

Information Requests – Annual Report 2023-24

1.0 INTRODUCTION

1.1 This report is to update the Committee on the position regarding the recording, responding to, monitoring and reporting of requests for information under the Freedom of Information (Scotland) Act 2002 (FOISA) and the Environmental Information (Scotland) Regulations 2004 (EIR's) for the period between 01 April 2023 and 31 March 2024.

2.0 RECOMMENDATIONS

2.1 The Committee consider and note the terms of this report.

3.0 DETAIL

3.1 A total of 1,488 requests for information were received during the period - 1 April 2023 to 31 March 2024 which is a decrease of 7 on the number received in 2022-23. Overall, 92% of requests received this year (1,372) were responded to within the statutory timescale of 20 working days and 116 requests were responded to after 20 working days. These totals include requests for information from the Health and Social Care Partnership (Social Work) and Live Argyll.

3.2 A breakdown by Department and detail around late responses is provided in Appendix 1.

3.3 There were 33 requests for review made during this period, which equates to less than 2% of the total number of requests. 25 were responded to within the 20 working day statutory timescale (76%), and the 8 issued late required more time to gather information and investigate complex issues.

3.4 The overall response rate within timescale has decreased slightly from 94% in 2022/23 to 92% in 2023/24. As the details provided in appendix 1 show, many service areas achieved a high level of performance, between 95-100%. It is helpful to note that 35 responses were sent out on day 21 and 14 sent out on day 22, which if they had been issued on time would have brought the response rate up to 95.5%. The team will have an ongoing focus to try and assist services to avoid responses issued late by only a day or so. In addition, while L&RS are showing as

92%, the bulk of those late responses relate to requests that were handled by L&RS but where the information requested related to other services and sometimes multiple services where there has been a delay in the provision of the information.

- 3.5 Two cases were investigated by OSIC in 2023/24, these are currently ongoing and are awaiting a decision from the Information Commissioner.
- 3.6 The Compliance and Regulatory team continues to work with Departments to seek to improve response rates where required, and deliver training and provide guidance to allow officers to appropriately respond to information requests.
- 3.7 The Compliance and Regulatory team provide monthly updates to the Chief Executive, the Chief Officer, Directors, Heads of Service and the departmental FOI reps. Quarterly reports are provided to all DMTs.

4.0 CONCLUSION

- 4.1 Many Services maintained an excellent performance level throughout 2023/24, and the overall result of 92% of responses issued within timescale is very positive, given the pressures on some service areas where high numbers of information requests were received.
- 4.2 The Compliance and Regulatory team continues to work with Departments to seek to improve response rates where required, and deliver training and provide guidance to allow officers to appropriately respond to information requests.

5.0 IMPLICATIONS

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| 5.1 | Policy | None |
| 5.2 | Financial | None |
| 5.3 | Legal | Possible breach of statutory requirement to respond to requests |
| 5.4 | HR | None |
| 5.5 | Fairer Scotland Duty: | None |
| | 5.5.1 Equalities | None |
| | 5.5.2 Socio Economic Duty | None |
| | 5.5.3 Islands | None |
| 5.6 | Climate Change | None |
| 5.7 | Risk | None |
| 5.8 | Customer Service | The relatively low number of requests for review is indicative that we are responding appropriately to requests and customers are receiving the information they are looking for. |
| 5.9 | The Rights of the Child (UNCRC) | None |

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13 August 2024

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APPENDICES

Appendix 1 – Departmental/Service stats & Late Response Details