

FREEDOM OF INFORMATION ANNUAL REPORT 2013/14

The Freedom of Information (FOI) Act and the Environmental Information Regulations (EIR) are very similar and are dealt with through the same process. The figures given below are for both FOI and EIR requests.

1. Responses within 20 days

Public authorities are obliged to reply to FOI/EIR requests within 20 days.

Between April 2013 and March 2014 we responded to a total of 1364 requests, a 19% increase on the previous year. 84% of responses were sent within 20 days. The table below shows how this compares to previous years.

Year	No. of requests	% on time
2013-2014	1364	84%
2012-2013	1150	77%
2011-2012	1039	74%
2010-2011	875	75%
2009-2010	822	81%
2008-2009	779	86%
2007-2008	499	83%
2006-2007	509	73%
2005-2006	505	65%

2. When information was not provided, our reasons were:

Outcome	
Information not held	139
Info not given, exempt	101
Info not given, cost	25
Info not given, vexatious request	15

3. Refusals and exemptions

The FOI Act and EIRs contains exemptions that allow public authorities to withhold information in certain cases. We applied exemptions in 108 cases last year. These were as follows:

Exemption	Number of times used
FOI Act	
Section 21 – <i>Info accessible by some other means</i>	7
Section 30 – <i>information held for the purposes of an investigation</i>	2
Section 31 – <i>Law Enforcement</i>	49
Section 36 – <i>Effective conduct of public affairs</i>	1

Section 40 – <i>Personal Information</i>	20
Section 41 – <i>Provided in confidence</i>	1
Section 42 – <i>Legal Professional privilege</i>	3
Section 43 – <i>Commercial Interests</i>	6
EIRs	
Regulation 12 4 (a) – <i>information not held</i>	1
Regulation 12 4 (b) – <i>manifestly unreasonable</i>	1
Regulation 12 4 (d) – <i>unfinished documents</i>	1
Regulation 12 5 (a) – <i>disclosure would adversely affect international relations, defence, national security or public safety</i>	1
Regulation 12 5 (b) – <i>course of justice</i>	1

4. Internal reviews and complaints about FOI/EIR responses

If a customer is unhappy with an FOI/EIR response or with the way we handled the request, they can ask for an Internal Review of their request.

We dealt with 41 in 2013-14. The outcomes were as follows:

Decision	No.	%
Not Upheld	23	56
Partly Upheld	10	24
Upheld	8	20

5. Information Commissioner's office enquiries

If the requester remains dissatisfied with the response they can approach the office of the Information Commissioner (ICO) to ask them to review our decision.

During 13/14 we have responded to 3 formal enquiries from the ICO. The outcomes were: in 2 cases the ICO found in our favour, in 1 case the ICO found against us.

6. Services receiving most enquiries

The Place and Sustainability directorate again dealt with the largest number of enquiries: 445, and responded to 87% on time.

The second busiest directorate was the Assistant Chief Executive (ACE), who received 293 requests, responding to 78% on time. Within ACE, the service receiving the most enquiries was the Benefits, local Taxation and Customer Services, who responded to 167 requests, 75% of which were on time.