
Freedom of Information – Annual Report 2019-20

1.0 INTRODUCTION

- 1.1 This report is to update the Audit & Scrutiny Committee on the position regarding the recording, responding to, monitoring and reporting of requests for information under the Freedom of Information (Scotland) Act 2002 (FOISA) and the Environmental Information (Scotland) Regulations 2004 (EIR's) for the period between 01 April 2019 and 31 March 2020.

2.0 RECOMMENDATIONS

- 2.1 The Audit and Scrutiny Committee consider and note the content of this report.

3.0 DETAIL

- 3.1 A total of 1,403 requests for information were received during the period - 1 April 2019 to 31 March 2020. Overall, 92% of these requests (1,294) were responded to within the statutory timescale of 20 working days and 109 requests were responded to after 20 working days. These totals include requests for information from the Health and Social Care Partnership (Social Work side) and Live Argyll.
- 3.2 A breakdown by Department and detail around late responses is provided in Appendix 1.
- 3.3 There were 26 requests for review made during this period, which equates to less than 2% of the total number of requests. 25 were responded to within the 20 working day statutory timescale (96%), and one issued late required more time to gather information and investigate complex issues.
- 3.4 The overall response rate within timescale has increased from 90% in 2018/19 to 92% in 2019/20 showing an improvement in our processes. The low level of requests for review also indicates that customers are satisfied with the responses received.
- 3.5 There was only 1 case investigated by the Scottish Information Commissioner during 2019/20, which again indicates that customers were satisfied with the responses provided. This was a request for

inspection records for a road which was initially dealt with under FOISA, however during the review process it was found to be within the scope of the EIRs. Following the review, the requestor still believed the Council had failed to provide all information. When investigating this case, the Scottish Information Commissioner found the Council had complied with the regulations in their response.

- 3.6 The Compliance and Regulatory team continues to work with Departments to seek to improve response rates where required, and deliver training and provide guidance to allow officers to appropriately respond to information requests.

4.0 CONCLUSION

- 4.1 An overall response rate of 92% within timescale is higher than the Scottish Local Authority national average of 90% for 2019/20.
- 4.2 The Compliance and Regulatory team continues to work with Departments to seek to improve response rates where required, and deliver training and provide guidance to allow officers to appropriately respond to information requests.

5.0 IMPLICATIONS

5.1	Policy	None
5.2	Financial	None
5.3	Legal	Possible breach of statutory requirement to respond to requests
5.4	HR	None
5.5	Equalities	None
5.6	Risk	None
5.7	Customer Service	The relatively low number of requests for review is indicative that we are responding appropriately to requests and customers are receiving the information they are looking for.

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13th August 2020

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APPENDICES

Appendix 1 – Departmental/Service stats & Late Response Details