

**Freedom of Information – Annual Report 2020-21**

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**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 2020 and 31 March 2021.

**2.0 RECOMMENDATIONS**

2.1 The Audit & Scrutiny Committee consider and note the terms of this report.

**3.0 DETAIL**

3.1 A total of 1,100 requests for information were received during the period - 1 April 2020 to 31 March 2021. Overall, 94% of these requests (1,038) were responded to within the statutory timescale of 20 working days and 62 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 19 requests for review made during this period, which equates to less than 2% of the total number of requests. 17 were responded to within the 20 working day statutory timescale (89%), and the 2 issued late required more time to gather information and investigate complex issues.

3.4 The overall response rate within timescale has increased from 92% in 2019/20 to 94% in 2020/21 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 were no cases investigated by the Scottish Information Commissioner during 2020/21, which again indicates that customers were satisfied with the responses provided.
- 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.
- 3.7 The Compliance and Regulatory team provide monthly updates to the Chief Executive, the Chief Officer, Directors, Heads of Service and the departmental FOI reps. Quarterly reports are provided to DMT and SMT.

#### 4.0 CONCLUSION

- 4.1 An overall response rate of 94% within timescale is higher than the Scottish Local Authority national average of 87% for 2020/21.
- 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
5.5.1	Fairer Scotland Duty	None
5.5.2	Equalities – Protected Characteristics	None
5.5.3	Socio Economic Duty	None
5.5.4	Islands	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.

Douglas Hendry  
**Executive Director with responsibility for Legal and Regulatory Support**

24<sup>th</sup> August 2021

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## **APPENDICES**

Appendix 1 – Departmental/Service stats & Late Response Details