

**TO: STANDARDS COMMITTEE 12 APRIL 2005**

**SUBJECT: FREEDOM OF INFORMATION ACT 2000**

**FROM: LEGAL SERVICES**

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**1. PURPOSE OF REPORT**

To advise members of the impact of the Freedom of Information Act 2000 on the Council since 1st January 2005.

**2. BACKGROUND**

- 2.1 The Freedom of Information Act 2000 became law on 1<sup>st</sup> January 2005. The Council has been preparing for implementation since the creation of its publication scheme which was approved in February 2003, it was updated late last year. In the last year, lists of information held have been prepared by departments. Document retention and disposal schemes have been drawn up, and responsible officers have been designated to deal with requests for information in accordance with a request handling procedure. Members and officers have received training and leaflets setting out rights under the Act have been made available to the public. Request forms have also been made available to the public at Council premises and online. The action plan annexed has been fulfilled. The public leaflets were supplied by the Department for Constitutional Affairs. A policy setting out how we deal with our obligations was approved by the Executive in November last year. These steps comply with recommendations made by Internal Audit to deal with "high risk" areas in quarter 4 2003/4.
- 2.2 Since 1<sup>st</sup> January 2005 we have had, as at 1 April, 39 formal requests for information. The subject matter has ranged from food safety premises inspection reports, a council lease, tender details, specifications of taxis licensed by the Council, and the Warwick Mop All requests have been dealt with in the 20 working day time limit. The impact appears so far to be quite significant bearing in mind the press has yet to make any requests, though they were responsible for one of four additional requests made prior to 1<sup>st</sup> January. The time spent dealing with requests is being monitored. One request has involved 10 hours work by Property Services. We cannot charge unless the work involved in retrieving information involves more than 2.5 days work, there might be a right to claim some of the costs imposed by the Act from central government.
- 2.3 The Audit Commission will be carrying out a Freedom of Information Audit of the Authority in the next 2/3 months. Extensive details of our preparation have been sent to them in advance.

### **3. RECOMMENDATION**

- 3.1 The impact of the Freedom of Information Act on the Council, both in terms of cost and types of information requested, be kept under review. A further report to members will be made following the Audit.

David Elliott  
Solicitor

### **BACKGROUND PAPERS**

None

**Areas in District Affected:** None

**Key Decision:** No

**Included in Forward Plan:** No

**Consultation method:** Not applicable

**For further information about this report please contact:**

Contact Officer: David Elliott      Tel.: (01926) 456601 (Direct Line)  
E-mail: david.elliott@warwickdc.gov.uk