

36. FREEDOM OF INFORMATION - ANNUAL REPORT

The Council Executive considered a report (copies of which had been circulated) by the Chief Legal Officer advising of the annual review of the council's compliance with the Freedom of Information (Scotland) Act 2002 (FOISA)

The report contained tables providing detailed information as undernoted:-

Table 1 – Number of FOI requests received since 1<sup>st</sup> January 2005.

Table 2 – Number of requests received each year by service areas

Table 3 – Performance in meeting required timescale for 2009, 2010 and for the period to 31<sup>st</sup> March 2011

Table 4 – Number of refusals for 2009/10 and for the period to 31<sup>st</sup> March 2011

Table 5 – Reasons for refusals

Table 6 - Summary of requests for Internal Review for the period April 2009 - March 2011

Table 7 – Breakdown of internal reviews by service.

Table 8 – Outcome of Internal Reviews in 2010/11

Table 9 – Details of the subject matter and outcome of internal reviews in 2010/2011

Table 10 – Number of outcome of appeals for the periods 2008/09, 2009/10 and 2010/11.

Table 11 – Appeals to Scottish Information Commissioner in 2010/11

The Chief Legal Officer then referred to the Action Plan that had been produced by the Scottish Information Commissioner (OSIC) in July 2010. The key issues for improvement identified were -

- Improving performance in meeting the 20 working days deadline;
- Using Frontline as the corporate system for logging and processing information requests and producing a complete audit trail
- Refresher training on FOISA, to include information requests under the Environmental Information Regulations.

The report went on to provide an update on implementation of the recommendations. In addition, the Panel was informed that, based on the council's response, OSIC had now intimated that no further action was required by the council and they had closed their practice assessment process.

In his conclusion, the Chief Legal Officer highlighted that good progress had been made in implementing the recommendations in OSIC's Good Assessment Report following the audit in July 2010, with outstanding recommendations on training on EIR requests due to be completed by the end of August 2011.

It was recommended that the Council Executive :-

1. Note the information contained within the report;
2. Heads of Service to continue to monitor their services' performance in meeting the 20 day deadline for processing FOI requests in order to continue to achieve the corporate management target of 85%; and
3. Relevant Officers to take appropriate action to complete the outstanding recommendations in OSIC's Assessment Action Plan.

Decision

To approve the terms of the report.