



Freedom of Information Requests Received and Complaints made to the Information Commissioner for the Year 1 April 2025 to 31 March 2026

Summary

1. The Authority must disclose information when requested by a member of the public. Where someone considers that the request has not been correctly dealt with or dealt within the statutory timescales, they may request that the Information Commissioner's Office (ICO) review the matter. This report identifies any complaints made to the ICO and Freedom of Information requests made to the Authority during the year from 1 April 2025 to 31 March 2026.

Recommendations:

- a **Members note the Freedom of Information and Environmental Information Regulations requests received during the period 1 April 2025 to 31 March 2026; and**
- b **Members make further suggestions to improve the Authority's services in the future.**

Background

2. Public authorities can be held to account for their decision-making. The Freedom of Information Act 2000 (FOIA) and Environmental Information Regulations 2004 (EIR) aim to make government more transparent by giving the public a mechanism through which to find out more about government policies and the decision-making process.

3. The FOIA and EIR give individuals and companies the right to ask public authorities whether they hold certain information and, if they do, the right to be given that information. FOIA does not deal with the collection and use of personal data, which is governed by the Data Protection Act 2018 and the UK GDPR 2016. The EIR came into force at the same time as FOIA to regulate public access to all environmental information held by public authorities.
4. A public authority must comply with a request within 20 working days of receiving it or, if the public interest test applies, within such time as is reasonable in the circumstances. If the officer dealing with the request considers an exemption applies and declines to provide the information the applicant can request that the Authority's Solicitor undertake an internal review of the decision.
5. If a public authority refuses to disclose the information requested or deal with the request for information within the statutory timescales, the applicant can appeal to the ICO. If the ICO decides that the authority has failed to comply with FOIA, the ICO can issue an enforcement notice requiring compliance if considered in the public interest. The applicant or the public authority may appeal to the Information Tribunal against the notice and appeals from the Tribunal to the High Court on points of law are also allowed. If a public authority fails to comply with an enforcement notice, the ICO may certify this failure to the court, who may deal with the authority as if it had committed a contempt of court.
6. For the year beginning 1 April 2025 and ending 31 March 2026:
 - 89 requests under FOIA and EIR were made to the Authority, compared to 77 requests last year. 43 requests were FOIA requests and 46 EIR requests;
 - 83 were responded to within time;
 - 6 were responded to out of time;
 - No requests for an internal review were received; and

- No complaints have been made to the ICO.

These are monitored on a quarterly basis by means of our Performance Indicators.

7. Of the requests received

- 35 requests are directly related to the Authority's planning function; only one of these requests related to planning enforcement. These cover specific planning applications (documents, correspondence, decisions), enforcement cases and complaints, pre-application advice, historic planning records and archived files, and technical matters (flood risk, site levels, noise, etc.). Typically, such requests are very case-specific and document-heavy requests.
- 2 requests were made for information relating to the Authority's HR function, including staffing numbers, lone workers, salaries, incidents, expenses; and
- 3 requests were for information relating to the Authority's ICT function. These requests were from prospective suppliers regarding systems, infrastructure, procurement, data protection, and document management systems.

The remaining requests cover a large range of topics including information relating to environmental data (water quality, bracken, landfill, wildlife), rights of way and access issues, finance and procurement (contracts, energy, grants, supplier payments), governance and policy (complaints, transparency, customer service, operational data (tourism, filming, staffing, assets), and miscellaneous (logos, artificial plants, royal visits, etc.).

8. The requests received reflect a wide public interest in how the Authority operates. Within planning, the requests demonstrate a need to understand the Authority's processes with a strong emphasis on transparency of decision-making and documentation. There is a trend of public scrutiny of planning decisions and a desire to challenge or understand specific outcomes.

9. There is also a high volume of repeat / serial requesters, with three requesters making 16 of the total requests made. Several names recur frequently (e.g. multiple planning-related requests from the same individuals). This suggests ongoing disputes, campaign activity, and deep engagement with specific cases.
10. There has been a growth in complex, multi-part requests. Many requests cover long time periods (10–25 years) or require datasets, breakdowns, or structured outputs which are more resource-intensive FOIs to resolve.
11. Six data breaches were reported to the Data Protection Officer in the period from 1 April 2025 to 31 March 2026. Breaches were minor in nature relating to the loss of mobile phones, sending emails or letters to incorrect email addresses or postal addresses, and incomplete redaction of documents placed onto the planning applications pages of the Authority's website. Most were due to human error.
12. There were no incidents reportable to the ICO.
13. The minor nature of the breaches demonstrates that the staff are not only aware of the requirement to report breaches but also that they are clear as to what constitutes a breach.
14. Members are asked to note the substantial amount of time and resources required to respond to Freedom of Information/Environmental Information Requests. In some instances, the equivalent of three days can be spent dealing with a single request. The Authority endeavours to publish as much as possible on the Authority's website but as matters become more contentious (particularly when relating to enforcement and pre-planning advice), such requests are used to obtain large volumes of information which are not published to the website. Such information must be reviewed, and personal information redacted. In addition, more representations contain inflammatory and libelous comment which has required guidance and training to try to find

an appropriate balance between publishing the views of representatives and protecting the Authority from legal action.

15. Compulsory training on the requirements of data protection and how to comply with the Data Protection Act 2018 and the UK GDPR 2016 has been introduced.
16. We have reviewed and improved our database to capture pertinent information, making it more readily accessible to officers dealing with complaints. We will continue to regularly review and revise our public and internal guidance notes; and continue to undertake refresher training for all staff, especially those team members who display information to our website. We will continue to monitor any further breaches and consider whether any further training of officers or changes to our custom and practice need to be undertaken.

Policy context

17. Reviewing FOIA and EIR requests and identifying trends over a period of time will enable us to identify areas of concern where the Authority is not performing as well as it might against the Vision and the Partnership Plan. Identifying trends will enable us to see where we need to improve our service delivery.

Options

18. Members are presented with the following options:
 - a) Members note the FOIA and EIR requests made to the Authority, complaints made to the ICO, and make further suggestions to improve the Authority's services in the future.
 - b) Members note the FOIA and EIR requests made to the Authority, complaints made to the ICO, and make no further suggestions to improve the Authority's services in the future.

Proposals

19. Members are asked to note the contents of this report and make suggestions to improve the Authority's services in the future.

Demonstrating best value

20. **Challenged** – This work must be done to ensure compliance with legislation. We have provided training, guidance and template documents to assist officers in responding to requests made as efficiently as possible.
21. **Compared** – the proposed approach is compliant with legislative provisions and ICO guidance.
22. **Consulted** – As this is a statutory requirement, there has been no consultation.
23. **Compete** – As compliance is a statutory requirement, this is irrelevant.

Finance considerations

24. The report has no finance considerations. However, Members should be aware that any complaint to the ICO which is upheld may result in the Authority having to pay such a fine as may be considered reasonable by the ICO.
25. If we fail to report breaches or undertake Privacy Impact Assessments, we can be fined £8,700,000 or 2% of turnover.
26. If we fail to comply with the conditions for retaining and processing personal data, do not comply with a data subject access request, process an individual's data fairly or process data outside of the purpose for which we retained it, we can be fined £17,500,000 or 4% of turnover.
27. In addition, compensation may be payable to the individual whose data has been inappropriately processed.

Risk

28. The monitoring of FOIA requests received by the Authority will help us to identify any areas of risk and enable the Authority to take appropriate steps to either negate or minimise that risk.

Legal considerations

29. The response to FOIA, EIR and Data Protection Subject Access requests within the required timescales is a statutory requirement and failure to comply can result in fines being imposed by the ICO or legal action being undertaken by the ICO against the Authority through the Information Tribunal or High Court.

Human resources

30. It is a legal requirement that we respond to any requests for information made under the FOIA and EIR and we comply with the requirements of the Data Protection Act 2018 and the UK GDPR 2016. This takes much time from officers in specific teams which can only be mitigated by improvement in data management.

Diversity implications

31. This report has no diversity implications.

Sustainability

32. There are not any significant environmental, economic and social effects.

Background papers	Legal Services and Freedom of Information Databases and individual Legal Services matter files
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