

KEY DECISION? YES/NO

Freedom of Information – Yearly Update Report 2025

SUMMARY AND UPDATE:

The Freedom of Information Act 2000 (FOIA 2000) provides public access to information held by public authorities. Freedom of Information requests encourage openness and scrutiny of the Council's decisions. Rushmoor Borough Council has a statutory duty to fulfil its obligations under FOIA 2000.

The Council's performance on FOIs continues to steadily improve and is responding within the target response rate. There is further work planned, including training, and publishing more information online to continue improvements already made.

A new Microsoft Lists system had been launched part way into Q2 to improve resilience, and increase oversight by senior management.

1. INTRODUCTION

- 1.1 Public authorities spend money collected from taxpayers and make decisions that can significantly affect many people's lives. Access to information helps the public keep public authorities accountable for their actions, and allows public debate to be better informed.
- 1.2 Any member of the public or external organisation can submit a freedom of information request (FOI) to Rushmoor Borough Council. Rushmoor Borough Council is under a duty to comply with the statutory timeframes to respond to requests (20 working days to process for a normal FOI request). This can be extended for more complex requests.
- 1.3 Rushmoor has 1 part-time officer overseeing information requests and data protection, along with support from 1 full time paralegal (who also undertakes other legal work), and the Corporate Manager, Legal Services, who also is the Data Protection Officer and Monitoring Officer. Service teams can liaise with the Legal team for complicated requests and FOI advice.

2. FOI SNAPSHOT

Services that receive a high number of requests

- **HCC** – 111 requests for information not held by RBC but would be held by Hampshire County Council, 16.44% of all requests. Requests include looking for information about social care, public health, highways, schools, and trading standards.
- **Finance** (including Council Tax, Business Rate and Revenues and Benefits) – 92 requests (including cross service requests), 13.62% of all requests. Requests include asking for business rates dates, council spending, funding gap and Council Tax information.
- **Housing Options** - 75 requests (including cross service requests), 11.1% of all requests. Requests include looking for homelessness figures and housing list waiting times.
- **Environmental Health & Services** – 51 requests (including cross service requests), 7.55% of requests. Requests include bin and missed bin collections, recycling, public toilets, food ratings/reports fly tipping and noise complaints.
- **Planning** – 45 requests (including cross service requests), 6.66% of requests. Requests include looking for s106 agreements, planning breaches, Tree Preservation Orders (TPOs) and conservation areas.
- **Property Team** – 37 requests (including cross service requests), 5.48% of requests. Requests include energy usage, council owned properties, empty council properties.
- **HR** – 35 requests (including cross service requests, 5.18% of requests. Requests include looking for council structure, equality roles, zero hours contracts, pay levels, contractors and consultants and training software.
- **Private Sector Housing** - 32 requests (including cross service requests), 4.74% of all requests. Requests include looking for complaints about landlords and damp and mold, Disabled Facilities Grants, HMOs and Minimum Energy Efficiency Standards (MEES).
- **IT** - 31 requests (including cross service requests), 4.59% of all requests. Requests include were looking at systems we use, use of AI, phone contracts and network providers. Most are marketing requests or looking for business.
- **Crematorium/Bereavement Services** – 25 requests (including cross service requests, 3.7% of all requests. Requests include looking for public health funeral and cremation data.

3. FOI PERFORMANCE UPDATE

3.1 Freedom of information requests data (Rushmoor)

TABLE A

Number of requests received	Q1	Q2	Q3	Q4
2020/21	114	131	174	156
2021/22	142	139	141	166
2022/23	155	131	108	149
2023/24	167	162	162	193
2024/25	198	137	175	165

TABLE B

% responded to on time (one month behind)	Q1	Q2	Q3	Q4
2017/18	85%	89%	89%	85%
2018/19	87%	83%	87%	81%
2019/20	84%	93%	85%	81%
2020/21	68%	65%	60%	82%
2021/22	58%	63%	76%	71%
2022/23	62%	37%	50%	70%
2023/24	73%	72%	68%	86%
2024/25	71%	81%	91%	95%

We calculate this data one month behind to allow for the time to responses. So Q1 (April, May and June) data would be March, April, May.

3.2 Whilst there had been a fall in Q1 2024/2025 for FOI response turnaround times, there has been an increase generally in percentage turnaround time since 2023.

3.3 Q2 – Q4 saw a substantial increase in requests being responded to within the statutory 20 working days, with Q3 and Q4 seeing over 90% of requests being responded to within the 20 working days – which hasn't been the case since Q2 of 2019/20.

3.4 The regulatory body, the Information Commissioner's Office (ICO) expect to see 90% responded to within the 20-working day statutory timeframe - as a minimum.

3.5 There could be a potential financial penalty from the ICO or a decision notice due to lack of responses/not responding in time and therefore not complying with our obligations under the Freedom of Information Act 2000 (FOIA).

- 3.6 FOI performance and management is discussed regularly at the Corporate Governance Group (CGG). The Legal team are liaising with Service Managers and individual officers to continue reducing those FOIs that go overdue.
- 3.7 On 15 July 2024, the Legal and Transformation Team jointly launched Microsoft (MS) Lists across the Council as a tool to manage the handling of FOIs. The MS system sends automatic reminders to the relevant officers/services once an FOI has been assigned and at three stages of the FOI being live. including when an FOI is nearing the end of the time to comply. It also allows senior management better oversight of the number of outstanding and overdue FOIs across the Council.
- 3.8 One way to reduce the burden of dealing with FOIs is to publish more data proactively. This is ideal for requests that we receive on a frequent basis. If we get requests for information that we publish or are due to be publish on our website, it is a simple refusal response from the service detailing that the information is already in the public domain with a link to the data under section 21 of the FOIA or that the information is intended for future publication under section 22 of the FOIA (if the data was not yet published).
- 3.9 According to FOI statistics for central government for January to March 2025, across all monitored bodies, 76% of requests were responded to in time, the same as in Q1 2024. This remains down from 86% in Q1 2023. The volume of FOI requests across all monitored bodies has steadily increased from 2021 until 2025. Please see Annex A.

4) LEGAL IMPLICATIONS

- 4.1 As above, Rushmoor Borough Council is under a statutory obligation to respond to FOI requests within the timeframes.
- 4.2 The ICO is taking a robust approach with local authorities who do not comply with FOIA 2000 and/or who do not have a clear action plan in place to reduce any backlog of overdue FOIA request. This is typically done through the ICO issuing enforcement notices or a reprimand to local authorities.

5) FINANCIAL AND RESOURCE IMPLICATIONS

5.1 There are no direct financial implications. The processing of FOIs across the Council takes considerable officer time and resource.

5.2 There is a continuing drive to ensure that any overdue FOIs are reduced to zero.

5.3 The increase in the number of the FOI requests received, increases workload across the Council.

6) EQUALITIES IMPACT IMPLICATIONS

There are no equality issues relating to this report.

7) RECOMMENDATION:

It is recommended that officers:

- (a) Continue their work on reducing the number of overdue FOIs within the system in 2025 and continue to ensure that 90% of requests are responded to within the statutory 20 working days, per the ICO target;
- (b) Continue to raise FOI awareness and knowledge across employees, through regular training and guidance; and
- (c) Publish as much information proactively to reduce the number of FOI requests.

CONTACT DETAILS:

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Annex A

Volume of FOI requests by quarter since Q1 2022 ([see Worksheet 2 of data tables](#))

