

**South Ayrshire Council**

**Report by Head of Legal and Regulatory Services  
to Service and Partnerships Performance Panel  
of 24 October 2023**

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**Subject: FOISA/ EIR Annual Report 2022/23**

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**1. Purpose**

- 1.1 The purpose of this report is to provide an update to Members on the Council's response times and the volume of requests made under the Freedom of Information (Scotland) Act 2002 (FOISA) and the Environmental Information (Scotland) Regulations 2004 (EIRs) by subject matter and type of requester during the period 1 July 2022 to 30 June 2023.

**2. Recommendation**

**2.1 It is recommended that the Panel:**

**2.1.1 scrutinises the contents of this report, and**

**2.1.2 requests a further report to a future meeting of the Panel providing an update on the Council's FOISA/ EIR performance during the period 1 July 2023 and 30 June 2024.**

**3. Background**

- 3.1 On 5 September 2013, the Corporate and Community Planning Standing Scrutiny Panel considered a report on implementation of the recommendations contained within the Scottish Information Commissioners Assessment of February 2013.
- 3.2 Within paragraph 4.1 of the 2013 Panel report, it was advised that an Annual Report be submitted to the appropriate Panel detailing Directorate response times and volumes of requests under FOISA and EIRs, by subject and applicant status.
- 3.3 Reporting is also underpinned under Section 60 of FOISA and Regulation 18 of the EIRs, which states that public authorities should review and report on their FOI performance data regularly. South Ayrshire Council reports performance to the public, elected members and senior management, as well as providing quarterly performance figures to the Scottish Information Commissioner.
- 3.4 Should the Scottish Information Commissioner consider a public body is failing to perform to its standards, it has enforcement powers allowing their Enforcement Officers to invoke statutory [Interventions Procedures | Scottish Information Commissioner \(itspublicknowledge.info\)](#).

- 3.5 South Ayrshire Council's performance continues to meet the standards required of the Scottish Information Commissioner, with no interventions sought.
- 3.6 The Council's Information Governance (IG) Team handles all Council information requests under FOISA and EIRs.
- 3.7 Public bodies are required to respond to information requests under both FOISA and the EIRS within 20 working days (in exceptional circumstances this timescale can be extended under the EIRS, but there is no extension mechanism under the FOISA legislation).
- 3.8 For the 2022/23 reporting period outlined in this report, 82% of FOISA responses were issued within 20 working days, and 84% of EIR responses being issued within statutory time scales.

This shows an improvement in our performance from the previous year despite the Council also receiving 116 more information requests in 2022/23 than 2021/22.

	FOISA		EIRS	
	2021/22	2022/23	2021/22	2022/23
Information Requests responded to within 20 working days	77%	82% ▲	71%	84% ▲

- 3.9 [Appendix 1](#) – provides further information on the administration of FOISA and EIR requests, the Council's performance against statutory time scales; how South Ayrshire Council performs in comparison to other similar Local Authorities within Scotland; the number of Internal Reviews and Scottish Information Commissioner investigations carried out, and future steps being taken to improve the Council's performance.
- 3.10 [Appendix 2](#) – provides information on the Council's response times to FOISA requests within 20 working days, broken down by Directorate performance, together with analysis of requests by subject and requestor categories.
- 3.11 [Appendix 3](#) – provides information on the Council's response times to EIR requests within statutory time scales, broken down by Directorate performance, together with analysis of requests by subject and requestor categories.
- 3.12 [Appendix 4](#) – provides further analysis information of FOISA requests by the categorisation of the requestor.
- 3.13 [Appendix 5](#) – provides further analysis information of EIR requests by the categorisation of the requestor.

#### 4. Proposals

- 4.1 Members are asked to scrutinise the contents of this report.
- 4.2 Request a further report to a future meeting of the Panel, providing an update on the FOISA/ EIR performance of the Council during the period 1 July 2023 to 30 June 2024.

#### 5. Legal and Procurement Implications

- 5.1 There are no legal implications arising from this report.

5.2 There are no procurement implications arising from this report.

## **6. Financial Implications**

6.1 Not applicable.

## **7. Human Resources Implications**

7.1 Not applicable.

## **8. Risk**

### **8.1 *Risk Implications of Adopting the Recommendations***

8.1.1 There are no risks associated with adopting the recommendations.

### **8.2 *Risk Implications of Rejecting the Recommendations***

8.2.1 There are no risks associated with rejecting the recommendations.

## **9. Equalities**

9.1 The proposals in this report have been assessed through the Equality Impact Assessment Scoping process. There are no significant potential positive or negative equality impacts of agreeing the recommendations and therefore an Equalities Impact Assessment is not required. A copy of the Equalities Scoping Assessment is attached as [Appendix 6](#).

## **10. Sustainable Development Implications**

10.1 ***Considering Strategic Environmental Assessment (SEA)*** - This report does not propose or seek approval for a plan, policy, programme or strategy or document otherwise described which could be considered to constitute a plan, programme, policy, or strategy.

## **11. Options Appraisal**

11.1 An options appraisal has not been carried out in relation to the subject matter of this report.

## **12. Link to Council Plan**

12.1 The matters referred to in this report contribute to Priority 4 of the Council Plan: Efficient and Effective Enabling Services.

## **13. Results of Consultation**

13.1 There has been no public consultation on the contents of this report.

13.2 Consultation has taken place with Councillor Ian Davis, Portfolio Holder for Finance, Human Resources and ICT, and the contents of this report reflect any feedback provided.

## **Background Papers/**

**Background Papers**    **Report to Corporate and Community Planning Standing Scrutiny Panel of 5 September 2013 - [Freedom of Information \(Scotland\) Act 2002 \(FOISA\) Environmental Information \(Scotland\) Regulations 2004 \(EIR\) – Assessment – Scottish Information Commissioner’s Assessment Report](#)**

**[Scottish Ministers’ Code of Practice on the Discharge of Functions by Scottish Public Authorities under the Freedom of Information \(Scotland\) Act 2002 and the Environmental Information \(Scotland\) Regulations 2004](#)**

**Report to Service and Performance Panel of 20 September 2022 – [FOISA/ EIR Annual Report 2021/22](#)**

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**Date: 13 October 2023**

## Additional Background Information

As part of the Council's commitment to provide an open and transparent Freedom of Information service to our citizens, the Information Governance (IG) team works with Council services to establish ways we can improve our performance whilst providing high quality responses within statutory timescales.

Monthly, quarterly and annual reporting of FOI/EIR performance statistics is also provided to Council Senior Management, and Elected Members through monthly communications which analyse performance against the previous year.

Members are asked to note the following:

### Pro-Active Publication of Information

- 1.1 The IG team recommends Council services take a pro-active approach to publishing information, to keep the public advised in an open and transparent manner. This can also reduce the number of information requests received by the services, allowing resources to be focused upon daily operational service delivery.
- 1.2 The IG team monitors trends in requests and works with services to consider publishing information on the Council's website when that information is being requested frequently.
- 1.3 The Council's Revenue & Benefit's team recognised the increasing volume of request for information under FOISA for Non-Domestic Rates data. As a result, and with the support of the IG Team, a dedicated web page is now available online that allows members of the public to access information without the requirement of making a request under FOISA [Non-Domestic \(Business\) Rates FOI requests - South Ayrshire Council \(south-ayrshire.gov.uk\)](https://www.south-ayrshire.gov.uk/non-domestic-rates-foi-requests)
- 1.4 An ongoing trend in requests for information relating to the Council Statutory Notices (e.g., under Planning and Housing legislation) has been established and over the course of 2023/24 the IG team will be working with services to find ways to make this information available within the public domain, using the success of our Non-Domestic Rates data publication as positive example of how pro-active publication can support service delivery.

### 2.0 Monitoring our Performance

- 2.1 Members will note that the Council received **116** more information requests between 2021/22 (1,284 requests) and 2022/23 (1,400 requests). Further information on the breakdown of these statistics is detailed in Appendix 2, Appendix 3, Appendix 4, and Appendix 5.
- 2.2 The Council's internal service performance indicator target for responses being issued within the 20-day timescale is set at **80%**. In 2022/23 **82%** of FOISA requests and **84%** of EIR requests were answered within the prescribed timescales.

2.3 Between 2021/22 and 2022/23 there has been an improvement of **5%** in the number of FOISA requests being issued within 20 working days, i.e., 82% in comparison to 77% from the year before. There has also been an improvement of **13%** in the number of EIR requests being issued within 20 working days, i.e., 84% in 2022/23 in comparison to 71% in 2021/22

	FOISA		EIR	
	2021/22	2022/23	2021/22	2022/23
Closed, information provided <b>within</b> the 20 day timescale	77%	<b>82% ▲</b>	71%	<b>84% ▲</b>
<b>Key Performance Target</b>		<b>80%</b>		<b>80%</b>

2.4 As per Appendix 2 and Appendix 3, in 2022/23 the Council saw an increase of **12%** in the total number of FOISA requests received, and a slight decrease of **2%** in the number of EIR requests received from the previous year.

2.5 We have continued to make improvements in providing responses to information requests within 20 working days, despite the continuing trend in receiving more information requests through FOISA and the EIRS. This is in part due to the IG team offering support to services who are experiencing difficulties in balancing daily operational matters and responding to information requests within timescales.

2.6 To provide a realistic comparison of South Ayrshire Council's performance, benchmarking information is provided below around similar groups of Councils within Scotland, who have a similar customer demographic (e.g., relative deprivation and affluence) and the type of area in which service provision is made (e.g., urban, rural, semi-rural) in terms of the number of FOISA and EIR requests received, the percentage responded to within 20 working days and the percentage resulting in an Internal Review.

2.7 Based on our Scottish Information Commissioner return, over the reporting period 1 April 2022 to 31 March 2023, South Ayrshire Council responded to **79%** of all our information requests within statutory time scales, with our performance being positively comparable against other Scottish Councils:

	Council	Total Requests	Total on Time	% on time
1	Dumfries & Galloway Council	1517	1483	98%
2	South Lanarkshire Council	1273	1168	92%
3	Clackmannanshire Council & Licensing Board	1207	1044	86%
3	West Lothian	1123	966	86%
<b>4</b>	<b>South Ayrshire Council &amp; Licensing Board</b>	<b>1374</b>	<b>1091</b>	<b>79%</b>
5	Falkirk Council	1519	1145	75%
6	Renfrewshire Council	1627	1210	74%

2.8 The IG Team has recently launched a mandatory FOISA/ EIR COAST training which is currently being undertaken by all Council staff. It is anticipated that the deployment of this new FOISA/ EIR training the Council will promote improved understanding and communication, leading to improvements in the number of requests being responded to within 20 working days.

2.9 The Co-ordinator of Registration, Records & Information has also recently provided an overview session to the Council's ELT making recommendations to improve our procedures and processes and integrate Senior Management engagement into these processes to support our statutory obligations in responding to requests within 20 working days.

### 3.0 Internal Reviews and Scottish Information Commissioner Investigations

3.1 The number of internal review requests and referrals to the Scottish Information Commissioner allows the Council to gauge the quality of the responses that has been issued to an applicant.

3.2 When an applicant is dissatisfied with the response to their information request, they can ask that the Council undertakes an Internal Review to revisit our decision of applying an exemption and not providing the requested information. If they remain dissatisfied, they have the right of appeal to Office of the Scottish Information Commissioner (OSIC).

3.3 The following Internal Review and OSIC investigations were undertaken in 2021/22 and 2022/23:

	<b>FOISA</b>		<b>EIRS</b>	
	<b>2021/22</b>	<b>2022/23</b>	<b>2021/22</b>	<b>2022/23</b>
<b>Internal Reviews</b>	21	11 ▼	8	2 ▼
<b>SIC Investigations</b>	3	1 ▼	2	0 ▼

*Internal Reviews of all FOISA and EIR requests are undertaken by the Co-ordinator (Records, Registration, and Information).*

3.4 Based on statistics submitted to the Scottish Information Commissioner and with comparison to the other Councils benchmarked within paragraph 2.7 above, the percentage of applicants seeking Internal Review after they have received an FOISA/ EIR response is also positively comparable:

	<b>Council</b>	<b>Total Requests</b>	<b>No Reviews</b>	<b>% of total requests</b>
1	Renfrewshire Council	1627	15	0.009%
2	<b>South Ayrshire Council &amp; Licensing Board</b>	<b>1374</b>	<b>14</b>	<b>0.010%</b>
3	West Lothian Council	1123	29	0.025%
4	Falkirk Council	1519	44	0.029%
5	Dumfries & Galloway Council	1517	65	0.043%
6	South Lanarkshire Council	1273	28	0.219%
7	Clackmannanshire Council & Licensing Board	1207	38	0.314%

- 3.5 If a requester continues to be unhappy with the outcome of the review, they have the right of appeal to OSIC. In 2022/23 1 of our FOISA Internal Review applicants then sought a further investigation from the OSIC. None of our EIR applicants contacted the OSIC.

The OSIC is currently investigating the FOISA investigation referred to above and has not yet issued a formal Decision Notice. All Decision Notices are published by the OSIC at: [Decisions | Scottish Information Commissioner \(itspublicknowledge.info\)](https://itspublicknowledge.info/Decisions)



**Freedom of Information (Scotland) Act 2002**  
**Enquiries – 1 July 2022 to 30 June 2023**

	<i>Chief Executive</i>		<i>Place</i>		<i>Health and Social Care Partnership</i>		<i>People</i>		<i>Total</i>	
	<i>2022/23</i>	<i>2021/22</i>	<i>2022/23</i>	<i>2021/22</i>	<i>2022/23</i>	<i>2021/22</i>	<i>2022/23</i>	<i>2021/22</i>	<i>2022/23</i>	<i>2021/22</i>
<b>Number of Enquiries</b>	<b>484</b>	462	<b>308</b>	352	<b>155</b>	148	<b>315</b>	201	<b>1262</b>	1163
Closed, information provided <b>within</b> the 20-day timescale	<b>370</b>	340	<b>258</b>	241	<b>95</b>	113	<b>257</b>	148	<b>980</b>	842
Awaiting clarification	<b>0</b>	0	<b>0</b>	0	<b>0</b>	0	<b>0</b>	0	<b>0</b>	0
Closed, information provided <b>out with</b> the 20-day timescale	<b>109</b>	120	<b>50</b>	111	<b>56</b>	35	<b>56</b>	53	<b>271</b>	319
Open	<b>5</b>	2	<b>0</b>	0	<b>4</b>	0	<b>2</b>	0	<b>11</b>	2
<b>Turnaround Percentage</b>	<b>76%▲</b>	74%	<b>84%▲</b>	69%	<b>61%▼</b>	76%	<b>82%▲</b>	74%	<b>78%▲</b>	72%

While the Council received **1,051** enquiries, **211** of these required a response from multiple Council services meaning that in total services processed **1,262** requests.

There has been an increase in the Council's response rate within the statutory 20 working day timescale across all Directorates, from **72%** in 2021/22 to **78%** in 2022/23.

The IG Team continue to support services in how to manage information electronically, to reduce the reliance upon paper records and improve access to information. Over the course of the next year, information management of FOISA and EIR requests will be migrated to the Council's GOSS Platform, which is anticipated will reduce reliance on paper records and support further improvements in responding within timescales.

By Subject					
Type of Enquiry	Total		Type of Enquiry	Total	
	2022/23	2021/22		2022/23	2021/22
Administration	102	152	ICT	30	27
Adult Care	49	35	Insurance	3	1
Building Control	1	1	Leisure	33	39
Child Care	38	40	Licensing	25	15
Civic	0	0	Multi	136	46
Community Care/ Planning	2	2	Neighbourhood Services	26	17
Community Safety	3	2	Planning	3	8
Corporate	4	1	Procurement	27	22
Criminal Justice	3	4	Property and Design	0	0
Elections	1	1	Pupils	6	0
Environmental	16	17	Registration Services	0	1
Estates	8	30	Roads	9	8
Events	4	2	Schools	170	99
Ex Curr	0	0	Sustainable Development	0	2
Finance	100	145	Teachers	4	6
Fleet Management	5	8	Trading Standards	8	0
Grants	0	0	Transport	0	1
Health	2	1	Waste Management	3	8
Health And Safety	0	4			
Housing	109	100			
HR	121	83			
<b>Total</b>				<b>1,051 ▲</b>	<b>928</b>

By Requester		
Type of Requester	Total	
	2022/23	2021/22
Charity/Vol Org	23	21
Company	174	148
General Public	448	521
Local Authority	17	6
MSP/MP	248	99
Other	4	0
Press	125	111
Solicitor	3	3
Union	7	14
Uni/College	2	5
<b>Total</b>	<b>1,051 ▲</b>	<b>928</b>

**Environmental Information (Scotland) Regulations 2004**  
**Enquiries – 1 July 2022 to 30 June 2023**

	<i>Chief Executive</i>		<i>Place</i>		<i>Health and Social Care Partnership</i>		<i>People</i>		<i>Total</i>	
	<i>2022/23</i>	<i>2021/22</i>	<i>2022/23</i>	<i>2021/22</i>	<i>2022/23</i>	<i>2021/22</i>	<i>2022/23</i>	<i>2021/22</i>	<i>2022/23</i>	<i>2021/22</i>
<b>Number of Enquiries</b>	<b>84</b>	76	<b>294</b>	304	<b>0</b>	1	<b>7</b>	13	<b>385</b>	394
Closed, information provided <b>within</b> the 20 day timescale	<b>74</b>	55	<b>237</b>	220	<b>0</b>	0	<b>5</b>	6	<b>316</b>	281
Awaiting clarification	<b>0</b>	0	<b>0</b>	0	<b>0</b>	0	<b>0</b>	0	<b>0</b>	0
Closed, information provided <b>outwith</b> the 20 day timescale	<b>10</b>	21	<b>55</b>	81	<b>0</b>	1	<b>2</b>	7	<b>67</b>	110
Open	<b>0</b>	0	<b>2</b>	3	<b>0</b>	0	<b>0</b>	0	<b>2</b>	3
<b>Turnaround Percentage</b>	<b>88%▲</b>	72%	<b>81%▲</b>	72%	<b>0%</b>	0%	<b>71%▲</b>	46%	<b>82%▲</b>	71%

While the Council received **349** enquiries **36** of these required a response from multiple Council services meaning that services processed **385** requests in total.

The Council responded within the statutory 20 working day timescale across all Directorates in **82%** of all cases in 2022/23 which is an increase from the **71%** response rate reported in 2021/22. There has been a consistent increase in response times across all services for EIR Requests.

EIR requests are often relating to high-profile projects and developments within the Council, requiring multiple service input into responses. The IG Team continue to support services in how to manage information electronically, to reduce the reliance upon paper records and improve access to information. Over the course of the next year, information management of FOISA and EIR requests will be migrated to the Council's GOSS Platform, which is anticipated will reduce reliance on paper records and support further improvements in responding within timescales.

**EIR Enquiries – 1 July 2022 to 30 June 2023**  
**Analysis by subject and by requester (\*Further Analysis is available in [Appendix 5](#))**

By Subject					
Type of Enquiry	Total		Type of Enquiry	Total	
	2022/23	2021/22		2022/23	2021/22
Administration	16	29	ICT	1	1
Adult Care	0	0	Insurance	1	0
Building Control	12	9	Leisure	1	7
Child Care	0	0	Licensing	0	0
Civic	0	0	Multi	37	14
Community Care/ Planning	0	0	Neighbourhood Services	21	20
Community Safety	0	0	Planning	42	37
Corporate	0	0	Procurement	1	1
Criminal Justice	0	0	Property And Design	0	0
Elections	0	0	Pupils	0	0
Environmental	51	49	Registration Services	0	0
Estates	16	15	Roads	110	113
Events	0	0	Schools	0	0
Finance	0	4	Sustainable Development	4	8
Fleet Management	2	2	Teachers	0	0
Grants	0	0	Trading Standards	0	0
Health	0	0	Transport	0	0
Health And Safety	4	4	Waste Management	22	31
Housing	8	13			
HR	0	0			
<b>Total</b>				<b>349 ▼</b>	<b>357</b>

By category of requester		
Category	Total	
	2022/23	2021/22
Charity/Vol Org	5	3
Claims Company	0	0
Company	130	92
Local authority	1	0
Public	131	197
MSP/MP	33	23
Other	0	0
Press	34	29
Solicitor	14	13
Trades Union	1	0
Uni/College	0	0
<b>Total</b>	<b>349 ▼</b>	<b>357</b>

## FOISA enquiries 1 July 2022 to 30 June 2023

### Analysis of requests by category of requester

Each request for information is logged and categorised using pre-defined categories within the IG FOISA logging system. The following provides further analysis of the category of requesters and subject matter (as outlined in [Appendix 2](#)).

#### Public

**448** requests were identified as having been made by the public, representing 43% of all FOISA requests. This is 13% lower than the percentage received in 2021/22. Applications will be categorised as being from the public where the request clearly shows a personal email address or residential property address, as well as when the request has no further contextual information to indicate the request is from a company, MSP, Journalist etc.

	2022/23	2021/22
<b>Total received in year</b>	<b>1,051</b>	<b>928</b>
<b>Public</b>	<b>448</b>	<b>521</b>
<b>Percentage %</b>	<b>42% ▼</b>	<b>56%</b>

*In 2022/23 the following categories were allocated as public requests with Council Administration, Human Resources and School receiving the majority.*

Type of Enquiry	Total for Period
ADMINISTRATION	48
ADULT CARE	17
BUILDING CONTROL	1
CHILD CARE	16
CORPORATE	3
CRIMINAL JUSTICE	1
ELECTIONS	1
ENVIRONMENTAL	9
ESTATES	5
EVENTS	1
FINANCE	35
FLEET MANAEMENT	5
HOUSING	40
HR	48
ICT	19
INSURANCE	1
LEISURE	18
LICENSING	7

Type of Enquiry	Total for Period
MULTI	78
NEIGHBOURHOOD SERVICES	11
PLANNING	2
PROCUREMENT	21
PUPILS	3
ROADS	7
SCHOOLS	45
TEACHERS	1
TRADING STANDARDS	3
WASTE MANAGEMENT	2
<b>TOTAL</b>	<b>448</b>

\*ADMINISTRATION information relating to, for example Complaints, Elected Members, Council Policies and Council contact details

\*\*Multi = information requests covering multiple categories

### Solicitor

FOISA requests were made by a solicitor representing 0.2% of all requests. This is a decrease of 0.1% from the same reporting period in 2021/22. When a request is categorised as being from a solicitor, this is clearly established from the correspondence issued by the relevant legal representative. (e.g., incorporates a letter with official letter head, official footer to an email).

	2022/23	2021/22
<b>Total Received In Year</b>	<b>1,051</b>	<b>928</b>
<b>Solicitor</b>	<b>3</b>	<b>3</b>
<b>Percentage %</b>	<b>0.2% ▼</b>	<b>0.3%</b>

The three requests were split evenly across all enquiry types.

Type of Enquiry	Total for Period
ADULT CARE	1
FINANCE	1
MULTI	1
<b>TOTAL</b>	<b>3</b>

### Company

174 were made by a Company representing 17% of all FOISA requests. This is a 1% increase from 2021/22. Requests that are categorised as being from a company will be private companies seeking information from the Council, e.g., BT, Millar and Bryce. (e.g., incorporates a letter with official letter head, official footer to an email).

	2022/23	2021/22
<b>Total Received In Year</b>	<b>1,051</b>	<b>928</b>
<b>Company</b>	<b>174</b>	<b>148</b>
<b>Percentage %</b>	<b>17% ▲</b>	<b>16%</b>

In 2022/23 the following categories were allocated to the Company FOISA requests, with the majority (17%) relating to Finance.

Type of Enquiry	Total for Period
ADMINISTRATION	17
ADULT CARE	10
CHILD CARE	8
COMMUNITY CARE/PLANNING	1
ENVIRONMENTAL	1
ESTATES	1
EVENTS	1
FINANCE	30
HOUSING	22
HR	19
ICT	9
INSURANCE	1
LEISURE	2
LICENSING	13
MULTI	15
NEIGHBOURHOOD SERVICES	4
PLANNING	1
PROCUREMENT	5
PUPILS	2
ROADS	1
SCHOOLS	9
TRADING STANDARDS	1
WASTE MANAGEMENT	1
<b>TOTAL</b>	<b>174</b>

### MSP/MP

248 requests were made by an MSP/MP representing 24% of all FOISA requests. This is a 13% increase to the percentage received in 2021/22. Requests categorised here will be clearly established as being from an MSP/MP from the correspondence received by the Council. (e.g., incorporates a letter with official letter head, official footer to an email).

	2022/23	2021/22
<b>Total Received In Year</b>	<b>1,051</b>	<b>928</b>
<b>MSP/MP</b>	<b>248</b>	<b>99</b>
<b>Percentage %</b>	<b>24%▲</b>	<b>11%</b>

In 2022/23 the following categories were allocated to the MSP/MP FOISA requests, with the majority (33%) relating to Schools.

Type of Enquiry	Total for Period
ADMINISTRATION	14
ADULT CARE	13
CHILD CARE	4
COMMUNITY CARE/PLANNING	1
COMMUNITY SAFETY	1
CRIMINAL JUSTICE	1
ENVIRONMENTAL	2
ESTATES	1
EVENTS	1
FINANCE	18
HEALTH	2
HOUSING	26
HR	41
INSURANCE	1
LEISURE	10
LICENSING	1
MULTI	21
NEIGHBOURHOOD SERVICES	7
PROCUREMENT	1
SCHOOLS	82
<b>TOTAL</b>	<b>248</b>

### Press

125 were made by the Press in 2021/22 representing 12% of all FOISA requests. This is equal to the percentage received from the Press in 2021/22. Requests categorised as being from the Press/Journalist will be clearly defined based on the correspondence received. (e.g., incorporates an official footer to an email).

	2022/23	2021/22
<b>Total Received In Year</b>	<b>1,051</b>	<b>928</b>
<b>Press</b>	<b>125</b>	<b>111</b>
<b>Percentage %</b>	<b>12% ◀▶</b>	<b>12%</b>

In 2022/23 the following categories were allocated to the Press FOISA requests, with the majority (23%) relating to schools' information.

Type of Enquiry	Total for Period
ADMINISTRATION	17
ADULT CARE	5
CHILD CARE	3
COMMUNITY SAFETY	1
CRIMINAL JUSTICE	1



Type of Enquiry	Total for Period
ENVIRONMENTAL	3
ESTATES	1
EVENTS	1
FINANCE	9
HOUSING	16
HR	7
LEISURE	3
LICENSING	3
MULTI	15
NEIGHBOURHOOD SERVICES	2
PUPILS	1
ROADS	1
SCHOOLS	29
TEACHERS	3
TRADING STANDARDS	4
<b>TOTAL</b>	<b>125</b>

### Charity/Voluntary Organisation

23 requests were made by a Charity or Voluntary Organisation representing 2% of all FOISA requests. This is equal to the same reporting period of 2021/22. Applications from Charities and Voluntary organisations will be categorised based on the correspondence received (e.g., incorporates a letter with official letter head, official footer to an email).

	2022/23	2021/22
<b>Total Received In Year</b>	<b>1,051</b>	<b>928</b>
<b>Charity / Vol Org</b>	<b>23</b>	<b>21</b>
<b>Percentage %</b>	<b>2% ◀▶</b>	<b>2%</b>

In 2022/23 the following categories were allocated to the Charity/Voluntary Organisation FOISA requests with Child Care receiving the most at 26%

Type of Enquiry	Total for Period
ADMINISTRATION	2
ADULT CARE	1
CHILD CARE	6
ENVIRONMENTAL	1
FINANCE	3
HOUSING	3
LICENSING	1
MULTI	3

Type of Enquiry	Total for Period
SCHOOLS	3
<b>TOTAL</b>	<b>23</b>

### Claims Company

No requests were identified as being made by claims companies in 2022/23

	2022/23	2021/22
<b>Total Received In Year</b>	<b>1,051</b>	<b>928</b>
<b>Claims Company</b>	<b>0</b>	<b>0</b>
<b>Percentage %</b>	<b>0% ◀▶</b>	<b>0%</b>

### Trade Unions

7 requests were made by Trades Unions representing 0.6% of all FOISA requests. This shows a decrease from the same reporting period in 2021/22, where 1.5% of requests were made by Trade Unions.

	2022/23	2021/22
<b>Total Received In Year</b>	<b>1,051</b>	<b>928</b>
<b>Trade Union</b>	<b>7</b>	<b>14</b>
<b>Percentage %</b>	<b>0.6% ▼</b>	<b>1.5%</b>

Unsurprisingly most requests related to the HR information:

Type of Enquiry	Total for Period
FINANCE	2
HOUSING	1
HR	3
MULTI	1
<b>TOTAL</b>	<b>7</b>

### University/College

2 requests were made by a university or colleges representing 0.2% of all FOISA requests. This is a decrease of 0.3% from this reporting period in 2021/22.

	2022/23	2021/22
<b>Total Received In Year</b>	<b>1,051</b>	<b>928</b>
<b>University/College</b>	<b>2</b>	<b>5</b>
<b>Percentage %</b>	<b>0.2% ▼</b>	<b>0.5%</b>

The two requests were split evenly across all enquiry types.

Type of Enquiry	Total for Period
ADULT CARE	1
CORPORATE	1
<b>TOTAL</b>	<b>2</b>

## Local Authority

17 FOISA requests were made by a Local Authority representing 1.6% of all FOISA requests. This is a 1% increase from the same reporting period in 2021/22.

	2022/23	2021/22
<b>Total Received In Year</b>	<b>1,051</b>	<b>928</b>
<b>Local Authority</b>	<b>17</b>	<b>6</b>
<b>Percentage %</b>	<b>1.6%▲</b>	<b>0.6%</b>

In 2022/23 the following categories were allocated to Local Authority FOISA requests.

Type of Enquiry	Total for Period
ADMINISTRATION	4
ADULT CARE	1
CHILD CARE	1
FINANCE	1
HOUSING	1
HR	2
ICT	2
MULTI	2
NEIGHBOURHOOD SERVICES	2
SCHOOLS	1
<b>TOTAL</b>	<b>17</b>

## Other

4 requests were categorised as “other” in 2022/23 representing 0.4% of all requests.

	2022/23	2021/22
<b>Total Received In Year</b>	<b>1,051</b>	<b>928</b>
<b>Other</b>	<b>4</b>	<b>0</b>
<b>Percentage %</b>	<b>0.4%▲</b>	<b>0%</b>

In 2022/23 the following categories were allocated to Other FOISA requests.

Type of Enquiry	Total for Period
COMMUNITY SAFETY	1
FINANCE	1
HR	1
SCHOOLS	1
<b>TOTAL</b>	<b>4</b>

## EIR Enquiries 1 June 2022 to 30 June 2023

### Analysis of requests by category of requester

Each enquiry is logged and categorised using pre-defined broad categories within the EIR logging system. The following provides further analysis of the category of requester and subject matter of the requested information (as outlined in [Appendix 3](#)).

#### Public

**131** requests were identified as having been made the public, representing 38% of all EIR requests. This is a decrease of 17% from 2021/22 where 55% of EIR requests were received from the General Public:

	2022/23	2021/22
<b>Total received in year</b>	<b>349</b>	<b>357</b>
<b>Public</b>	<b>131</b>	<b>197</b>
<b>Percentage %</b>	<b>38% ▼</b>	<b>55%</b>

In 2022/23 the following categories were allocated to the public EIR requests, with the majority (35%) relating to Road's information:

Type of Enquiry	Total for Period
ADMINISTRATION	6
BUILDING CONTROL	2
ENVIRONMENTAL	15
ESTATES	5
ICT	1
INSURANCE	1
LEISURE	1
MULTI	16
NEIGHBOURHOOD SERVICES	11
PLANNING	14
PROCUREMENT	1
ROADS	46
SUSTAINABLE DEVELOPMENT	1
WASTE MANAGEMENT	11
<b>TOTAL</b>	<b>131</b>

*\*Information relating to, for example complaints relating to environmental information, general enforcement, and Council Policies.*

#### Solicitor

**14** requests were made by a Solicitor, representing 4% of all EIR requests. This is equal to the same reporting period in 2021/22.

	2022/23	2021/22
<b>Total Received In Year</b>	<b>349</b>	<b>357</b>
<b>Solicitor</b>	<b>14</b>	<b>13</b>
<b>Percentage %</b>	<b>4% ◀▶</b>	<b>4%</b>

In 2022/23 the following categories were allocated to the Solicitor EIR requests, with the majority (64%) relating Roads:

Type of Enquiry	Total for Period
BUILDING CONTROL	2
MULTI	1
NEIGHBOURHOOD SERVICES	1
ROADS	9
WASTE MANAGEMENT	1
<b>TOTAL</b>	<b>14</b>

### Company

**130** requests were made by a Company representing 37% of all EIR requests. This is an increase of 11% from 2021/22 where 26% of EIR requests were received from a Company:

	2022/23	2021/22
<b>Total Received In Year</b>	<b>349</b>	<b>357</b>
<b>Company</b>	<b>130</b>	<b>92</b>
<b>Percentage %</b>	<b>37%▲</b>	<b>26%</b>

The following categories were allocated to Company EIR requests, with the majority (26%) relating to Road's information:

Type of Enquiry	Total for Period
ADMINISTRATION	4
BUILDING CONTROL	8
ENVIRONMENTAL	27
ESTATES	7
FLEET MANAEMENT	2
HEALTH AND SAFETY	3
HOUSING	4
MULTI	11
NEIGHBOURHOOD SERVICES	1
PLANNING	23
ROADS	34
SUSTAINABLE DEVELOPMENT	2
WASTE MANAGEMENT	4
<b>TOTAL</b>	<b>130</b>

### MSP/MP

**33** requests were attributed to being from an MSP/MP, representing 9% of all EIR requests. This is a decrease of 2% from 2021/22.

	2022/23	2021/22
<b>Total Received In Year</b>	<b>349</b>	<b>357</b>
<b>MSP/MP</b>	<b>33</b>	<b>23</b>
<b>Percentage %</b>	<b>9%▲</b>	<b>6%</b>

In 2022/23 the following categories were allocated to the MSP/MP EIR requests, with the majority (21%) relating to Road's information.

Type of Enquiry	Total for Period
ADMINISTRATION	4
ENVIRONMENTAL	2
ESTATES	3
HOUSING	2
MULTI	3
NEIGHBOURHOOD SERVICES	4
PLANNING	4
ROADS	7
WASTE MANAGEMENT	4
<b>TOTAL</b>	<b>33</b>

### Press

**34** requests were made by the Press representing 10% of all EIR requests. This is an increase of 2% from 2021/22:

	2022/23	2021/22
<b>Total Received In Year</b>	<b>349</b>	<b>357</b>
<b>Press</b>	<b>34</b>	<b>29</b>
<b>Percentage %</b>	<b>10%▲</b>	<b>8%</b>

In 2022/23 the following categories were allocated to the Press EIR requests with the majority (41%) relating to Road's information.

Type of Enquiry	Total for Period
ADMINISTRATION	2
ENVIRONMENTAL	5
ESTATES	1
HOUSING	2
MULTI	4
NEIGHBOURHOOD SERVICES	4
PLANNING	1
ROADS	14
SUSTAINABLE DEVELOPMENT	1
<b>TOTAL</b>	<b>34</b>

### Charity/Voluntary Organisation

5 requests were made by a Charity/Voluntary Organisation, representing 1.4% of all EIR requests. This is an increase of 0.4% from 2021/22.

	2022/23	2021/22
<b>Total Received In Year</b>	<b>349</b>	<b>357</b>
<b>Charity/Vol. Org</b>	<b>5</b>	<b>3</b>
<b>Percentage %</b>	<b>1.4%▲</b>	<b>0.8%</b>

In 2022/23 the following categories were allocated to Charity/Voluntary Organisations EIR requests.

Type of Enquiry	Total for Period
ENVIRONMENTAL	2
HEALTH AND SAFETY	1
MULTI	1
WASTE MANAGEMENT	1
<b>TOTAL</b>	<b>5</b>

### Claims Company

No requests were made by claims companies in 2022/23.

	2022/23	2021/22
<b>Total Received In Year</b>	<b>349</b>	<b>357</b>
<b>Claims Company</b>	<b>0</b>	<b>0</b>
<b>Percentage %</b>	<b>0%◀▶</b>	<b>0%</b>

### Local Authority

1 request was made from a Local Authority in 2022/23.

	2022/23	2021/22
<b>Total Received In Year</b>	<b>349</b>	<b>357</b>
<b>Local Authority</b>	<b>1</b>	<b>0</b>
<b>Percentage %</b>	<b>0.3%▲</b>	<b>0%</b>

  

Type of Enquiry	Total for Period
MULTI	1
<b>TOTAL</b>	<b>1</b>

### University/College

No requests were made from Universities/Colleges in 2022/23.

	2022/23	2021/22
<b>Total Received In Year</b>	<b>349</b>	<b>357</b>
<b>University/College</b>	<b>0</b>	<b>0</b>
<b>Percentage %</b>	<b>0%◀▶</b>	<b>0%</b>

## Trades Unions

1 request was made from a Trade Union in 2022/23.

	2022/23	2021/22
<b>Total Received In Year</b>	<b>349</b>	<b>357</b>
<b>Trades Unions</b>	<b>1</b>	<b>0</b>
<b>Percentage %</b>	<b>0.3%</b>	<b>0%</b>

Type of Enquiry	Total for Period
WASTE MANAGEMENT	1
<b>TOTAL</b>	<b>1</b>

## Other

No requests were made by requestors categorised as 'Other'.

	2022/23	2021/22
<b>Total Received In Year</b>	<b>349</b>	<b>357</b>
<b>Other</b>	<b>0</b>	<b>0</b>
<b>Percentage %</b>	<b>0% ◀▶</b>	<b>0%</b>



## South Ayrshire Council Equality Impact Assessment Scoping Template

Equality Impact Assessment is a legal requirement under the Public Sector Duty to promote equality of the Equality Act 2010. Separate guidance has been developed on Equality Impact Assessment's which will guide you through the process and is available to view here: <https://www.south-ayrshire.gov.uk/equalities/impact-assessment.aspx>

Further guidance is available here: <https://www.equalityhumanrights.com/en/publication-download/assessing-impact-and-public-sector-equality-duty-guide-public-authorities/>

The Fairer Scotland Duty ('the Duty'), Part 1 of the Equality Act 2010, came into force in Scotland from 1 April 2018. It places a legal responsibility on Councils to actively consider ('pay due regard to') how we can reduce inequalities of outcome caused by socio-economic disadvantage, when making strategic decisions. [FSD Guidance for Public Bodies](#) in respect of the Duty, was published by the Scottish Government in March 2018 and revised in October 2021. See information here: <https://www.gov.scot/publications/fairer-scotland-duty-guidance-public-bodies/>

### 1. Policy details

Policy Title	Complaints – Scrutiny Update
Lead Officer (Name/Position/Email)	Wynne Carlaw, Service Lead – Democratic Governance – wynne.carlaw@south-ayrshire.gov.uk

**2. Which communities, groups of people, employees or thematic groups do you think will be, or potentially could be, impacted upon by the implementation of this policy? Please indicate whether these would be positive or negative impacts**

Community or Groups of People	Negative Impacts	Positive impacts
Age – men and women, girls & boys	-	-
Disability	-	-
Gender Reassignment (Trans/Transgender Identity)	-	-
Marriage or Civil Partnership	-	-
Pregnancy and Maternity	-	-
Race – people from different racial groups, (BME) ethnic minorities and Gypsy/Travellers	-	-
Religion or Belief (including lack of belief)	-	-
Sex – (issues specific to women & men or girls & boys)	-	-
Sexual Orientation – person's sexual orientation i.e., LGBT+, lesbian, gay, bi-sexual, heterosexual/straight	-	-

Community or Groups of People	Negative Impacts	Positive impacts
Thematic Groups: Health, Human Rights & Children's Rights	-	-

**3. What likely impact will this policy have on people experiencing different kinds of social disadvantage i.e. The Fairer Scotland Duty (This section to be completed for any Strategic Decisions). Consideration must be given particularly to children and families.**

Socio-Economic Disadvantage	Negative Impacts	Positive impacts
Low Income/Income Poverty – cannot afford to maintain regular payments such as bills, food, clothing	-	-
Low and/or no wealth – enough money to meet Basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future	-	-
Material Deprivation – being unable to access basic goods and services i.e., financial products like life insurance, repair/replace broken electrical goods, warm home, leisure/hobbies	-	-
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)	-	-
Socio-economic Background – social class i.e., parent's education, employment, and income	-	-

**4. Do you have evidence or reason to believe that the policy will support the Council to:**

General Duty and other Equality Themes Consider the 'Three Key Needs' of the Equality Duty	Level of Negative and/or Positive Impact (High, Medium, or Low)
<b>Eliminate unlawful discrimination, harassment, and victimisation</b>	Low
<b>Advance equality of opportunity</b> between people who share a protected characteristic and those who do not	Low
<b>Foster good relations</b> between people who share a protected characteristic and those who do not. (Does it tackle prejudice and promote a better understanding of equality issues?)	Low
Increase participation of particular communities or groups in public life	Low
Improve the health and wellbeing of particular communities or groups	Low
Promote the human rights of particular communities or groups	Low
Tackle deprivation faced by particular communities or groups	Low

5/

## 5. Summary Assessment

<b>Is a full Equality Impact Assessment required?</b> (A full Equality Impact Assessment must be carried out if impacts identified as <b>Medium and/or High</b> )	<input checked="" type="checkbox"/> <b>YES</b>  <input type="checkbox"/> <b>NO</b>
<b>Rationale for decision:</b>  <b>This report is an analysis of performance that allows scrutiny. There are no proposals at this stage to alter the way we provide services or Council policies</b>	
<b>Signed:</b> Catriona Caves	<b>Head of Service</b>
<b>Date:</b> 15 September 2023	