

WIRRAL COUNCIL

COUNCIL EXCELLENCE OVERVIEW AND SCRUTINY COMMITTEE

8 JULY 2010

REPORT OF THE DIRECTOR OF FINANCE

FREEDOM OF INFORMATION (FOI) REQUESTS

1. EXECUTIVE SUMMARY

- 1.1. Following the report presented to Council Excellence on 17 March 2010, it was agreed that a further report should be produced with a breakdown of Freedom of Information (FOI) requests that were received in 2009.
- 1.2 This report analyses the FOI requests which are recorded on a central register and held in calendar year format.

2. BACKGROUND

- 2.1. Since the introduction of the legislation which gives a general right of access to all types of recorded information held by public authorities, Wirral Council has received a higher than average number of FOI requests. Requests reflect both local topical issues and also national media stories.
- 2.2. Requests must be in a written format, and 95% of those received at Wirral are received by email. The new web pages allow for a Service Request button to be used to generate an FOI from the public. The Information Manager receives the requests and liaises with the most appropriate officers in the various Departments of the Council to obtain the information.
- 2.3 A recent two year study by the Government Constitution Unit has produced a report on Freedom of Information Legislation. One of the key findings for local government is that the number of requests has not stabilised; as has been the case for Central Government, but remains on the increase.
- 2.4. As email addresses often do not identify requestors, it is, therefore, difficult to know who all the requestors are or what demographic category they belong to. Studies have shown that areas that have an older population are prone to have higher numbers of FOI requests. For requests that do identify individuals clearly, it has been noted that there is a higher percentage of men, rather than women who make requests using FOI.

2.5. The volume of requests for 2009 was 903; by Department this shows:

Departments	No. Requests
Finance	365
Technical Services	127
Law,HR,Assets	102
Regeneration	77
CYPD Education	70
CYPD Social Care	46
Adult Social Services	50
Corporate Services	45
Across all Directorates	21

The Finance Department figure includes requests facilitated by the Information Manager.

2.6. A percentage of requests are miscellaneous in their subject matter but a more detailed breakdown of the requests received in 2009 is given in the table below:

Category	No Requests
Requests made by Media	106
Whatdotheyknow Website	180
Repeated Vexatious Requestor	104
Education Related	70
Financial Enquiries	58
Adult Social Care	50
Child Social Care	46
Parliamentary Researchers	36
Highways and Traffic	28
Strategic Asset Review	25
Waste and Recycling	22
Leisure	16
Parking	16
Expenses and Away Days	15
Pensions	15
ICT	15
Salaries	14
Council Tax	14
Planning	11
Business Rates	11
Tranmere Rovers Sponsorship	10
Housing Benefit	10

NB: Any categories with less than 10 requests have been omitted

2.7 Out of the 903 requests received, the Council was unable to supply information for various reasons. Requestors were still contacted and the reasons their request were refused was explained to them.

Requests that did not come under the definition of an FOI request	3
Requests that would take over the 18.5 person hours limit to fulfil	22
Requests that were part of a repeated and vexatious notice	53
Requests where the Council did not hold the information in question	55
Section 40 Exemption, contains Personal Data	5
Section 21 Exemption, information accessible via an alternative means	6
Section 22 Exemption, information to be published at a later date	11
Section 43 Exemption, information with Commercial interests	13

TOTAL 168

2.8. 53 were refused as they formed part of a repeated and vexatious notice that had been served on an individual member of the public. The Council was therefore under no obligation to answer any requests which came under the terms of the notice. The Council did contact the individual on several occasions to remind him of the terms of the notice served, but the requests still continued.

3. FINANCIAL AND STAFFING IMPLICATIONS

3.1. It was noted in earlier reports to Members that due to the increasing numbers of requests staffing numbers may have to be reviewed.

4. EQUAL OPPORTUNITIES IMPLICATIONS

4.1. There are none arising directly out of this report.

5. PLANNING IMPLICATIONS

5.1. There are no planning implications in this report.

6. COMMUNITY SAFETY IMPLICATIONS

6.1. There are no community safety implications in this report.

7. HUMAN RIGHTS IMPLICATIONS

7.1. There are none arising directly out of this report.

8. LOCAL AGENDA 21 IMPLICATIONS

8.1. There are none arising directly out of this report.

9. MEMBER SUPPORT IMPLICATIONS

9.1. There are no particular implications for any Member or ward.

10. BACKGROUND PAPERS

10.1. Freedom of Information requests.

11. RECOMMENDATION

11.1. That the report be noted.

IAN COLEMAN
DIRECTOR OF FINANCE

FNCE/92/10