

Resources Scrutiny Commission Agenda



Date: Monday, 30 November 2020

Time: 4.15 pm

Venue: Virtual Meeting - Zoom Committee Meeting
with Public Access via YouTube

Distribution:

Councillors: Stephen Clarke (Chair), Mark Brain (Vice-Chair), Donald Alexander, Mhairi Threlfall, Hibaq Jama, Margaret Hickman, Graham Morris, John Goulandris, Sultan Khan and Clive Stevens

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Resources Scrutiny
Commission
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Public Forum



Questions

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Q1 & Q2	Suzanne Audrey (x2)	12. Performance Report Q2	41



Public Forum Questions

Suzanne Audrey

I wish to ask the following questions at the meeting of the resources scrutiny committee on 30 November.

Item 12 of the performance progress report indicates the performance indicator "Increase the percentage of Corporate FOI requests responded to within 20 working days" is Well Below Target and there are no management notes included to explain why this is the case.

Question 1.

Please can the resources scrutiny committee request/provide number of outstanding FOI requests that have not been responded to within 20 working days together with details of the length of time people have been waiting for a response?

Answer: During the last reporting period (September 2020), the council received 189 FOI requests. Of these, 128 were answered within 20 working days. Generally, overdue cases are answered within a few days over the end of the 20 working day period, however some complex cases can take longer. Where we fail to meet our statutory deadline dates we always communicate with requestors to explain and indicate a likely response date.

The figures change on a daily basis but as of the 26/11/2020 there were 125 overdue FOI requests on the system.

Question 2.

The problem with poor response time to FOI requests predates the Covid-19 pandemic. Whilst I appreciate the Covid-19 pandemic may be a partial reason for this poor performance, this is clearly not a full explanation. Given the importance of FOI requests in a democratic system, please can the resources scrutiny committee request/provide the reasons why so many FOI requests are not answered within the required time?

Answer: The two main reasons some FOI requests take longer than 20 working days to complete is complexity and officer capacity.

On the first issue, a significant number of FOI requestors do not ask one question; they ask several, requiring the expertise of more than one officer who can be based in different teams. All this needs to happen before a response can be compiled, and this can take extra time, compared with single issue FOI requests. And of course, working remotely in 2020 hasn't helped with communications, where lead officers need to track down colleagues in teams not familiar to them.

On the second point, and notwithstanding the extra pressures put onto officers generally during 2020 because of Covid-19, if any officer responsible for compiling a FOI request response is in a very busy role already, adding FOI requests, especially complex ones, does mean officers need to find 'extra' hours of time over and above contracted hours.

Officers make judgements about what is and isn't possible within the deadline date. And so some officers will suspend FOI cases for a few days. In this event they will always communicate with requestors with new response dates, and this practice is permitted by the Information Commissioners Office. Good reason is required, and an example of a good reason could be an officer working in an

Adult and Children's Social Services Care Team, delivering a vital service who doesn't have any capacity, and so dealing with a FOI request on time could impact service delivery.