

Freedom of Information and Data Protection Report for June – December 2008

Freedom of Information (Fofl)

Since June the panel have dealt with 3 cases making a total of 10 for the year, which is double the number dealt with last year. A table of the cases dealt with appears overleaf.

The total number of requests received also has more than doubled. This is the first year a formal log of cases has been kept and this records 203 requests (2007 estimate was 98).

There were 31 requests from the press, 11 from MP's, and 10 from others Councils. There are an increasing number from the commercial sector but the biggest number are still submitted by private individuals

There are no appeals outstanding with the Information Commissioner.

One request went outside the twenty day deadline, as although fairly simple, it got lost in the system. After having received a reminder from the requester a couple of months later we were able to respond straight away. Adjustments have been made to the monitoring of incoming requests so this is not repeated. Co-operation from service departments to obtain answers for requests has been very good in the last year.

Our revised publication scheme was placed on our web site to meet the Information Commissioner's deadline of the 31 December.

Data Protection (DP)

One formal subject access request was dealt with.

Advice has been offered to two members of the public and various internal enquiries dealt with.

Information on relevant matters highlighted in press releases from the Information Commissioner has been circulated.

Difficulties have been encountered in our attempt to introduce a system for notifying the Council only once of change of address/circumstances. There is a trial scheme in operation, supported by central government, which, if successful, will be rolled out on a national basis. It therefore seems more prudent to await this.

General

The amalgamated guidance notes for FoI, EIR and DP have been issued, together with the crib sheet the latter of which has been incorporated into the induction pack for new staff.

Linda Bestow
January 2009

Summary of Request	Decision
Papers relating to resiting of recycling bins	All but 18 pages released and Sections 12(4)(e) and 13 EIR Regs applied to remainder
Evidence relating to potential prosecution over work to a listed building	Refused under Sections 30 and 40
Amount of compensation paid for Crowfield Airfield	Refused Section 40
Empty commercial properties	List of numbers by Parish supplied but addresses withheld Section 31 and in some cases also 40
Copy of report x/119/07 and new lease and memorandum of agreement for Chilton Fields	Supply report and lease with some redaction refuse copy of memorandum Sections 22, 40 and 43
Copy of papers relating to breach of food safety regulations (prosecution pending)	Assistance given to requester on general facts of the case but copies of documents refused under Sections 30 and 40
Information on the future of a piece of land owned by the Council	Some papers supplied but the remainder withheld under Section 22 and 43
Copy of questions to barrister and other information regarding planning enforcement case	Refused under 12(4)(a) of EIR – information not held and 12(5) (b) course of justice
Housing tenancy file and complaint made against tenant	Housing tenancy file supplied under data protection complainant details and other correspondence withheld under Section 40 Data Protection
Empty residential property	Refused under Section 31 Law enforcement and Section 40 Data Protection