

Report To: Community Health & Care
Partnership Sub Committee

Date: 28th February 2013

Report By: Brian Moore
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Report No:
CHCP/17/2013/HW

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Subject: Inverclyde CHCP Freedom of Information Annual Report
Update

1.0 PURPOSE

1.1 The Freedom of Information (FOI) annual report was discussed at the August 2012 Sub Committee and further information was requested. The purpose of this report is to provide further detailed information regarding themes and the source of the enquiries.

2.0 SUMMARY

2.1 The Freedom of Information (Scotland) Act 2002 (FOISA) came into force on 1 January 2005. The Act provides a statutory right of access to information held by Scottish public bodies and requires us to respond appropriately to requests for information made under the terms of the Act. Responses should normally be completed and issued within 20 working days of receipt of the request. Information is available through the Council and NHS Board's Publication Schemes, located at www.inverclyde.gov.uk and www.nhsggc.org.uk. Requests for access to information can be made by anyone, whether resident in the UK or not, and can be made for information held prior to enactment of the Act. The right of access to information is subject to a number of exemptions within FOISA.

3.0 RECOMMENDATION

3.1 The Sub-Committee is asked to note the content of this report.

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4.0 BACKGROUND

4.1 This FOI report provides information regarding themes and source of the enquiries.

5.0 OPERATION OF THE LEGISLATION WITHIN INVERCLYDE COUNCIL AND NHSGGC

5.1 Given that the CHCP is part of both Inverclyde Council and NHSGGC, there are two different processes in place. We have worked to streamline the system in that we receive FOIs through a central office and comply with the correct organisational procedure which in turn gives an overall picture of FOIs received. It is important to note that while there are slight variations in the detail of organisational processes, the legislation that covers both parent organisations is the same, as are the response timescale requirements.

The CHCP has always sought to ensure that robust arrangements for managing requests for information are in place. These have been adapted where necessary to respond to the changing needs of the organisation during transitional periods such as the restructuring of the CHCP. The arrangements currently in place are now well established and requests are managed in a number of ways depending on the source of the request, or the nature of the information being requested.

6.0 REQUESTS RECEIVED

6.1 Table 1 below shows the number of requests for information received from July 2011 to June 2012.

Table 1 – Number of requests July 2011 to June 2012

Quarter	Total FOI Requests	Completed within Timeframe	Timeframe not met	Currently Open
Jul–Sep 2011	41	37	4	-
Oct–Dec 2011	23	23	0	-
Jan–Mar 2012	29	28	1	-
Apr–Jun 2012	35	32	3	-
Total	128	120 (94%)	8 (5.5%)	0

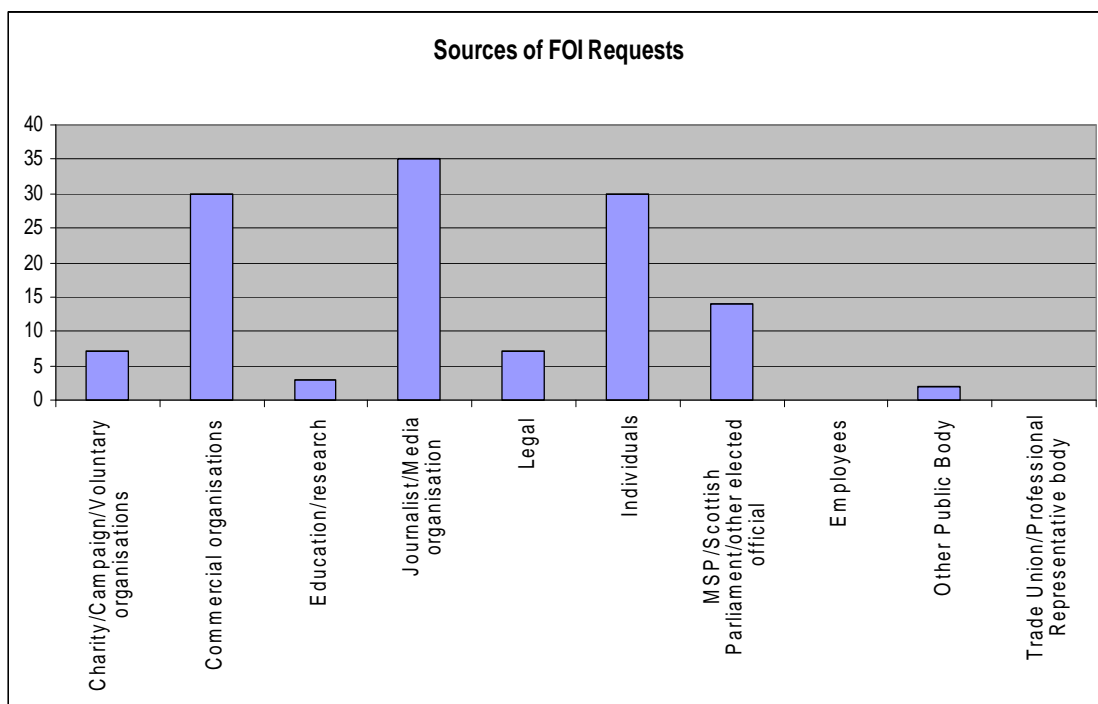
7.0 SOURCE OF REQUESTS

7.1 A breakdown of the source of requests for information that is shown in Table 2 and in Fig 2. From the information collated to date the majority have come from journalists/media organisations followed by commercial organisations.

Table 2

Indicative source of request	July 2011 – June 2012 number
Charity/Campaign/Voluntary organisations	7
Commercial organisations	30
Education/research	3
Journalist/Media organisation	35
Legal	7
Individuals	30
MSP/Scottish Parliament/other elected official	14
Employees	0
Other Public Body	2
Trade Union/Professional Representative body	0

Fig 2 – indicative source of request July 2011 – June 2012



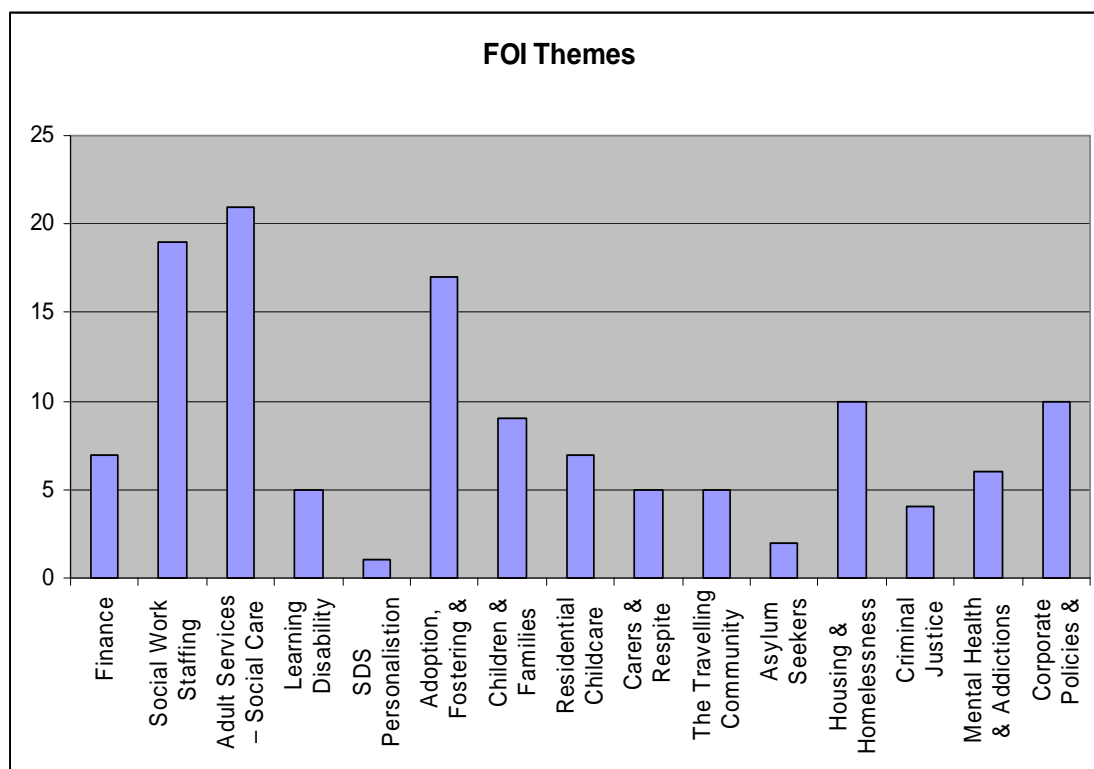
8.0 TYPE OF INFORMATION REQUESTED

8.1 A number of recurring themes were identified in the subject matter of requests for information. These are listed below together with a flavour of the detail of what was asked in relation to each key theme.

Table 3

Themes	July 2011 – June 2012 number
Finance	7
Social Work Staffing	19
Adult Services – <i>Social Care Fees/ Care Home Info.</i>	21
Learning Disability Services	5
SDS Personalisation	1
Adoption, Fostering & Kinship Care	17
Children & Families	9
Residential Childcare	7
Carers & Respite Services	5
The Travelling Community	5
Asylum Seekers	2
Housing & Homelessness	10
Criminal Justice	4
Mental Health & Addictions	6
Corporate Policies & Reports	10

Fig 3 – Themes



9.0 CONCLUSION

9.1 There is significant demand on staff with 128 requests from July 2011 to June 2012. We had issued 2 exemption notices during this period, both in respect of time/ financial limits as this would have involved an excessive amount of staffing resource including front line practitioner resource to gather and return the information.

- 9.2 The majority of requests have come from journalists and we seek to address this by working with the corporate functions of the Council to develop a Scheme of Publication to help interested members of the public, and to reduce the amount of time required to respond to requests.
- 9.3 Members are asked to note this updated report on the operation of the Freedom of Information (Scotland) Act 2022 within Inverclyde Council and NHS GGC and give any comments or view on the format of the report or on any area with regard to the Act.
- 9.4 The August 2012 CHCP Sub-Committee received our first annual Freedom of Information Report, where it was agreed that the Sub-Committee required more detailed information as contained within this current update. It is therefore proposed the next Annual Report (2012/13) will include the further detail reflected within this update.

10.0 IMPLICATIONS

- 10.1 Legal: There are no legal implications in respect of this report.
- 10.2 Finance: There are no financial implications in respect of this report.

Cost Centre	Budget Heading	Budget Year	Proposed Spend this Report	Virement From	Other Comments

- 10.3 Personnel: There are no personnel implications in respect of this report.
- 10.4 Equalities: There are no equalities implications in respect of this report., although recognition will be given to the wider and associate equalities agenda.
- 10.5 Repopulation: There are no repopulation implications in respect of this report..

11.0 CONSULTATION

- 11.1 None.

12.0 LIST OF BACKGROUND PAPERS

- 12.2 None.