

MEETING:	Governance and Audit Committee
DYDDIAD:	22 May, 2025
PURPOSE:	Present the findings of the Information Commissioner's (ICO) Audit into the Council's arrangements in response to requests made under the Freedom of Information Act (2000) and the Environmental Information Regulations (EIR)
ACTION:	To update Members of the Committee on the Information Commissioner's Office (ICO) level of assurance in relation to the Council's arrangements
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1. Introduction and background

Following concerns expressed in terms of the Council's performance in relation to the response rate to requests for information under the above Act, the Information Commissioner's Office was commissioned to undertake an audit of the Council's arrangements.

This was a voluntary action on the part of the Council in order to find out if there were deficiencies in its arrangements and that these resulted in delays or non-compliance with the requirements of the Act. The Information Commissioner's Office does not conduct a programme of audits but rather conducts them at the request of or in response to a concern about an organisation that is within the scope of the Act.

The audit was conducted during April 2025 and the draft report on the results was published on 1 May 2025.

2. Main Findings

The Auditor's opinion was that the Council has **REASONABLE** arrangements in place in terms of responding to the requirements of the Act. It was noted that *'there is a reasonable level of assurance that processes and procedures are in place and are delivering FOI compliance. The audit has identified some scope for improvement in existing arrangements to reduce the risk of non-compliance with the Freedom of Information Act (FOIA)'*.

3. Key Areas for Improvement

It was identified that some key areas of the Council's arrangements needed improvement, such as:

- The Council must ensure they continue to improve their performance to comply with statutory timescales for responding to Freedom of Information requests.
- The Council should introduce mandatory training for all staff across the Council, that is refreshed periodically.
- The training should be sufficiently detailed, so that staff have a clear understanding of how applies to the Council and how to recognise a request.

- Specialised training should be provided for all staff with responsibility for handling requests.
- In order to gain assurance on the quality of responses being sent out, the Council should carry out formalised independent quality check 'dip sampling' exercises on completed requests.
- To help guarantee consistency, documented guidance should be introduced to support staff to accurately deal with hybrid requests which merge FOI requests with a Subject Access Request (SAR).

4. Key areas of assurance

At the time of the audit and based on the evidence seen by ICO auditors, measures were in place and implemented effectively to meet the control objectives in the following key areas:

- The Council's Information Governance team regularly provide advice and guidance on FOI matters to staff across the Council. Where support is required with an FOI response, they will often hold meetings to discuss any concerns.
- Guidance is available on the Council's website that supports individuals with how to request information under FOI.
- The Council maintains a documented record of their receipt and handling of requests. This enables them to monitor the request status from receipt through to completion.
- The Council have a number of FOI response templates in place to ensure that information provided when responding to requests meets statutory requirements.

A full copy of the report can be found in Appendix 1.

5. Work Programme and Next Steps

Following receipt of the report, it is intended to draw up a detailed work programme to address the recommendations as soon as practicable. Prior to that it is intended to:

- Submit the report to the Response to Offending Programme Board – 19 May 2025
- Submit the report to the Council's Leadership Team meeting – May 2025
- Submit the report to a meeting of the Council's Governance and Audit Committee – 22 May 2025
- Submit the report to a meeting of the Council's Corporate Management Team (Heads of Department) – 4 June 2025
- Formal response to the Report to the Information Commissioner's Office – before the end of June 2025
- Submit a Detailed Work Programme to the Council's Information Governance Group – July 2025
- Submit the draft Detailed Work Programme to a meeting of the Response Board – September 2025
- Update the Programme Board with progress and all other relevant committees as required.

6. Recommendation

The Committee is asked to note the content of the report and to offer comments.