

Meeting of: AUDIT COMMITTEE

Date: 19TH OCTOBER 2005

Report of: HEAD OF ADMINISTRATION SERVICES

Reference: CST

Title: FREEDOM OF INFORMATION

PUBLIC/EXEMPT ITEM

This report is for consideration in the public part of the meeting.

PURPOSE OF THE REPORT

This report provides information on the current position regarding implementation of the Freedom of Information Act.

RECOMMENDATIONS

That the report be noted.

REPORT

Introduction:

In January 2005 the Freedom of Information Act 2000 came fully into force giving new rights of access to information held by public bodies. Requests must be made in writing, which includes e-mail and fax, and the requestor must provide a name and address, even if it is an e-mail address. As a Local Authority the City Council has a duty to provide advice and assistance to the requestor, and to reply to requests within 20 working days. The Council must also produce and maintain a Publication Scheme which is available on the website and lists all published information and how it can be obtained.

The Council's Information Management Strategy was adopted by Cabinet in December 2004 together with a Freedom of Information Policy document. The officer working group lead by the Corporate Director (Central Services) as the Council's FOI Champion and comprising the Heads of Administration, Legal and Information Services and the Information Management Officer (based in Administration Services) were responsible for producing these documents and also developed a protocol for internal use and guidelines for the public. A form on which to apply for information is also available both in hard copy form at receptions or on the internet.

An initial briefing for Service Heads had been held in July 2004 and this was followed by and a training and awareness programme been prepared by the Working Group in consultation with the Training and Development Officer. Freedom of Information was the subject of a well attended staff briefing in December 2004, and leaflets were produced and distributed to raise staff awareness on how to recognise a request for information. Key officers in each Service were identified, usually the Information Custodians, to act as a first point of contact for their Service and specific training sessions were held for them and for front line/reception staff most likely to be questioned on how to obtain information.

The Information Management Officer continues to attend various networking meetings across the North West and shares information with colleagues on the development of Information Management Strategies and in particular the implementation of Freedom of Information responsibilities on a regular basis in order to ensure that best practice is constantly adhered to.

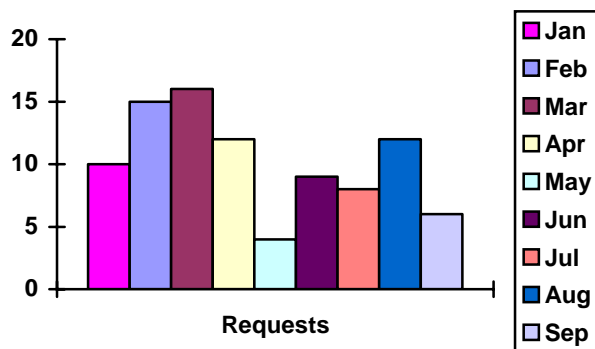
The Year to Date

Information holding spreadsheets have been collated which had added general information to the personal data records obtained as part of the Data Protection Policy to enable any requests for information to be directed to the correct Service as quickly as possible.

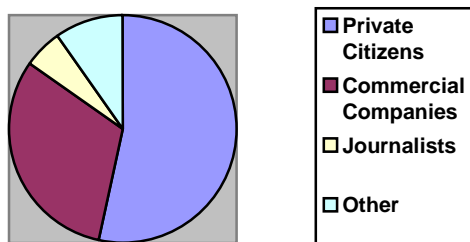
The Information Management Group continues to meet on a monthly basis to discuss any issues arising out of requests received. All incoming requests are logged and tracked by the Information Management Officer and reported on a weekly basis to the Corporate Director (Central Services).

Nearly 100 requests have been received over the past 9 months, all of which have been dealt with within the statutory timescale. The numbers of requests received by month and by source are shown on the graphs below.

FOI Requests By Month



FOI Requests By Source



It is proposed to carry out a full review of the Council's Publication Scheme shortly. This is to ensure that as much material as possible is made publicly available and also to ensure compliance with the Re-use of Public Sector Information Regulations which have recently come into force under which the Council needs to identify whether each piece of information has a commercial value and should be copyrighted or whether it can be re-used by any third parties.. One particular change has already been identified and from January 2006 it is intended to follow good practice adopted by other Councils and publish food hygiene reports on the Council's website. This is as a direct result of requests made under the new legislation.

Other topics on which information has been requested include:

- Copies of the Cooling Tower register held by Environmental Health.
- Taxi licensing.
- Service structure.
- Fleet vehicles and their insurance.

FINANCIAL IMPLICATIONS

There are no direct financial implications as a result of this report. Monitoring of the number of requests and the officer time required to respond continues to be undertaken in order that any cost implications of the Act can be identified.

Under the legislation fees may be charged but cannot be more than 10% of the cost of retrieving the information, plus actual copying costs. Where this exceeds £450 the Council may refuse to comply with the request or may charge the full cost.

The City Council has agreed that it will not normally charge for providing information where the cost is minimal, taking less than an hour of officer time. Compliance with the legislation is currently being maintained within existing resources.

LEGAL IMPLICATIONS

Freedom of Information legislation places a responsibility on all Councils to respond to requests within a set period of time.

COMMUNITY SAFETY IMPLICATIONS

None directly arising.

HUMAN RIGHTS ACT IMPLICATIONS

None directly arising.

RACIAL EQUALITY AND EQUAL OPPORTUNITIES IMPLICATIONS

None directly arising.

SUSTAINABILITY IMPLICATIONS

None directly arising.

MONITORING OFFICER'S COMMENTS

The monitoring arrangements and operational protocols have ensured that the Council has managed to deal with all requests within the statutory timescales and within existing manpower/resource constraints.

DEPUTY SECTION 151 OFFICER'S COMMENTS

The Deputy s151 Officer has been consulted and has no further comments.

LIST OF BACKGROUND PAPERS

Freedom of Information Act 2000