

AUDIT AND GOVERNANCE COMMITTEE



Report subject	Information Governance Update
Meeting date	24 July 2025
Status	Public Report
Executive summary	Information Governance update report to the Committee, providing performance management information.
Recommendations	<p>It is RECOMMENDED that:</p> <p>(a) Committee note the Information Governance (IG) performance management information (PMI) for the Financial Year 2024/25 (Q1 to Q4) contained in this report.</p> <p>This includes requests received under the Freedom of Information Act 2000 (FOIA), Environmental Information Regulations (EIRs), Data Protection Act 2018 (DPA) and other agency disclosure requests.</p> <p>(b) Committee note that currently a review is underway by leadership team of the function of IG within BCP Council.</p>
Reason for recommendations	Its purpose is to provide an update to the Committee since its last report in April 2024 of the IG function within the Council.

Portfolio Holder(s):	Councillor Jeff Hanna
Corporate Director	Janie Berry, Service Director, Law & Governance
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Wards	Council-wide
Classification	For update and information.

1 Background

- 1.1 The main objective of the Freedom of Information (FOI) Act was to make authorities and public bodies more open and transparent regarding the information they hold.
- 1.2 The FOI Act and the Environment Information Regulations (EIR) are similar and are handled through the same process. The figures given below are both FOI and EIR requests as well as Subject Access Requests.
- 1.3 The FOI Act does not require an authority to create information to satisfy a request, simply to provide information that is held by the Council.
- 1.4 Public Authorities are required to respond to FOI/EIR requests within 20 working days from the after the request was received. The deadline for responding to request may be extended where authorities are considering the public interest test.
- 1.5 All requests must be received in writing, usually via BCP email address.

2 Information Governance (IG) Function

- 2.1 IG allows the Council and its employees to ensure that both business and personal information is dealt with legally, securely, efficiently and effectively in order to deliver the best possible services.
- 2.2 The IG Team are the point of contact for specialist IG advice, reviews of council procedures and policies.
- 2.3 BCP Information Governance Board provides overarching responsibility for compliance and reviews the PMI. The IG team are supported by a network of Information Assets Advisers in services who process requests.

3 Performance Management Information (PMI)

- 3.1 Appendix A – Tables 1-7 provides performance management information for the financial year April 2024 and March 2025 being Q1-Q4 including Key Highlights.
- 3.2 The target response rate set by the Information Commissioner's Office (ICO) for requests for information under the FOIA/EIRs is 90% (Appendix p5).

The Council's average response rate over the last years has been:
83% for 2024/25; 82% for 2023/4; and 88% for 2022/23 (Table 4).

3.3 There has been an increase in volumes by a rise of 7% of requests for FOI/EIR, 26% for DSAR and 4% for Disclosures compared to last year.

4 Internal Reviews

4.1 If a requestor is dissatisfied with the way their initial FOI/EIR request was handled, they can ask for an Internal Review, which will be conducted by an independent officer not involved in the original decision.

4.2 In this reporting period a total of 35 internal reviews was conducted representing 2% of all requests. Of these 14 the original decision was maintained, 13 partly upheld and 8 were not upheld (Table 5).

5 Information Commissioner

5.1 If, following an internal review, a requestor remains dissatisfied with the response they can approach the Information Commissioners Office (ICO) to ask them to review the decision.

5.2 During this reporting period a total 13 enquiries were received from the ICO comprising 10 related to FOIA and 3 DPA. Of these the ICO upheld the decision of the Council for 7 cases, partially upheld for 1 and 1 against with 4 settling without a decision notice (Table 6).

6 Training

6.1 We observed completion of mandatory Cyber awareness and Data Protection training for BCP colleagues continues to increase with 86% and 85% respectively for each subject compared to 67% and 65% for the previous #3 years reporting periods (Table 7).

7 Projects

7.1 To meet the future challenges the new Law and Governance leadership team have commenced a review of the FOI process within BCP to better meet the expectations of the customer and ICO target response rate.

7.2 In preparation for the use of Artificial Intelligence (AI) across the organisation, IG and IAA's are supporting the introduction of key IT technologies that form the cornerstone to using AI in ways that comply with data protection principles.

Options Appraisal

1. Not applicable – this is an update report for information.

Summary of financial implications

2. The Information Commissioner's Office is empowered to take enforcement action and impose sanctions, which can include significant financial penalties.

Summary of legal implications

3. Data subjects can bring claims for compensation in cases where their privacy rights have been breached.

Summary of human resources implications

4. There are no human resources implications from this report.

Summary of sustainability impact

5. There are no sustainability implications from this report.

Summary of public health implications

6. There are no public health implications from this report.

Summary of equality implications

7. There are no equality implications from this report.

Summary of risk assessment

8. Not applicable – this is an update report for information.

Background papers

None

Appendices

Appendix A - (Tables 1-7) – Performance Management Information