

Report to:	QSMTM Q1 2023-24
Report by:	Helen Gardner-Swift, Head of Corporate Services (HOCS) Liz Brown, Finance and Administration Manager (FAM)
Meeting Date:	24 August 2023
Subject/ Title: (and VC no)	Information Requests and Requests for Review Report Q1 2023-24 VC191781
Attached Papers (title and VC no)	<ul style="list-style-type: none"> • Summary table • Exemptions and exceptions applied • Outcomes of requests

Purpose of report

1. This Committee Report (CR) is required under the Key Document C1 Governance Reporting Arrangements and its purpose is to inform and provide the Senior Management Team (SMT) with an analysis of the numbers of requests for information and requests for review received and dealt with in 2023-24 Q1.

Recommendation and actions

2. It is recommended that the SMT:
 - (i) notes the contents of this CR
 - (ii) notes that the information in this CR has been uploaded to the FOI and EIR Statistics Platform
 - (iii) agrees the publication arrangements set out in paragraph 30

Executive summary

Requests for information

3. As a Scottish public authority, we have statutory obligations to respond to requests we receive for information. Requests and request for reviews are forwarded, on receipt, to the most appropriate member of staff for a response. We maintain a record of all requests in our case management system.
4. Our target response timescales are set out in the Key Document C7 Performance and Quality Framework 2023-24.

Subject access requests

5. Subject access request statistics are reported separately.

Volumes of requests

6. Any requests categorised as joint FOISA/EIRs have been included in both the FOISA and the EIR numbers. The attached summary table analyses the statistics in the same way. This reflects the requirement on the FOI portal when entering our statistics and, therefore, ensures consistency of reporting.

Requests for information and requests for review received

7. In Q1, 24 requests were received as follows:

- 21 requests under FOISA
- 0 requests under EIRs
- 3 requests for review

8. RFIs & RFRs received in comparison to last year:

	2022-23	2023-24	% increase/decrease
Number received Q1	21	24	14%
Number received Q2	6	-	-
Number received Q3	9	-	-
Number received Q4	13	-	-
Total	49		

Requests for information analysis

9. RFIs dealt with under FOISA and EIRs by quarter:

	2022-23	2023-24 Q1	2023-24 Q2	2023-24 Q3	2023-24 Q4	2023-24 Total
Total received	49	21				21
Total closed	49	18				18

10. 1 open case from 2022-23 was carried forward to, and closed in, 2023-24.

11. There were 4 open cases at the end of Q1 2023-24.

12. For requests received under FOISA and EIRs, the following categories were recorded:

	2022-23		2023-24 Q1	2023-24 Q2	2023-24 Q3	2023-24 Q4	2023-24 Total	
About our functions/services	12	24%	3				3	14%
Application related	11	23%	4				4	19%
Misdirected - sent to us in error, asking for information which is likely to be held by other authorities	25	51%	11				11	52%
Other	1	2%	3				3	14%
Total	49	100%	21				21	100%

13. For requests closed under FOISA and EIRs, the following outcomes were recorded:

	2022-23		2023-24 Q1	2023-24 Q2	2023-24 Q3	2023-24 Q4	2023-24 Total	
Information provided in full	4	8%	1				1	6%
Information partially supplied	8	16%	2				2	11%
Information not held	30	61%	15				15	83%
Information refused (exempt)	3	6%	0				0	0%
Clarification not provided	1	2%	0				0	0%
Request withdrawn	2	4%	0				0	0%
Excessive costs	0	0%	0				0	0%

Vexatious	1	2%	0				0	0%
Repeated request	0	0%	0				0	0%
Neither confirm nor deny	0	0%	0				0	0%
Request invalid	0	0%	0				0	0%
Total	49	100%	18				18	100%

14. The performance against our timescale target for responding to requests for information is set out in the table below:

Description	Target	2023-24 Q1	2023-24 Q2	2023-24 Q3	2023-24 Q4	2023-24 Total
Request response: 20 working days or fewer	100%	100%				100%

Requests for review analysis

15. Breakdown of requests for review dealt with under FOISA and EIRs by quarter:

	2022-23	2023-24 Q1	2023-24 Q2	2023-24 Q3	2023-24 Q4	2023-24 Total
Total received	0	3				3
Total closed	0	3				3

16. There were no requests for review carried forward from 2022-23.

17. 3 requests for review were received and responded to in Q1 of 2023-24.

18. The performance against our timescale target for responding to requests for review is set out in the table below:

Description	Target	2023-24 Q1	2023-24 Q2	2023-24 Q3	2023-24 Q4	2023-24 Total
Review response: 20 working days or fewer	100%	100%				100%

19. Our office premises re-opened in May 2022 and hybrid working is in place. We continue to maintain operational output which includes responding to requests for information and requests for review.

Risk impact

20. We have policies and procedures in place providing detailed guidance on how to respond to requests for information and requests for review. They are regularly reviewed to ensure that they are up to date and that requests are being appropriately handled and responded to.

21. Failure to respond to information requests and reviews within the statutory timescales would have an adverse impact on the Commissioner's reputation.

22. This CR contributes towards the control measures aimed at reducing the likelihood and impact of risk relating to information governance.

Equalities impact

23. There is no direct equalities impact arising from this report.

Privacy impact

24. There is no direct privacy impact arising from this report.

Resources impact

25. Responding to information requests and reviews can be demanding on staff time due to the research that may be required to identify relevant information and the deadlines for response. However, responding to such requests, within the required timescales is an important function of the Commissioner.

Operational/ strategic plan impact

26. The guidance and procedures for handling and responding to requests for information and requests for reviews aim to ensure consistency of approach across the office and improve the efficiency of the process.

Records management impact (including any key documents actions)

27. The Key Document C2 Responding to Information Requests: Guidance and Procedures has been reviewed and a joint HOCS/HOE CR is to be submitted to the Q1 QSMTM, seeking approval by the SMT on the recommended changes to the procedures.

Consultation and Communication

28. QSMTM Q1 minute and publication of this CR.

29. A report on requests for information and requests for review will be included in the Annual Report 2023-24.

Publication

30. This CR and the related papers should be published as follows:

- the CR and the exemptions and exceptions applied table should be published in full
- the summary table should be published in full in our Guide to Information/Class 7
- the outcome of requests table contains personal data should be withheld on the basis that section 38(1)(b) of FOISA would apply if a request were, at this stage, to be made for the information.