requests within the statutory time frame. The Head of Legal and Property Services has also launched quarterly lunch and learn sessions on the Act to provide a refresher.
- 3.8 From 1st January 2009 all public bodies will have to introduce a new Publication Scheme based on a revised model now issued by the Information Commissioner.

The Council currently makes publicly available the information required in the new scheme and it is for the most part already referred to in the existing scheme. It is however, more user friendly.

3.9 The scheme will be submitted to November's Council meeting for formal approval.

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 **Potential Risks**

Potential Risk	Likelihood	Impact	Overall score
Request not replied to within statutory time limit	2	2	4
Council does not publish new scheme by 1 st January 2009	1	1	1
Those risks scoring 9 or above are considered significant and will need specific attention in project management. They will also be added to the service's Risk Register.			

Appendix 1

Summary of FOI requests October – December 2007

Appendix 2

Summary of FOI requests January – March 2008

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.