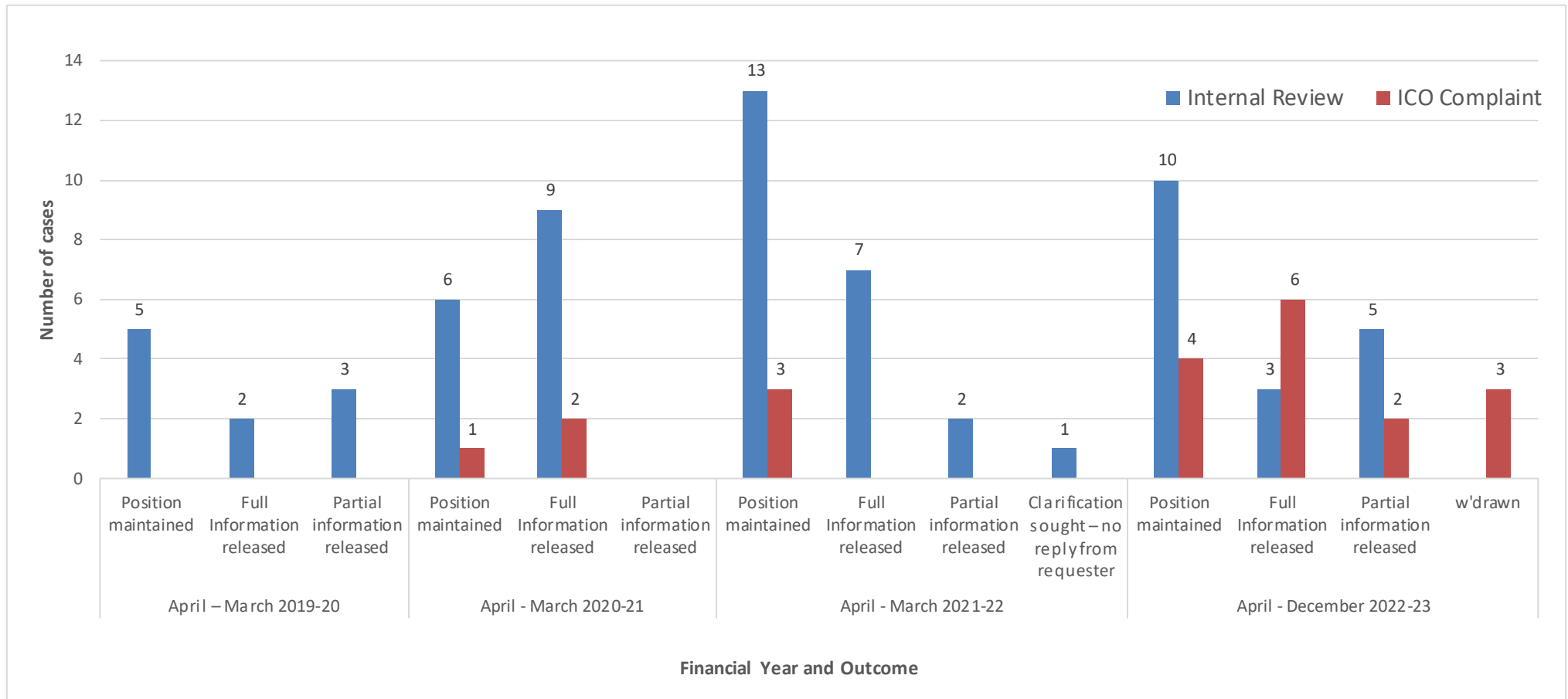


TABLE 4 – Internal reviews and ICO Complaints managed by the Information Governance Team (April 2019-December 2022)

Number of Internal Reviews and ICO complaints by financial year and showing outcomes

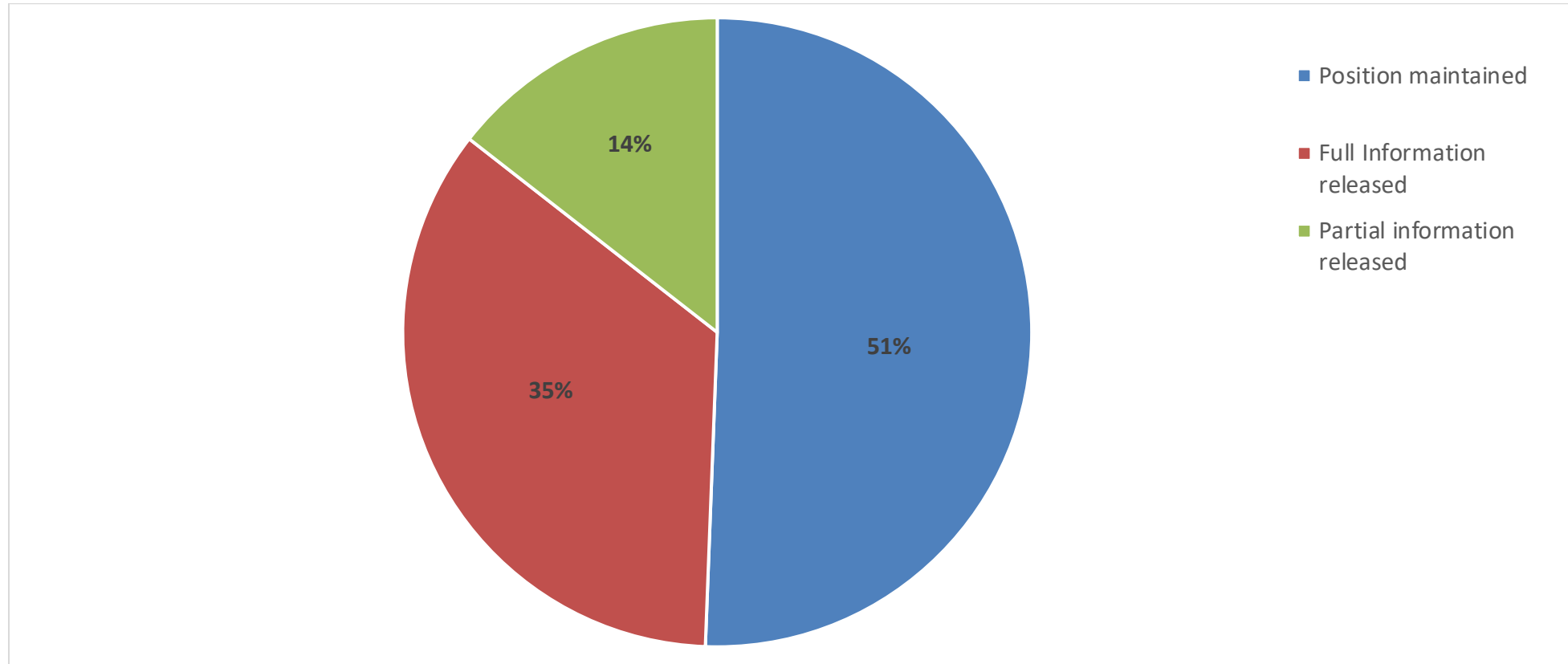


The number of internal reviews requested has increased year on year and is currently at 18 so far in the 2022-23 financial year.

Complainants will contact the ICO when they are not satisfied with the request response or if they are unhappy at the fact that a response is late. In the past, applicants will have contacted the Council about late responses however, they are now contacting the ICO direct as well as asking them to look at a response following Internal Review. A combination of applicants contacting the ICO direct about late responses and a tougher stance being adopted by the ICO to improve this area nationally has seen a significant increase to 15 in the number of ICO contacts so far in 2022/23. Awareness of the ICOs stance on late responses has been raised internally with Service Directors at the Council’s Information Governance Board and with Unit Information Asset Advisers.

Outcomes to Internal Reviews and ICO Complaints – April 2019 – December 2022

This Pie chart is showing the outcomes to internal reviews since the creation of the Council where half of reviews maintained the position of the original response. Full release of information will include those where the ICO has contacted the Council about late responses and partial release will be the result of an Internal review and/or ICO complaint.



Outcomes to ICO complaints are sent to Organisations via a Decision Notice. These notices will advise the Organisation of any further actions required. In April 2022, BCP Council received a Decision Notice concerning the response of a request submitted as part of a complex complaint which involved the request being provided in an audio spoken format. The notice required the Council to provide the information requested within 35 days of it being issued which was met. The FOI response was provided as part of the complaint response rather than being provided separately.

In June 2022, the Council was notified of a case heard and overturned by the Upper Tier Tribunal and was referred back to the First Tier Tribunal. This hearing involved the refusal of 10 FOI requests as being vexatious in 2017 by the former Bournemouth Borough Council. The ICO and First Tier Tribunal initially agreed with the Council's decision. As a result of the Upper Tier Tribunal decision, the First Tier Tribunal directed that 6 of the 10 requests now required responses (using information held in 2017). The IG Team managed this with the relevant Units and responded within the timescale given.