

UNIVERSITY STRATEGY & POLICY GROUP

FREEDOM OF INFORMATION COMPLIANCE REPORT - 2011

Introduction

1 The purpose of this report is to provide an overview of activity during 2011 in relation to information requests received and dealt with by the University under the Freedom of Information (Scotland) Act 2002. (FOISA). FOISA came into effect on the 1st January 2005 so there is now seven years worth of records in dealing with these enquiries.

2 There is no legal requirement to collect or record statistics about the handling of information requests, however the Scottish Ministers code of practice suggests that the following information is collected and reported on:

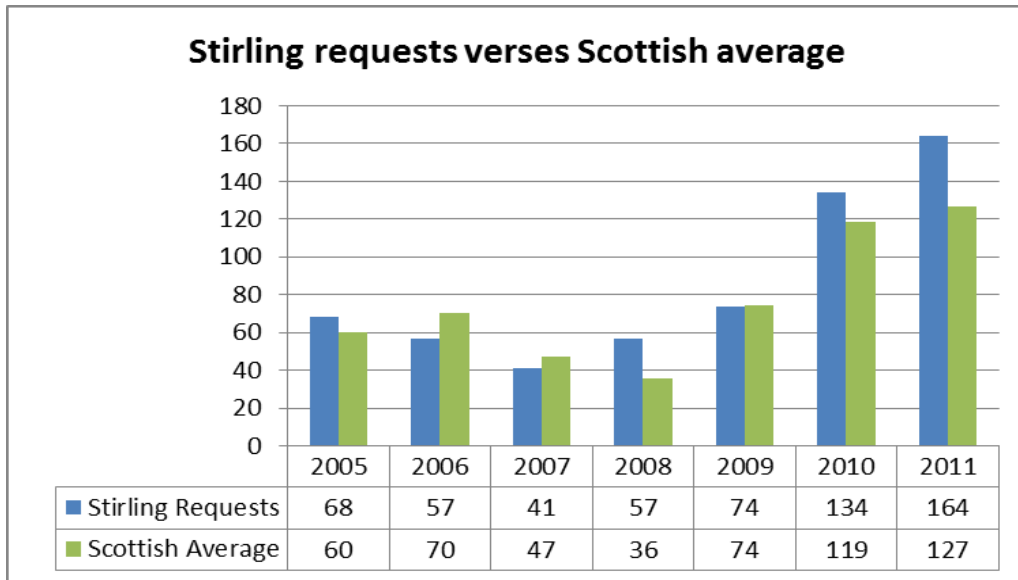
- The number of request received
- The proportion of requests answered within the statutory timescales
- The numbers of requests that have been refused and the reasons for refusal
- The number of times a fee has been charged
- The number of reviews carried out and the outcome of these
- The number of cases appealed to the Scottish Information Commissioner and the outcomes.

3 All these factors are covered in the report below.

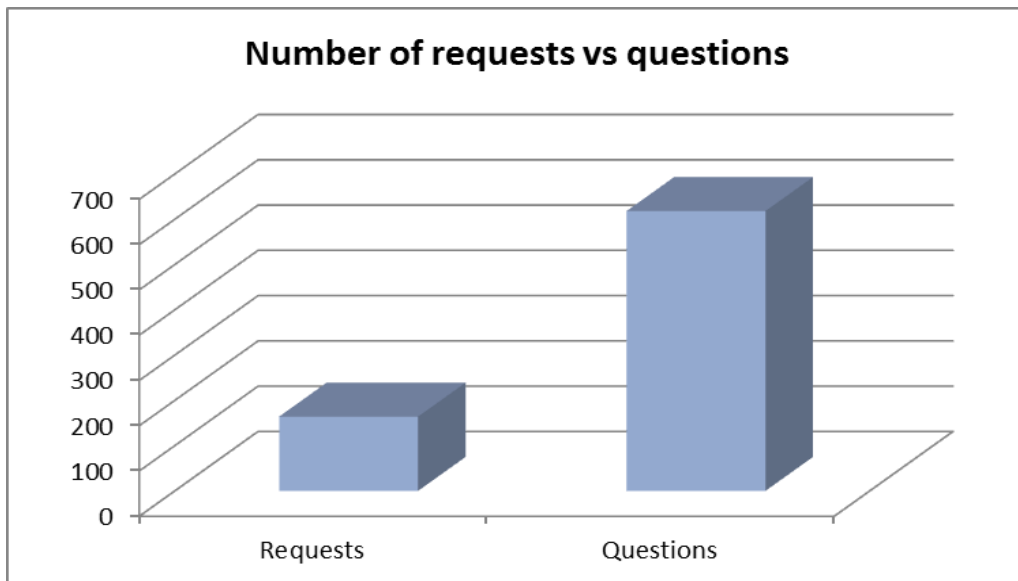
Analysis of requests received

4 The University had a total of 164 Freedom of Information requests in the period 1 January 2011 to 31 December 2011. This is an increase of 30 requests (22.4%) over the number received in 2010 and a 141.2% increase in requests since the first year of FOI in 2005.

5 The number of requests received at Stirling is broadly in line with other Scottish HEIs. The graph below shows that the fluctuations in request numbers over the last 7 years at Stirling matches closely with the average number of requests received by other Scottish HEIs.

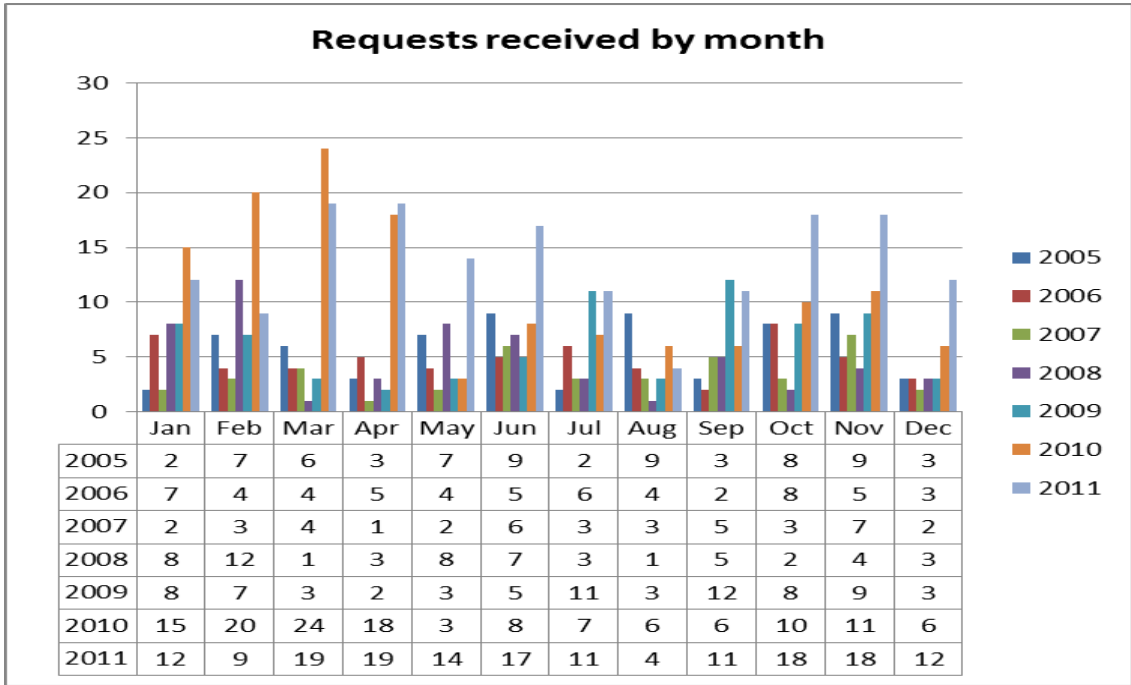


6 Contained within the 164 requests were 618 individual questions i.e. an average of 3.8 separate questions per request which is less than the average of 5 questions per request in 2010.

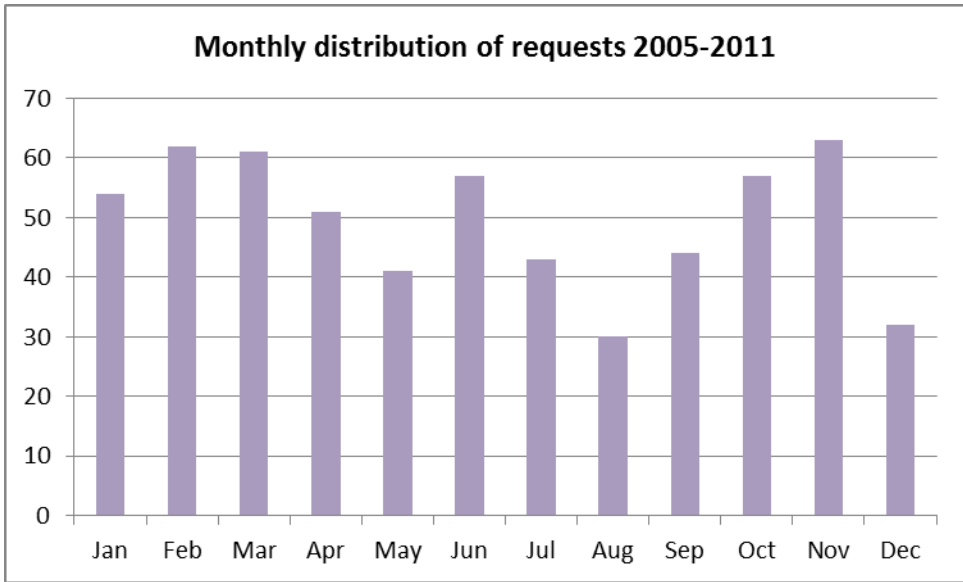


Monthly trends

7 There is not much consistency in the number of requests received on a month to month basis. For instance the graph below shows that in March 2011 there were 19 requests compared to 1 in March 2008 and 24 in March 2010.

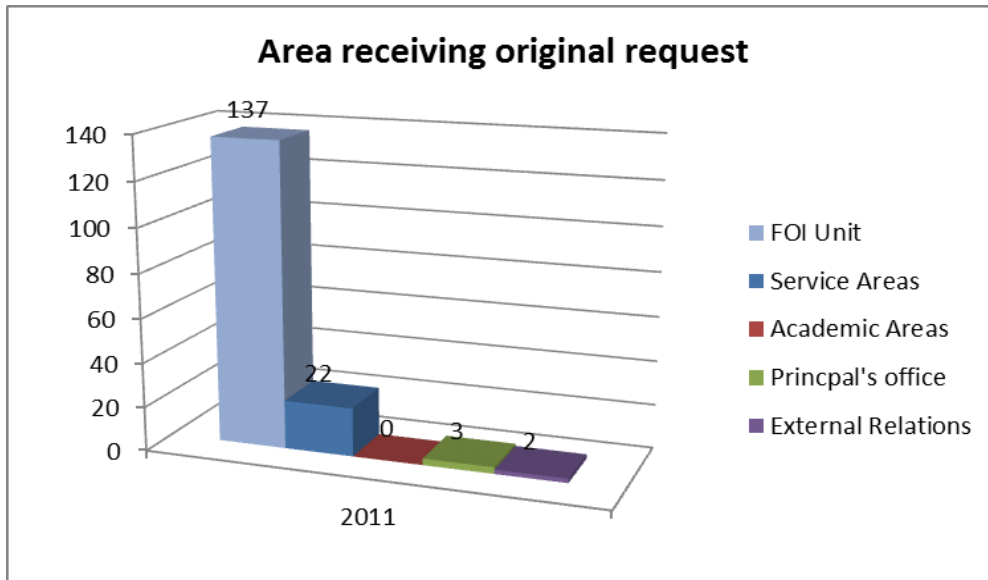


8 When all requests over the last 7 years are aggregated a trend begins to become apparent as the graph below show that in general there are fewer requests in the months of August and December which ties in to the holiday periods.



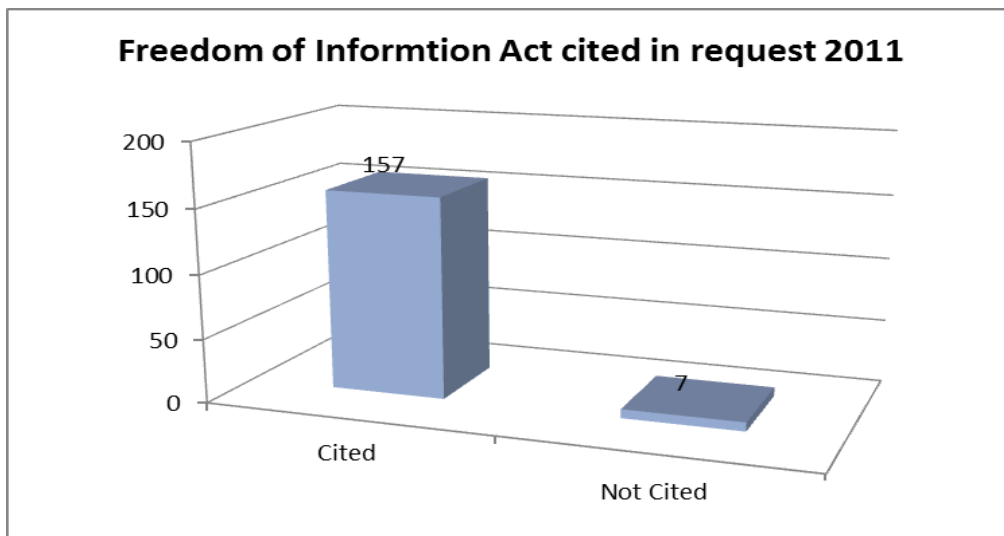
Receipt of request

9 The graph below shows that in 2011 the majority of requests came in directly to the FOI Unit (mainly via the FOI email address). Some requests do come in directly to other service areas such as HR but the number is much lower than the directly received requests. In 2011 there were no requests that were sent directly to academic areas.



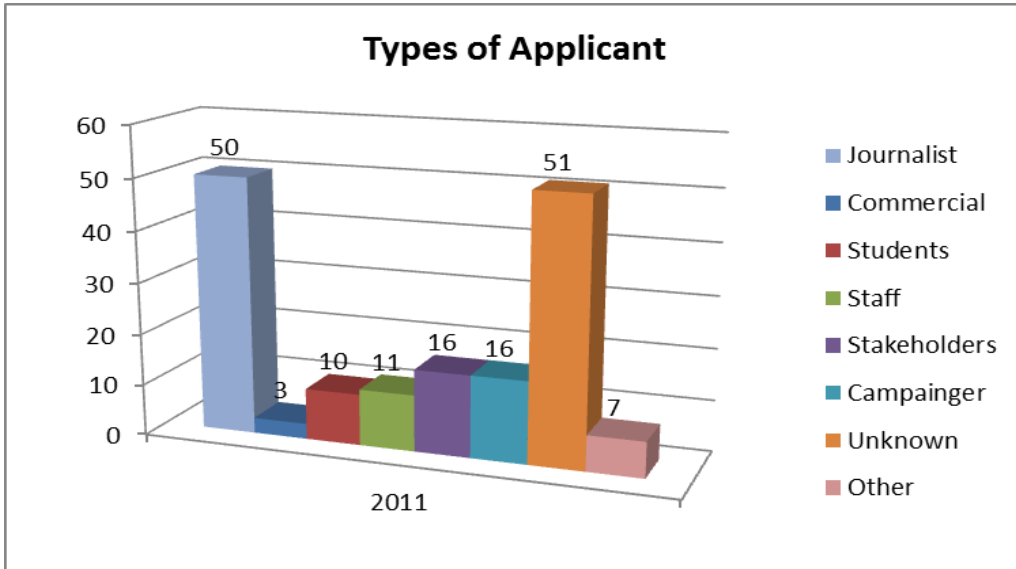
10 Records are not kept of the areas that provide the responses to questions as many queries require information from a number of different sources. However the majority of requests are dealt with by service areas and only a small fraction are forwarded to Schools for action.

11 The majority of recorded requests have cited the legislation either by direct reference to the Act or implicitly by virtue of having used the FOI email address. A smaller number of information requests have been dealt with and answered under FOI where no reference was made to the Act by the applicant.



Requestor Details

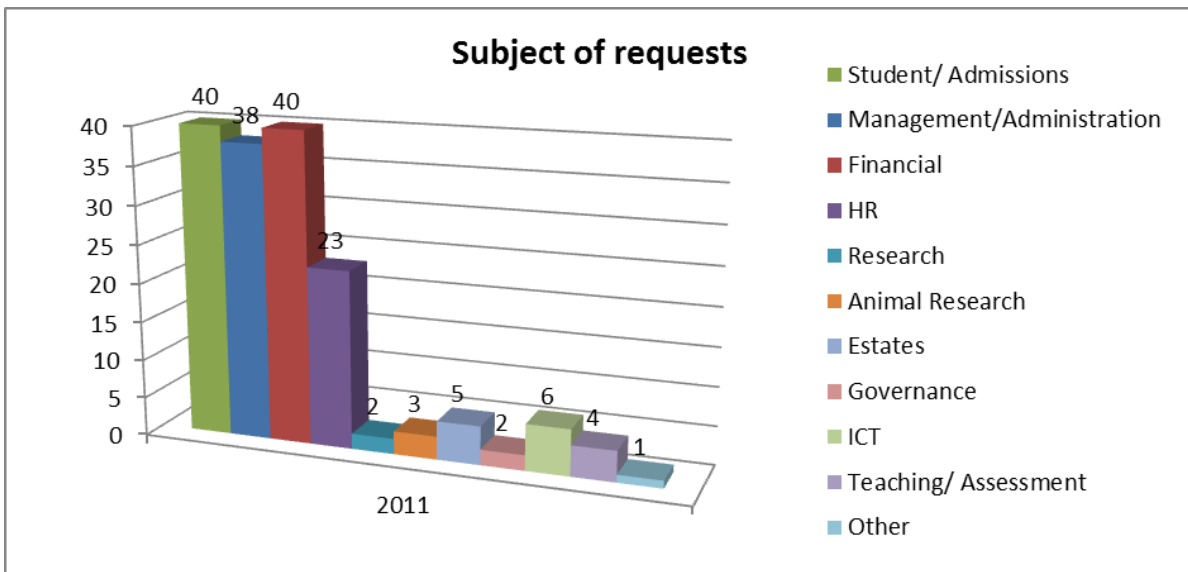
12 It can be seen from the following chart that the single largest identified requesting group in 2011 was Journalists with 50 requests (30.4% of the total). However there is a large group of applicants who do not declare what their backgrounds are so are recorded as unknown. Many of the commercial type queries come in under this unknown category as they tend not to declare their background.



13 In 2011, 56 out of the 164 information requests came from requestors who had previously submitted a request on one or more occasions in the previous six years.

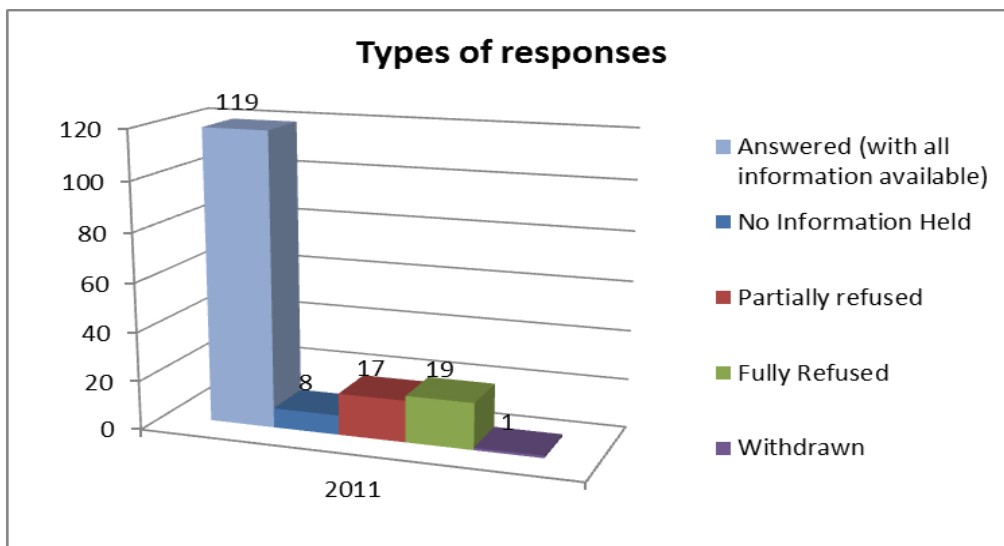
Request Details

14 The following chart shows the breakdown of the types of information requests in broad categories. The largest two categories are for students/admissions and financial requests. Not far behind is management/administration which is a category which encompasses many general request about the University administration that does not fit into other categories. In 2010 there were more financial queries and fewer ones about student numbers and admissions.



Request Outcomes

15 As can be seen from the chart below, 72.5% of requests for information were answered with all the information available (compared to 81.3% in 2010). This may mean that some of the information requested was not held but where the information was available it was provided. There were 8 responses in 2011 where none of the information requested was held by the University. Refusals, either of the whole request or one of its components, accounted for 21.9% of requests compared to 15.6% in 2010. There was an increase in refusals during 2011 as there were 12 linked requests refused on the grounds that a false name was being used. Apart from this the most common reason to fully or partially refused the requested information was on the grounds of data protection (section 38). Some other exemptions used included 'commercial interests' (section 33), 'prejudice to effective conduct of public affairs' (section 30) and 'confidentiality' (section 36).

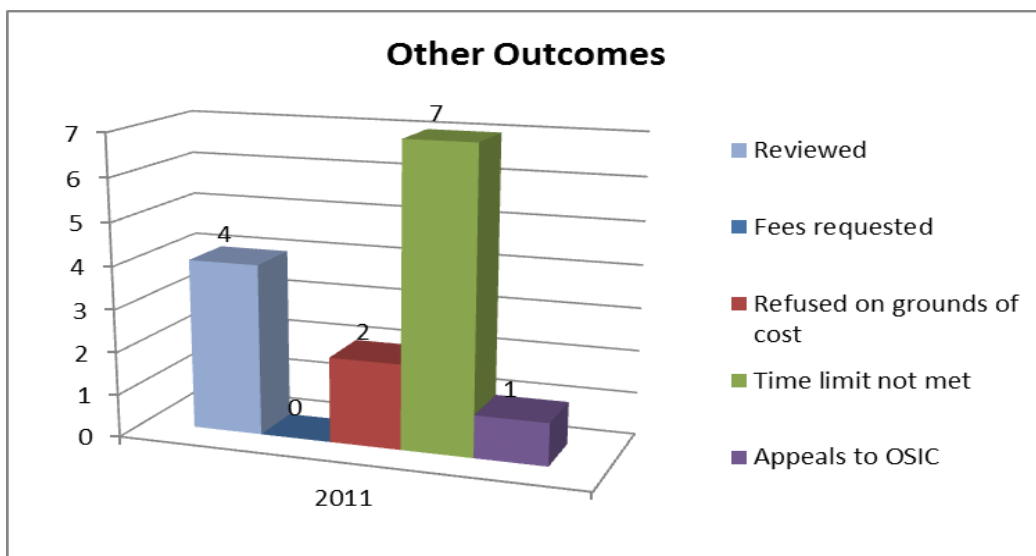


16 During 2011 there were four requests to carry out internal reviews where the applicant was dissatisfied with the original response to the request. In three of these cases the internal review confirmed the original response. In the fourth case some additional information was released to the applicant. There was one case that was appealed to the Scottish Information Commissioner. The outcome of this case found that the University had fully complied with the legislation and no further action was required by the University.

17 Two requests were refused on the grounds of excessive costs (i.e. the cost of complying would exceed £600) and there were no requests where fees were requested¹.

18 There were seven requests within the year where the statutory 20 working day time limit was not met however four of these requests were wholly or mainly subject access requests which had incorrectly quoted Freedom of Information legislation. The time limit for responding to subject access requests is 40 working days and all these responses were sent well before this deadline. The other three missed deadlines were only narrowly missed.

¹ Fees can be charged where the cost of complying is between £100 and £600 but only 10% of the cost can be recovered and the first £100 of cost can not be claimed. The maximum fee that can be charged is therefore £50. The maximum salary rate that can be used to calculate the costs is £15 per hour.



Environmental Information

19 The University is also required under the Environmental Information (Scotland) Regulations 2004 to respond to requests for environmental information held by the University. During 2011 there were no requests for information falling under the description of this legislation.

Assessment of Compliance

20 As highlighted above there were a number of occasions during the year when the statutory deadline was missed. However when looking in detail at the circumstances of each of these cases the breaches can be considered as minor. The four reviews that were requested represented just 2.4% of the total responses in the year so we can conclude that most applicants were generally content with the responses they received.

21 2011 was a year of flux for dealing with FOI requests as there was no permanent dedicated support within the Policy, Planning & Governance team with responsibility for FOI. With effect from January 2012 the day to day responsibility for Freedom of Information has been taken on by the Planning & Governance Officer.

Equality implications

22 There are no equality implications of this report.

Resource implications

23 The number of requests being received by the University continues to increase each year. The burden of complying with the legislation falls not only on the FOI Unit within Policy Planning & Governance but also on those service areas responsible for maintenance and extraction of statistical information from systems, and at times this has necessitated the diversion of resource and effort from key functions.

Recommendations

24 Members are asked to:

- Note the update on Freedom of Information activity during 2011

Policy, Planning & Governance
2012