

PART A

AGENDA
ITEM **4**

Report to: Audit Committee
Date of Meeting 18th March 2009
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 July to 31st December 2008 the Council received 75 requests all but 7 of which were replied to in the required time. A list of the requests is attached at appendix 1 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 July to 31st December 2008.

3.3 In this period the Council recorded receiving 75 requests for information under the Act all but 7 were replied to within the statutory 20 working days. This is a marked increase in the number of requests received since the Act came into force for a 6 month period.

3.4 The requests have been varied. Appendix 1 gives a brief summary of each request.

3.5 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 this Councils remit, but that of the County Council and they have been referred to Hertfordshire County Council.

3.6 Following national media coverage the Council also received 3 requests about its use of RIPA powers which the Council has responded to. Following these requests the Monitoring Officer reviewed her previous decision not to grant a request for information on an earlier similar request that had resulted in a complaint to the Information Commissioner and decided to release the information. The Information Commissioner has been informed.

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 is continuing with her quarterly lunch and learn sessions on the Act to provide a refresher and they are proving very popular.

3.8 The new model Publication Scheme approved by Council in November is now on the Council web site.

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 & Property 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
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 July – December 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.