

WIRRAL COUNCIL

CABINET

12 APRIL 2012

SUBJECT:	<i>FREEDOM OF INFORMATION REQUESTS & LOCAL GOVERNMENT OMBUDSMAN CONTACTS</i>
WARD/S AFFECTED:	<i>ALL</i>
REPORT OF:	<i>DIRECTOR OF FINANCE</i>
RESPONSIBLE PORTFOLIO HOLDER:	<i>COUNCILLOR IAN LEWIS</i>
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

1.1 The purpose of this report is to inform Members of the number and nature of requests for information received under the Freedom of Information Act and contacts made by the Local Government Ombudsman service, and to recommend a regular reporting procedure.

2.0 BACKGROUND AND KEY ISSUES

2.1 Freedom of Information (FOI).

2.1.1 The Freedom of Information Act was introduced in November 2000 and implemented in stages up to January 2005. It gives right of access to information held by public authorities, including Councils, on written request. The Authority has two duties; to inform the member of the public whether or not the information is held and, if it is, to communicate it to the person making the request within 20 working days of the request being received. The 20 day limit can be extended if the public authority needs to seek clarification regarding the information required from the person requesting it.

2.1.2 Certain categories of information, which are detailed in the Act, are exempt from disclosure and can be legitimately withheld. Requests can also be refused on the grounds of cost if it can be shown that the time taken to respond, including that taken to collate the information, would incur a cost in excess of £450. The service is regulated by the Information Commissioners Office, who has the power to issue an Enforcement Notice to compel public authorities to respond to requests within the 20 day limit.

2.1.3 Since its introduction the number of FOI requests received by the Council has risen but 2011 saw a sharp increase. The following tables detail the requests received from 1 January 2011 to 31 January 2012, by month, department and category.

By Month			By Department	
2011				
January	82		Chief Executive	10
February	91		Children and Young People (Education)	93
March	97		Children and Young People (Social Care)	71
April	97		Corporate Services	82
May	112		Department Adult Social Services	154
June	94		Finance	439
July	92		Law, HR and Asset Management	251
August	89		Technical Services	174
September	80			
October	87			
November	143			
December	75			
2012				
January	135			
Total	1274			1274

* Note ~ Figures for Finance include those requests handled directly by the Information Officer

By Category	
Contracts	54
Media	71
whatdotheyknow.com	333
Education	87
Financial / Budget / Grant / Spend	125
Adult Social Care Provision	63
CHILDREN SOCIAL CARE PROVISION	36
Parliamentary Research	22
Highways / Traffic	52
Buildings	18
Waste / Recycling	35
Parking	30
Pensions	21
ICT	26
Salaries / Job Descriptions / EVR	77
Council Tax	13
Business Rates	45
Planning / Land Charges	31
Tranmere Rovers	15
Legal Issues	51
Licensing	13
Housing Benefits	10
Total	1228

*Note ~ Categories containing less than ten requests are not listed.

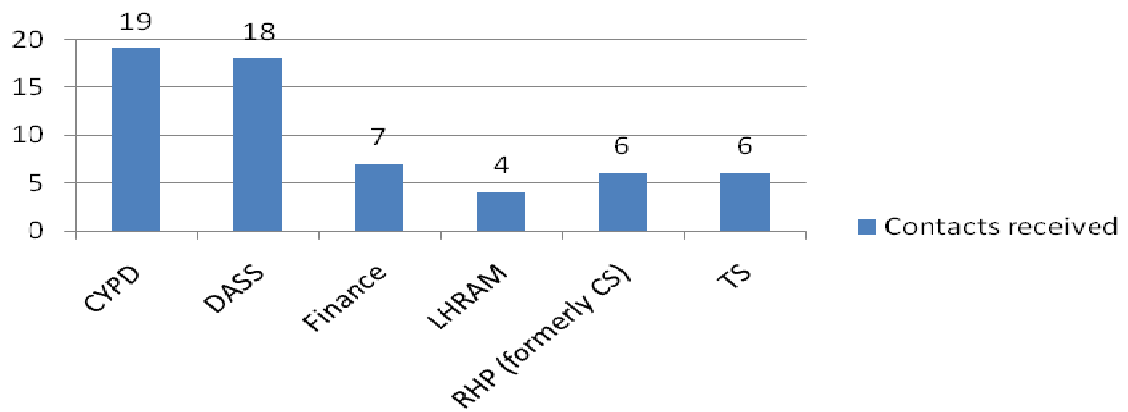
2.2 Local Government Ombudsman

2.2.1 The Local Government Ombudsman Service (LGO) was introduced as part of the Local Government Act 1974 and has two key statutory functions, to investigate complaints against Councils, and some other authorities, and to provide advice and guidance on good administrative practice.

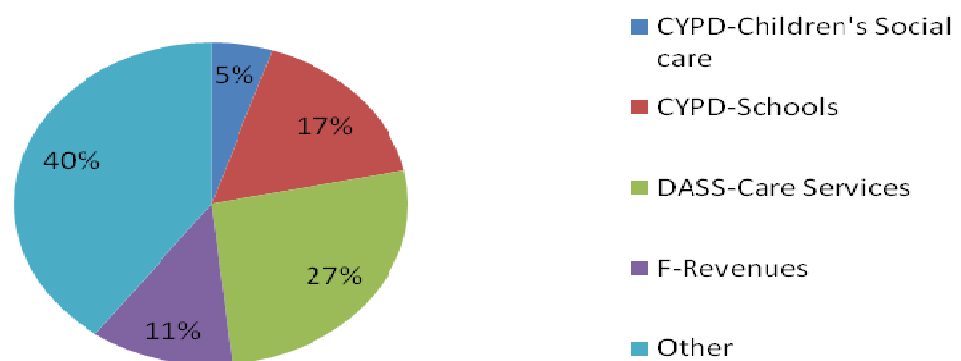
2.2.2 Complaints can only be referred to the Ombudsman if the Council's complaints procedures fail to resolve the issue. The following tables and charts show the contacts received by department,

Department	Q4 2010/11	Q1 2011/12	Q2 2011/12	Q3 2011/12
Corporate Services / Regeneration, Housing, Planning				
Building Control	1			
Planning Policy	1			
Planning Services	1	1	1	
Regeneration				1
Children & Young People				
Schools	1	5	6	1
Child Protection		1		
Pupil Services		1		
Support Services		1		
Social Care			2	1
Anti Social Behaviour				2
Adult Social Services				
Care Services	4	7	4	2
Community & Well Being				1
Finance				
Revenues	1	3		2
Law, HR & Asset Management				
Environmental Health		1		
Licensing		1		
Asset Management				1
Legal & Members Services			1	
Technical Services				
Enforcement Highways Maintenance	1			
Refuse Collection		1		
Traffic Issues			1	
Street Cleansing				1
Trees				1
Total Contacts	10	22	15	13

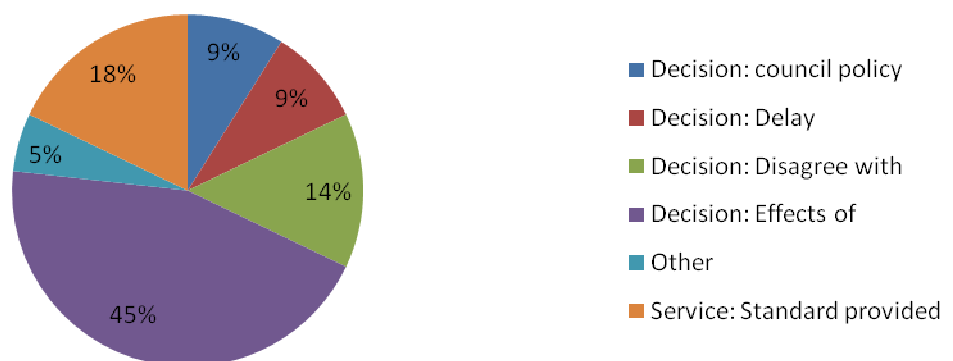
LGO contacts received by department 01/01/11 - 31/12/11



LGO contacts received by service 01/01/11 - 31/12/11



LGO contacts received split by category of contact 01/01/11 - 31/12/11



3.0 RELEVANT RISKS

3.1 That the Council fails to meet the timescales to respond to requests, which is mitigated by established procedures.

4.0 OTHER OPTIONS CONSIDERED

4.1 None.

5.0 CONSULTATION

5.1 No consultation has been carried out in relation to this report.

6.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

6.1 There are no implications for voluntary, community or faith groups.

7.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

7.1 There are no significant resource implications.

8.0 LEGAL IMPLICATIONS

8.1 There are no legal implications arising out of this report.

9.0 EQUALITIES IMPLICATIONS

9.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?
No because there is no relevance to equality within the report.

10.0 CARBON REDUCTION IMPLICATIONS

10.1 There are no carbon reduction implications.

11.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

11.1 The report does not contain any planning or community safety implications.

12.0 RECOMMENDATIONS

12.1 That the report be noted

12.2 That a similar report be submitted to Cabinet on a quarterly basis.

13.0 REASON FOR RECOMMENDATIONS

13.1 To ensure Members are informed of the number and nature of FOI requests received and contact made by the Local Government Ombudsman.

FNCE/87/12

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APPENDICES

REFERENCE MATERIAL

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Standards Committee	29 September 2011
Standards Committee	26 January 2011
Standards Committee	02 December 2010
Standards Committee	29 September 2010
Standards Committee	29 March 2010
Standards Committee	29 September 2009