

## London Borough of Hammersmith & Fulham

**Report to:** SLT Assurance

**Date:** 2 April 2025

**Subject:** Annual Request for Information Report April 2023 – March 2024

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**Responsible Director:** Nicola Ellis, Director, Chief Operating Officer, Corporate Services

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### 1. Summary

This annual report provides performance and data for Information Requests from April 2023 - March 2024. It covers LBHF's performance on:

- Freedom of Information Act (FOIA)/Environmental Information Regulations (EIR) Requests
- Data Subject Access Requests (DSAR)
- Disclosure Requests (DR)
- Individual Rights Requests (IRR)

### 2. Recommendation

That SLT Assurance note the annual performance and actions being taken to improve performance ongoing.

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**Wards Affected:** All

### 3. H&F Priorities

| Our Priorities                   | Summary of how this report aligns to the H&F Priorities  |
|----------------------------------|--|
| Building shared prosperity       | <i>The report highlights how providing accessible and effective services to residents and businesses makes Hammersmith and Fulham.</i> |
| Creating a compassionate council | <i>The report emphasises the importance of doing things with residents, ensuring we are transparent council.</i>                       |

|   |   |
|---|---|
| Doing things with residents, not to them                        | <i>The report underscores the council's commitment to engaging with residents and involving them in decision-making processes but ensuring we are transparent and publish reports that are accessible for all.</i>    |
| Being ruthlessly financially efficient                          | <i>The report demonstrates the council's efforts to be financially efficient by improving the quality and timeliness of responses to information requests, thereby reducing costs and enhancing service delivery.</i> |
| Taking pride in H&F   | <i>Providing accessible and effective services to our residents and businesses makes Hammersmith and Fulham an attractive place to live work and do business in</i>   |
| Rising to the challenge of the climate and ecological emergency | <i>A more efficient service increases the opportunity for digital delivery and better facilitates sustainable service delivery.</i>   |

#### 4. Operation management of information requests

The Resident Experience Team manages Freedom of Information (FOI), Environmental Information Regulations (EIR), Subject Access Requests (SAR), and Individual Rights Requests (IRR), ensuring compliance with legal requirements. FOIA and EIR follow the same process. For this report, LBHF will refer to FOIA and EIR requests collectively as Requests for Information (RFIs). The figures below represent both FOI and EIR requests.

The Information Management Team in Corporate Services ensures LBHF's compliance with the FOIA 2000, EIR 2004, and Data Protection Act 1998 (DPA). They monitor RFI performance, investigate complaints/internal reviews, and liaise with the ICO.

More information on this legislation can be found at the website for the Information Commissioner's Office: <http://www.ico.gov.uk/>.

#### 5. Responses within statutory time limits

Public authorities are required to respond to Requests for Information (RFIs) under the Environmental Information Regulations (EIR) and Freedom of Information Act (FOIA) within 20 working days. In certain situations, this period may be extended to up to 40 working days where the legislation permits such an extension. Data Subject Access Requests (DSARs) and Individual Rights

Requests (IRRs) must be addressed within 28 working days of receiving the necessary proof of address and identification, unless the request is complex or large. In such cases, a period of up to three months may be taken to provide a full response. Disclosure Requests (DRs) should also be answered within 20 working days.

## 6. Requests For Information (RFIs)

Between April 2023 and March 2024 - 1550 RFIs were received. This was an increase of 3% compared to 2022/2023.

| Received RFI requests | Request volumes |
|-----------------------|-----------------|
| 2022/2023             | 1503            |
| 2023/2024             | 1550            |

### 6.1 Percentage of RFIs closed within statutory time limits by year

| Year      | Number of RFI's received 23/24 | Number of RFI's closed in 23/24 | Number RFI's closed in time | % closed in time |
|-----------|--------------------------------|---------------------------------|-----------------------------|------------------|
| 2023-2024 | 1550                           | 1543                            | 1388                        | 90%              |

A total of 1,388 RFIs were responded to on time, achieving a performance rate of 90%. This represents a 7% increase in performance in 2023/2024 compared to the previous year.

The table below presents the 2023/24 performance in relation to statutory time limits by service department. All RFIs that required responses from multiple services are included under the Resident Experience Team.

| Directorate                                  | Number of requests received in 23/24 | Number of requests closed in 23/24 | Responded to on time in 23/24 | % answered in time in 23/24 |
|--|--------------------------------------|------------------------------------|-------------------------------|-----------------------------|
| Adult Social Care                            | 89                                   | 89                                 | 88                            | 99%                         |
| Children's Services                          | 235                                  | 232                                | 221                           | 95%                         |
| Corporate Services                           | 226                                  | 209                                | 188                           | 90%                         |
| Economy                                      | 309                                  | 290                                | 236                           | 81%                         |
| Environment                                  | 519                                  | 528                                | 477                           | 90%                         |
| Finance                                      | 55                                   | 59                                 | 51                            | 86%                         |
| Resident Experience (multi service requests) | 83                                   | 86                                 | 82                            | 98%                         |
| Resources                                    | 34                                   | 50                                 | 45                            | 90%                         |

|              |             |             |             |            |
|--------------|-------------|-------------|-------------|------------|
| <b>Total</b> | <b>1550</b> | <b>1543</b> | <b>1388</b> | <b>90%</b> |
|--------------|-------------|-------------|-------------|------------|

## 6.2 Outcomes of Requests for Information (RFI's)

The table lists all RFIs received under FOIA and EIR for LBHF in the 2023/24 financial year.

| <b>RFI Outcome</b>                                   | <b>No of cases</b> |
|--|--------------------|
| All information sent                                 | 975                |
| Exceeds appropriate limit                            | 24                 |
| Information not held                                 | 114                |
| Neither confirm or deny information held             | 8                  |
| No information sent - all held but exempt            | 93                 |
| Repeated request                                     | 2                  |
| Request lapsed: requested information not provided   | 14                 |
| Some information sent and exceeds appropriate limit  | 12                 |
| Some information sent but not all held               | 127                |
| Some information sent but part exempt                | 177                |
| Some information sent, part exempt and exceeds limit | 3                  |
| Vexatious request                                    | 1                  |
| <b>Total</b>   | <b>1550</b>        |

## 6.3 Refusals and exemptions

The FOIA allows public authorities to withhold information under specific exemptions (called exceptions under the EIRs). The following outlines the instances where these exemptions or exceptions were used for cases closed in the 2023/24 financial year. Note that these numbers refer to cases concluded in 2023/24, not those scheduled for resolution during this period. Multiple exemptions or exceptions may have been applied in some cases:

| <b>Exemption/Exception</b>   | <b>Number of times used</b> |
|--|-----------------------------|
| <b>Freedom of Information Act 2000</b>                                     |                             |
| Section 21 – <i>Information accessible by some other means</i>             | 81                          |
| Section 22 – <i>Intended for future publication</i>                        | 32                          |
| Section 23 – <i>Information supplied by or relating to security bodies</i> | 1                           |
| Section 24 – <i>National security</i>                                      | 5                           |
| Section 31 – <i>Law enforcement</i>  | 22                          |
| Section 32 – <i>Court records</i>  | 1                           |
| Section 36 – <i>Prejudicial to the effective conduct of public affairs</i> | 2                           |
| Section 38 – <i>Health and safety</i>                                      | 4                           |
| Section 40 – <i>Personal Information</i>                                   | 103                         |
| Section 41 – <i>Provided in confidence</i>                                 | 6                           |
| Section 42 – <i>Legal Professional privilege</i>                           | 3                           |
| Section 43 – <i>Commercial Interests</i>                                   | 44                          |
| Section 44 – <i>Legal prohibitions on disclosure</i>                       | 1                           |

| <b>Environmental Information Regulations 2004</b>   |   |
|---|---|
| Regulation 12(4)(d) - <i>Manifestly unreasonable</i>  | 1 |
| Regulation 12(4)(e) - <i>Internal communications</i>  | 1 |
| Regulation 12(5)(e) - <i>Confidentiality of commercial or industrial information</i>                      | 1 |
| Regulation 12(5)(f) - <i>Interests of the person who provided the information to the public authority</i> | 2 |

## 7. Subject Access Requests (SARs)

The majority of SARs are managed directly by the relevant service area. SARs that require input from multiple teams are coordinated by the Resident Experience Team. If a requestor is not satisfied with the response received, they may request an Internal Review conducted by the Information Management Team. Should the requester remain dissatisfied with the outcome of the Internal Review or the handling of their complaint, they have the option to approach the Information Commissioner's Office (ICO) for a further review of the decision.

The number of SARs received by the council in 2023/2024 has increased by 11%.

| <b>Received SARs</b> | <b>Request volumes</b> |
|----------------------|------------------------|
| 2022/2023            | 189                    |
| 2023/2024            | 209                    |

### 7.1 Percentage of SARs closed within statutory time limits by year

| <b>Year</b> | <b>No SARs received</b> | <b>No SARs closed</b> | <b>No. of SARs closed in time</b> | <b>% closed in time</b> |
|-------------|-------------------------|-----------------------|-----------------------------------|-------------------------|
| 2023-2024   | 209                     | 190                   | 143                               | 75%                     |

In 2023/2024, 143 SARs were closed on time, achieving a performance rate of 75%. This represents a 12% increase compared to 2022/2023, when 63% of SARs were closed on time

The table below shows the service directorate breakdown for 2023/24 for received and closed cases for each Directorate.

| <b>Directorate</b>  | <b>Number of requests received in 23/24</b> | <b>Number of requests closed in 23/24</b> | <b>Responded to in time in 23/24</b> | <b>% answered in time in 23/24</b> |
|---------------------|---|---|--------------------------------------|------------------------------------|
| Adult Social Care   | 7   | 7   | 7                                    | 100%                               |
| Children's Services | 70  | 69  | 69                                   | 100%                               |
| Corporate Services  | 17  | 13  | 8                                    | 62%                                |

|  |            |            |            |            |
|--|------------|------------|------------|------------|
| Economy                                      | 64         | 47         | 29         | 62%        |
| Environment                                  | 9          | 14         | 14         | 100%       |
| Finance                                      | 2          | 2          | 1          | 50%        |
| Resident Experience (multi service requests) | 38         | 35         | 27         | 77%        |
| Resources                                    | 2          | 3          | 3          | 100%       |
| <b>Total</b>                                 | <b>209</b> | <b>190</b> | <b>143</b> | <b>75%</b> |

## 7.2 SAR Outcomes

| <b>SAR outcome</b>  | <b>Number of cases</b> |
|---|------------------------|
| Information disclosed in full                                 | 79                     |
| Information exempt  | 8                      |
| Information not held  | 24                     |
| Information partially disclosed                               | 57                     |
| Other – under review status at this time                      | 3                      |
| Request: requested information not provided by the requestor. | 19                     |

## 8. Disclosure Requests (DR's)

A DR refers to a request for information regarding an individual that may be maintained by an organisation. These requests can be submitted for various purposes. Certain organisations, including the police, solicitors, probation services, and HMRC, are authorised to request disclosure of information we may hold about an individual, particularly when it pertains to formal investigations or law enforcement activities.

The DRs are recorded and managed exclusively by the Resident Experience Team.

### 8.1 Number of DRs received

Between April 2023 and March 2024 - 398 were received. This was an increase of 48% compared to 2022/2023.

| <b>Received DR requests</b> | <b>Request volumes</b> |
|-----------------------------|------------------------|
| 2022/2023                   | 269                    |
| 2023/2024                   | 398                    |

## 8.2 Percentage of DRs responded to within statutory time limits by year

| Year      | Number of DR received | Number of DR closed | Number of DR closed in time | % answered in time in 23/24 |
|-----------|-----------------------|---------------------|-----------------------------|-----------------------------|
| 2023-2024 | 398                   | 374                 | 281                         | 71                          |

There was a decrease of 18% in DR's being responded to on time in 2023/2024 compared to 2022/2023.

## 8.3 DR outcomes

| Disclosure Request Outcome     | Number of cases |
|--------------------------------|-----------------|
| Information not released       | 203             |
| Information partially released | 94              |
| Information released           | 101             |

## 9. Individual Rights Requests (IRRs)

Under the Data Protection Act (DPA) 2018 and GDPR 2016, individuals can access or challenge the processing of their personal data held by an organisation. Residents can exercise these rights by submitting a request to the Council under one of the listed rights:

1. The right to be **Informed** - e.g. fair processing/privacy notices and information.
2. The right of **Access** - e.g. subject access requests (SARs)
3. The right to **Rectification** - e.g. correcting your data.
4. The right to **Erasure** – e.g. deleting or removing your data.
5. The right to **Restrict Processing** – e.g. stopping your data being used.
6. The right to **Data Portability** – e.g. transferring your data easily.
7. The right to **Object** – e.g. challenging what we are doing with your data.
8. Rights in **Relation to Automated Decision Making and Profiling** – e.g. ensuring safeguards are in place so we do not make potentially damaging decisions about you without any human involvement.

The Individual Rights Requests are logged and managed solely by the Resident Experience Team, who collaborate with colleagues in multiple service areas such as Children's Services and Adult Social Care.

### 9.1 IRRs received in 2023/24

Between April 2023 and March 2024 - 5 were received.

| Received IRR requests | Request volumes |
|-----------------------|-----------------|
| 2022/2023             | 6               |
| 2023/2024             | 5               |

## **10. Ensuring Council Information is publicly available**

Aside from those which contain personal data, all responses to RFIs are published on the LBHF website at the following address:

<https://www.lbhf.gov.uk/councillors-and-democracy/data-and-information/freedom-information/publication-scheme/disclosure-log>

Publishing responses aligns with LBHF's transparency initiative. Furthermore, it helps potential requestors determine if the information they need is already publicly available. This process also enhances efficiency and promotes consistent quality through better monitoring and public review.

## **11. Improvements in quality and timeliness**

There is weekly monitoring to oversee all service areas, ensuring that access to information requests are managed appropriately and processes are followed in compliance with ICO guidance. This helps maintain responses and ensures communication throughout the case management process, with timely dispatch of responses. The Strategic Leadership Team and Directors conduct regular oversight across all services.

The Information Management Team (IMT) is responsible for internal reviews and complaint management related to case management and responses. The team also conducts internal audits and identifies improvement plans or tasks to facilitate enhancements.

### **11.1 Improvements and monitoring**

Further improvements and ongoing plans are in place to enhance the service offered, including the quality of responses and timeliness across the council.

We have recently implemented a number of improvements to support the compliance of the service. These include;

- The introduction of a quality assurance module within the Access to Information System.
- Implementation of a dashboard with up-to-date data accessible at the touch of a button for all services to utilise for FOI cases, with SARS going live by June 2025.
- A revised publications page, adhering to best practices and guidance from the ICO.
- A recent audit found satisfactory compliance in this area, with ongoing actions to ensure continued improvements and compliance.

In addition, the below activities are ongoing on a regular basis to monitoring the service:



- Regular training cycles across the council on managing Information Requests.
- Continued oversight and monitoring by the Strategic Leadership Team, with performance targets tracked regularly through quarterly assurance reports in addition to weekly reports and self-serve dashboards.
- Individual service areas managing their Information Requests and implementing improvement plans if performance issues are identified.