

Freedom of Information Act Annual Report 16/17

1. Summary

- 1.1 The Freedom of Information (FOI) Act was introduced in 2005 with its purpose being to make authorities and public bodies more open and transparent with the information they hold.
- 1.2 The FOI Act and the Environmental Information Regulations (EIR) are very similar and are dealt with through the same process. The figures given below are for both FOI and EIR requests.
- 1.3 Public Authorities should respond to FOI / EIR requests within 20 working days from the date the request was received.
- 1.4 All requests must be received in writing and Haringey has a dedicated online form and email address for this.
- 1.5 Requests are administered by the Feedback and Information Governance (FIG) Team which has been based with the Shared Service Centre since September 2016, although the services themselves draft the responses.
- 1.6 In line with best practice, Haringey has been proactively publishing more data and information on line and aims to have a disclosure log in the near future which will show all requests received and responses issued.

2. Breakdown of Performance Information

- 2.1 Between April 2016 and March 2017 Haringey responded to a total of 1471 requests, a small decrease from the previous year. 87% of responses were sent within 20 days. The following table shows the performance across the past 5 years.

Year	No. of requests	% on time
2016-2017	1471	87%
2015-2016	1494	89%
2014-2015	1472	91%
2013-2014	1364	84%
2012-2013	1150	77%

- 2.2 There are cases where information was not provided to the requestor either because it was not held, there was a cost attached to it which the requestor chose not to pay or because the request was deemed vexatious.

Information not Provided	Total	% of Total requests
Information not held	198	13%
Information not given due to cost	26	2%
Information not given due to vexatious request	6	1%

2.3 In addition to these requests there were a further 147 cases (10%) where an exemption was applied. Both the FOI and EIR Acts contain exemptions that allow Public Authorities to withhold information in certain cases.

FOI - Exemption Applied	Total	% of Total Exemptions
Section 40 – Personal Information	42	30%
Section 31 – Law Enforcement	41	29%
Section 43 – Commercial Interests	25	17%
Section 21 – Info accessible by some other means	19	13%
Section 22 – Intended for future publication	5	3%
Section 24 – National Security	3	2%
Section 36 – Effective conduct of public affairs	2	1%
Section 38 - Health and Safety	2	1%
Section 41 – Provided in confidence	1	<1%

EIR - Exemption Applied	Total	% of Total Exemptions
Regulation 12 4 (b) – Manifestly Unreasonable	3	2%
Regulation 12 4 (d) – Unfinished documents	2	1%
Regulation 12 5 (b) - Course of justice	1	<1%
Regulation 13 – Personal data	1	<1%

2.4 The highest number of requests was received by Environmental Services and Community Safety who dealt with 412 cases, 28% of all received, they responded to 90% on-time. The Shared Service Centre (including Revenues & Benefits) received 253 requests (17% of requests) and Children's Services 213 requests (14% of requests).

Service	No. of requests	% of total requests
Environmental Services and Community Safety	412	28%
Shared Services Centre	253	17%
Children's Services	213	14%
Commissioning	114	8%
Planning	98	7%
Community Housing Services	76	5%
Regeneration	52	4%
Corporate Governance	44	3%
Adult Social Services	38	3%
Public Health	38	3%
Corporate Property and Major Projects	28	2%
Finance	27	2%
Communications	19	1%
Human Resources	15	1%
Shared Digital (Haringey)	11	1%
Transformation and Resources	10	1%
Tottenham Programme	9	1%
Libraries and Customer Services	8	1%
Corporate Programme Office	4	0%
Housing and Growth	2	0%

3. Internal Reviews

- 3.1 If a customer is unhappy with the way their FOI/EIR request was handled, they can ask for an Internal Review.
- 3.2 A total of 43 reviews were conducted in 2016/17, 3% of the 1471 requests received. 14% of the reviews were upheld. The main reason for Internal Reviews being upheld is that on review, it is decided that not all of the information that should have been released was released.

Decision	Total	% of Total
Not upheld	32	74%
Partly upheld	5	12%
Upheld	6	14%

4. Information Commissioner

- 4.1 If, following an internal review, a customer remains dissatisfied with the response they can approach the office of the Information Commissioner (ICO) to ask them to review the decision.
- 4.2 During 2016/17 a total of 10 formal enquiries were received from the ICO. 7 of these were settled by local resolution, meaning that agreement was reached with the requestor without the ICO issuing a formal decision. 1 was found in favour of Haringey and 1 is still ongoing. The final 1 Haringey was found at fault for applying exemptions under the Freedom of Information Act and were asked to reconsider the request under Environmental Information Regulations. This was done and the information was provided.

5. Comparison with other Local Authorities

- 5.1 The following table contains comparative figures:

2016-2017	No. of FOI requests	% responded within 20 days	No. of Internal Reviews
Barnet	2068	97%	57
Camden	2581	94%	39
Haringey	1471	87%	43
Islington	1917	73%	40

6. Next Steps

- 6.1 In order to promote openness and transparency, Haringey continues to proactively publish information on the website. This has been particularly successful in relation to the Haringey Development Vehicle (HDV) work.
- 6.2 Since May 2017, a review has been conducted of the top requested areas and the FIG Team is working with Services to get this information published, this includes data on Penalty Charge Notices (PCNs) and Empty Commercial Properties.
- 6.3 We have met with colleagues in Barnet to look at how they handle FOIs as they have a higher performance rate than ours and will consider whether Haringey should adopt a similar

approach. The key difference is that Barnet has an FOI specialist in each Directorate who can respond to the requests, gather the necessary information from colleagues if they do not have it and advise on exemptions.

- 6.4 We will shortly be publishing a disclosure log which online which will show all requests received and responses issued.