

ANUUAL FOI REPORT 2020

Executive Summary

Since the implementation of the FOI system in October 2018, and an update was provided at the Overview and Scrutiny Committee on 21 January 2019 were it was agreed to receive an annual report on the FOIs received and details of any complaints.

The system is fully auditable and managed by Democratic Services. All members are welcomed to come and see the system and associated reports any time, please request this through Democratic Services.

Recommendations

The Committee is requested to:

RESOLVE That the report be noted.

The Committee has the authority to determine the recommendation(s) set out above.

Background Papers: None.

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Date Published: 12 February 2021

1.0 Yearly Report

1.1 The total FOIs received from January – December 2020 and 2019, for comparison, are reported follows:

Reporting From	Total FOIs received	Total FOIs Breached	%	Total FOIs refused	%
Jan – Dec 2019	834	23	3%	71	9%
Jan – Dec 2020	690	76	11%	15	2%

1.2 The table shows that more FOIs breached in 2020 than 2019, this was due to officer resources being re-deployed during the Covid-19 pandemic.

1.3 Monthly Breakdown - please note that the figures for the breached/refused FOIs are reported in the month they breach/are refused rather than the month they are submitted in. The remaining FOI's are either in the system to be completed or have been responded to in a different format, such as being referred to a different organisation for response or the information was not held.

Month	Total received	Completed	Refused	Breached
2020				
January	92	90	3	0
February	78	78	1	2
March	42	41	1	6
April	46	24	0	22
May	36	18	0	19
June	33	26	1	4
July	53	52	3	3
August	42	21	1	4
September	34	19	2	3
October	126	54	2	3
November	62	34	0	5
December	46	26	1	5
Total	690	483	15	76

2.0 Breakdown by Department

2.1 Please see the table below that details the FOIs received, broken down by department.

Department	Total FOIs Received
Benefits, Revenue and Customer Services	104
Democratic Services	117

Housing	47
Environmental Health	95
IT	33
Legal	35
HR	33
Planning	22
Parking	22
Finance	55
Green Infrastructure	24
Neighbourhood Services	31
Asset Management	15
Building Services	16
Community Safety	9
Elections	5
Marketing	5
Sports and Leisure	2
Home Independence	2
Corporate support	7
Engineering Team	3
Business Liaison	3
Family Support	5

3.0 Request for a Review

3.1 In accordance with the Council's complaints system, requests for a review of the way in which we have dealt with a request for information under the Freedom of Information Act 2000 are considered by the Data Protection Officer or his nominee or another member of the Corporate Management Group. The review consists of a thorough re-examination of the original decision and handling of the request. If the requester is not satisfied with the response, the requester may contact the Information Commissioners Office.

4.0 Information Commissioners Office

4.1 Woking Borough Council had two matters referred to the Information Commissioners Office (ICO) in 2020.

4.2 The first matter was referred to the ICO by Requester A:

4.3 The complaint to the ICO referred to a specific request made on a specific date. WBC were unable to find any request of that date within the FOI system and given the number of FOIA requests submitted by requester A, WBC were unable to ascertain which FOIA request/response was the subject matter of the complaint. On 25 June 2020, the Council requested further information in respect of the complaint from the ICO to determine the subject matter of the complaint. To date, the Council has not received a response from the ICO.

4.4 The second matter was a referred to the ICO by Requester B:

4.5 The complaint to the ICO was in respect of Brookwood Cemetery Offsite Interests. The Council was unable to fulfil the FOIA request as it did not hold the information requested. The ICO'S decision is as follows:-

“The complainant requested a copy of a court order relating to Brookwood Cemetery Ltd. Woking Borough Council (the Council) stated that it did not hold the requested information.

The Commissioner’s decision is that, on the balance of probabilities, the Council did not hold the requested information.

The Commissioner does not require the Council to take any steps as a result of this decision notice.”

4.6 It should be noted that the complainant has appealed the ICO’s decision to the First Tier Tribunal.

5.0 Conclusions

5.1 The Council received a large volume of requests in 2020. It should be noted that the majority of these requests were fulfilled by providing the information requested in a timely manner.

REPORT ENDS

