

# Freedom of Information and Data Protection Report for 2007

## Freedom of Information

The Panel dealt with a total of 5 cases this year and a further refusal notice was sent based on a case that had already been dealt with. A table of the cases dealt with appears below. The Panel dealt with 12 cases last year but overall the number of requests being received has risen by about 40%.

The peak for requests, very strangely, came in the middle of the main summer holiday period and this did result in a couple of cases being dealt with outside statutory time scales, but otherwise we have generally been able to deal with requests well within the 20 working days allowed. Service departments seem aware of their responsibilities in assisting with this work.

We have seen a marked increase in private individuals making requests, presumably as they are more aware of the legislation through press reports.

The Information Commissioner has now decided the first of our outstanding cases. The case related to a planning application where the appellant thought we held more papers that had been shown to him on the case file. The Information Commissioner decided that we had provided all the information, but held that we had responded outside the 20 working days. This was unfortunate as he had never asked us about this and we had evidence that the original e-mail had in fact never been delivered and we had in fact responded to another e-mail well within statutory time scales. As the decision notice had been issued this could not be changed but a letter of apology was received and procedures have been put in place in the IC office to ensure that authorities have a chance to respond to every point of a decision.

Summary of Request	Decision
Details of mobile phone contracts	Partial refusal (details of breakdown of costs withheld Section 43 commercial interest)
Details of complainant on a Planning Enforcement case	Refused Section 40 Data Protection
Details of Chilton Fields lease	Part refused under sections 21 36 40 and 43 (appeal outstanding with IC)
Details of who had made a complaint about building works	Refused under section 40
Details of sold council houses in last three years	Numbers and type in each parish supplied but names and address of our former tenants withheld under section 40
Relationship and arrangements with Chilton Fields Sports Club	Information as supplied to previous requester sent with refusal notice based on this previous one for the remainder of the information

## **Data Protection**

There has only been one formal subject access request this year but advice has been given to a further four members of the public as well as continued support and advice to staff.

In particular in view of the loss of data by HRMC Services, Managers were asked to review their practices to ensure that such a situation could not arise here. All staff were also reminded about the IT security policy, in particular that personal data should not be downloaded to CD or other portable media, and the need to secure laptop computers.

## **General**

Revised guidance notes on Data Protection and Freedom of Information with a new section relating to the Access to Environmental Regulations have been prepared and are out to consultation prior to being presented to Management Board for final approval.