

**South Ayrshire Council**

**Report by Chief Governance Officer  
to Service and Partnerships Performance Panel  
of 19 November 2024**

---

**Subject: FOISA/ EIR Annual Report 2023/24**

---

**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 2023 to 30 June 2024.

**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 2024 and 30 June 2025.**

**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 \(itspublicknowledge.info\)](https://www.scot.nhs.uk/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 2023/24 reporting period outlined in this report, 74% of FOISA responses were issued within 20 working days, and 81% of EIR responses being issued within statutory time scales. This shows a decrease in performance against statutory timescales in comparison to 2022/23. Members are asked to note that this is against an increase in the number of requests being responded to by Council services, being 1819 in 2023/24 in comparison to 1647 in 2022/2 (ie - an increase of 172 requests across Council services).

|   | FOISA   |         | EIRS    |         |
|---|---------|---------|---------|---------|
|   | 2023/24 | 2022/23 | 2023/24 | 2022/23 |
| No. Enquiries across Directorates ( <i>this figure may be greater than the number of requests received as multiple Council Services may input into one response</i> ) | 1288 ▲  | 1262    | 531 ▲   | 385     |
| Information Requests responded to within 20 working days  | 74% ▼   | 78%     | 81% ▼   | 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 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 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 2024 – 30 June 2025.

## **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 **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 Resources and Performance, and the contents of this report reflect any feedback provided.

**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 Partnerships Performance Panel of 24 October 2023 – [FOISA/ EIR Annual Report 2022/23](#)**

**Person to Contact** **Wynne Carlaw , Service Lead - Governance Manager  
County Buildings, Wellington Square, Ayr, KA7 1DR  
Phone 01292 612192  
E-mail [wynne.carlaw@south-ayrshire.gov.uk](mailto:wynne.carlaw@south-ayrshire.gov.uk)**

**Date: 7 November 2024**

## 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 are provided to Council Senior Management and Elected Members through regular communication, which provides analysis of performance against the previous year. The IG Team is currently working with colleagues in ICT services to develop reports to meet these requirements, following the recent transfer of FOI/EIR case management to the GOSS system.

Members are asked to note the following:

### 1. 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 and Benefits 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 (for example, under Planning and Housing legislation) has been established and over the course of 2025 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.
- 1.5 The IG Team has also contacted other Council services during 2024 to engage in taking forward the pro-active publication of information regularly asked for through FOISA and the EIRS. The Team Leader and Co-ordinator will be commencing this project in early 2025. Members will be updated on progress in the next Report to Panel.
- 1.6 IG Team launched a mandatory FOISA/ EIR COAST in September 2023, which now requires to be completed by all Council staff. The content of this training will be subject to Review by the IG Team in April 2025 and colleagues in Organisational Development are providing updated training reports to establish where additional support may be needed within specific service areas.

## 2. Monitoring our Performance

2.1 Members will note that the Council processed a total of 1,647 information requests across both FOISA and the EIRS, for all Directorates, in 2022/23. In 2023/24 the Council processed a total of 1,819 requests – an increase of 172 requests being processed across multiple Council services. 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 2023/24 **74%** of FOISA requests and **81%** of EIR requests were answered within the prescribed timescales. This is against an increase in the number of requests being responded to by multiple Council services, an increase of 172 requests.

2.3 Between 2022/23 and 2023/24 there has been a decrease of **4%** in the number of FOISA requests being issued within 20 working days – ie 74% in comparison to 78% from the year before. There has also been a decrease of **3%** in the number of EIR requests being issued within 20 working days – ie 81% in 2023/24 in comparison to 84% in 2022/23.

|   | FOISA      |         | EIR     |         |
|---|------------|---------|---------|---------|
|   | 2022/23    | 2023/24 | 2022/23 | 2023/24 |
| Closed, information provided <b>within</b> the 20-day timescale | 78%        | 74% ▼   | 84%     | 81% ▼   |
| <b>Key Performance Target</b>                                   | <b>80%</b> |         |         |         |

2.4 As per [Appendix 2](#), the Council received 1,051 FOI requests in 2022/23 in comparison to 1,041 in 2023/24 – ie 10 fewer EIR requests.

2.5 As per [Appendix 3](#), in 2022/23 the Council received 349 EIR requests in comparison to 457 requests in 2023/24 – ie an increase of 108 requests.

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 Over the reporting period 1 April 2023 to 31 March 2024, South Ayrshire Council responded to **79%** of all our information requests within statutory time scales, which remains consistent with our performance from 2022/23:

|          | <b>Council</b>                                    | <b>Total Requests</b> | <b>Total on Time</b> | <b>% on time</b> |
|----------|---|-----------------------|----------------------|------------------|
| 1        | Dumfries and Galloway Council                     | 1031                  | 1007                 | 97%              |
| 2        | South Lanarkshire Council                         | 1614                  | 1543                 | 95%              |
| 3        | Falkirk Council                                   | 1453                  | 1317                 | 90%              |
| 4        | Clackmannanshire Council and Licensing Board      | 1263                  | 1053                 | 83%              |
| 5        | Renfrewshire Council                              | 1539                  | 1263                 | 82%              |
| <b>6</b> | <b>South Ayrshire Council and Licensing Board</b> | <b>1059</b>           | <b>843</b>           | <b>79%</b>       |
| 6        | West Lothian                                      | 1069                  | 850                  | 79%              |

### 3. 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 2022/23 and 2023/24:

|                           | <b>FOISA</b>   |                | <b>EIRS</b>    |                |
|---------------------------|----------------|----------------|----------------|----------------|
|                           | <b>2022/23</b> | <b>2023/24</b> | <b>2022/23</b> | <b>2023/24</b> |
| <b>Internal Reviews</b>   | 11             | 10 ▼           | 2              | 12 ▲           |
| <b>SIC Investigations</b> | 1              | 0 ▼            | 0              | 2 ▲            |

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

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 a FOISA/ EIR response has been compared and is detailed below:

|          | <b>Council</b>                                    | <b>Total Requests</b> | <b>No Reviews</b> | <b>% of total requests</b> |
|----------|---|-----------------------|-------------------|----------------------------|
| 1        | West Lothian Council                              | 1069                  | 0                 | 0%                         |
| 2        | Falkirk Council                                   | 1453                  | 12                | 0.82%                      |
| <b>3</b> | <b>South Ayrshire Council and Licensing Board</b> | <b>1059</b>           | <b>11</b>         | <b>1.04%*</b>              |
| 4        | Dumfries and Galloway Council                     | 1031                  | 13                | 1.26%                      |
| 5        | Renfrewshire Council                              | 1539                  | 21                | 1.36%                      |
| 7        | Clackmannanshire Council and Licensing Board      | 1263                  | 25                | 1.98%                      |
| 6        | South Lanarkshire Council                         | 1614                  | 45                | 2.79%                      |

*\*This figure remains consistent with SAC Internal Review requests from the previous year*

- 3.5 If a requester continues to be unhappy with the outcome of the review, they have the right of appeal to OSIC. In 2023/24 none of our FOISA Internal Review applicants then sought a further investigation from the OSIC. Two of our EIR applicants contacted the OSIC. In both cases the same applicant requested a review from the Scottish Information Commissioner. One investigation found in favour of the applicant as the Council failed to respond to the request and a request for Internal Review within timescales: <https://www.foi.scot/decision-0742024>. The second investigation is ongoing and currently being considered by the OSIC. The Commissioner's findings will be published at: [Decisions | Scottish Information Commissioner \(foi.scot\)](#)



**Freedom of Information (Scotland) Act 2002**  
**Enquiries – 1 July 2023 to 30 June 2024**

|   | <i>Chief Executive</i> |                | <i>Housing, Operations and Development</i> |                | <i>Health and Social Care Partnership</i> |                | <i>Strategic Change and Communities and Education</i> |                | <i>Total</i>   |                |
|---|------------------------|----------------|--|----------------|---|----------------|---|----------------|----------------|----------------|
|   | <i>2023/24</i>         | <i>2022/23</i> | <i>2023/24</i>                             | <i>2022/23</i> | <i>2023/24</i>                            | <i>2022/23</i> | <i>2023/24</i>  | <i>2022/23</i> | <i>2023/24</i> | <i>2022/23</i> |
| <b>Number of Enquiries</b>  | <b>507</b>             | 484            | <b>343</b>                                 | 308            | <b>177</b>                                | 155            | <b>343</b>  | 315            | <b>1041</b>    | 1262           |
| Closed, information provided <b>within</b> the 20-day timescale   | <b>350</b>             | 370            | <b>234</b>                                 | 258            | <b>111</b>                                | 95             | <b>236</b>  | 257            | <b>767</b>     | 980            |
| Awaiting clarification  | <b>2</b>               | 0              | <b>2</b>                                   | 0              | <b>4</b>                                  | 0              | <b>3</b>  | 0              | <b>6</b>       | 0              |
| Closed, information provided <b>out with</b> the 20-day timescale | <b>116</b>             | 109            | <b>84</b>                                  | 50             | <b>45</b>                                 | 56             | <b>87</b>   | 56             | <b>210</b>     | 271            |
| Open  | <b>41</b>              | 5              | <b>25</b>                                  | 0              | <b>21</b>                                 | 4              | <b>20</b>   | 2              | <b>64</b>      | 11             |
| <b>Turnaround Percentage</b>                                      | <b>69% ▼</b>           | 76%            | <b>68% ▼</b>                               | 84%            | <b>95% ▲</b>                              | 61%            | <b>69% ▼</b>  | 82%            | <b>74% ▼</b>   | 78%            |

While the Council received **1,041** enquiries, **247** of these required a response from multiple Council services meaning that in total services processed **1,288** requests.

There has been a decrease in the Council's response rate within the statutory 20 working day timescale across all Directorates, from **78%** in 2022/23 to **74%** in 2023/24. The decrease in performance is attributed to the increase in requests being answered by multiple Council services, and staffing resources being deployed to support the administration of postal votes for the General Election in July. Due to the snap election, it was not possible to forward plan staff resource, which was a unique situation.

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. The management of FOISA/ EIR requests has migrated to the GOSS platform in April 2024. Reporting of FOISA and EIR statistics continues to be developed between the IG Team and ICT Services.

**FOISA Enquiries – 1 July 2023 to 30 June 2024**  
**\*Analysis of FOISA Requests by Requester**

**\*Please note due to the migration of data to the GOSS system, reporting continues to be developed between the IG Team and ICT Services. Reporting based on Subject Matter categories is currently in development.**

| <b>By Requester</b> |                          |                |                |
|---------------------|--------------------------|----------------|----------------|
|                     | <b>Type of Requester</b> | <b>Total</b>   |                |
|                     |                          | <b>2023/24</b> | <b>2022/23</b> |
| 1                   | General Public           | <b>496</b>     | <b>448</b>     |
| 2                   | Company                  | <b>201</b>     | <b>174</b>     |
| 3                   | Press                    | <b>160</b>     | <b>125</b>     |
| 4                   | MSP/MP                   | <b>122</b>     | <b>248</b>     |
| 5                   | Union                    | <b>17</b>      | <b>7</b>       |
| 6                   | Local Authority          | <b>14</b>      | <b>17</b>      |
| 7                   | Charity/Vol Org          | <b>12</b>      | <b>23</b>      |
| 7                   | Solicitor                | <b>12</b>      | <b>3</b>       |
| 8                   | University/College       | <b>5</b>       | <b>4</b>       |
| 9                   | Other                    | <b>2</b>       | <b>4</b>       |
| 10                  | Claims Company           | <b>0</b>       | <b>0</b>       |
|                     | <b>Total</b>             | <b>1041 ▼</b>  | <b>1,051</b>   |

Please also refer to further analysis provided in [Appendix 4](#)

**Environmental Information (Scotland) Regulations 2004**  
**Enquiries – 1 July 2023 to 30 June 2024**

|  | <i>Chief Executive</i> |                | <i>Housing, Operations and Development</i> |                | <i>Health and Social Care Partnership</i> |                | <i>Strategic Change and Communities and Education</i> |                | <i>Total</i>   |                |
|--|------------------------|----------------|--|----------------|---|----------------|---|----------------|----------------|----------------|
|  | <i>2023/24</i>         | <i>2022/23</i> | <i>2023/24</i>                             | <i>2022/23</i> | <i>2023/24</i>                            | <i>2022/23</i> | <i>2023/24</i>  | <i>2022/23</i> | <i>2023/24</i> | <i>2022/23</i> |
| <b>Number of Enquiries</b>                                       | <b>131</b>             | 84             | <b>374</b>                                 | 294            | <b>1</b>                                  | 0              | <b>32</b>   | 7              | <b>457</b>     | 385            |
| Closed, information provided <b>within</b> the 20 day timescale  | <b>106</b>             | 74             | <b>293</b>                                 | 237            | <b>0</b>                                  | 0              | <b>22</b>   | 5              | <b>372</b>     | 316            |
| 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>20</b>              | 10             | <b>67</b>                                  | 55             | <b>1</b>                                  | 0              | <b>7</b>  | 2              | <b>71</b>      | 67             |
| Open   | <b>5</b>               | 0              | <b>14</b>                                  | 2              | <b>0</b>                                  | 0              | <b>3</b>  | 0              | <b>14</b>      | 2              |
| <b>Turnaround Percentage</b>                                     | <b>81% ▼</b>           | 88%            | <b>78% ▼</b>                               | 81%            | <b>0%</b>                                 | 0%             | <b>69% ▼</b>  | 71%            | <b>81% ▼</b>   | 82%            |

While the Council received **457** enquiries **74** of these required a response from multiple Council services meaning that services processed **531** requests in total.

The Council responded within the statutory 20 working day timescale across all Directorates in **81%** of all cases in 2023/24 which is a decrease from the **82%** response rate reported in 2022/23. There has been a consistent decrease in response times across all services for EIR Requests. The decrease in performance is attributed to the increase in requests being answered by multiple Council services, and staffing resources being deployed to support the administration of postal votes for the General Election in July. Due to the snap election, it was not possible to forward plan staff resource, which was a unique situation.

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. *The management of FOISA/ EIR requests has migrated to the GOSS platform in April 2024. Reporting of FOISA and EIR statistics continues to be developed between the IG Team and ICT Services.*

**EIR Enquiries – 1 July 2023 to 30 June 2024**  
**\*Analysis of EIR Requests by Requester**

**\*Please note due to the migration of data to the GOSS system, reporting continues to be developed between the IG Team and ICT Services. Reporting based on Subject Matter categories is currently in development.**

|   | By Requester      |              |            |
|---|-------------------|--------------|------------|
|   | Type of Requester | Total        |            |
|   |                   | 2023/24      | 2022/23    |
| 1 | General Public    | <b>206</b>   | <b>131</b> |
| 2 | Company           | <b>143</b>   | <b>130</b> |
| 3 | Press             | <b>46</b>    | <b>34</b>  |
| 4 | MSP/MP            | <b>38</b>    | <b>33</b>  |
| 5 | Solicitor         | <b>14</b>    | <b>14</b>  |
| 6 | Charity/Vol Org   | <b>5</b>     | <b>5</b>   |
| 7 | Local Authority   | <b>3</b>     | <b>1</b>   |
| 8 | Other             | <b>1</b>     | <b>0</b>   |
| 8 | Uni/College       | <b>1</b>     | <b>0</b>   |
| 9 | Trade Union       | <b>0</b>     | <b>1</b>   |
|   | <b>Total</b>      | <b>457 ▲</b> | <b>349</b> |

Further detailed analysis of these statistics is available at [Appendix 5](#))

## FOISA enquiries 1 July 2023 to 30 June 2024

### 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 (as outlined in [Appendix 2](#)).

#### Public

**496** requests were identified as having been made by the public, representing 48% of all FOISA requests. This is 6% higher than the percentage received in 2022/23. 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.

|                               | 2023/24      | 2022/23      |
|-------------------------------|--------------|--------------|
| <b>Total received in year</b> | <b>1,041</b> | <b>1,051</b> |
| <b>Public</b>                 | <b>496</b>   | <b>448</b>   |
| <b>Percentage %</b>           | <b>48%▲</b>  | <b>42%</b>   |

#### Company

**201** were made by a Company representing 19.3% of all FOISA requests. This is a 2.3% increase from 2022/23. 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).

|                               | 2023/24       | 2022/23      |
|-------------------------------|---------------|--------------|
| <b>Total Received In Year</b> | <b>1,041</b>  | <b>1,051</b> |
| <b>Company</b>                | <b>201</b>    | <b>174</b>   |
| <b>Percentage %</b>           | <b>19.3%▲</b> | <b>17%</b>   |

#### Press

**160** were made by the Press in 2023/24 representing 15.4% of all FOISA requests. This is an increase of 3.4% received from the Press in 2022/23. 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).

|                               | 2023/24       | 2022/23      |
|-------------------------------|---------------|--------------|
| <b>Total Received In Year</b> | <b>1,041</b>  | <b>1,051</b> |
| <b>Press</b>                  | <b>160</b>    | <b>125</b>   |
| <b>Percentage %</b>           | <b>15.4%▲</b> | <b>12%</b>   |

#### MSP/MP

**122** requests were made by an MSP/MP representing 12% of all FOISA requests. This is a 12% decrease to the percentage received in 2022/23. 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).

|                               | 2023/24      | 2022/23      |
|-------------------------------|--------------|--------------|
| <b>Total Received In Year</b> | <b>1,041</b> | <b>1,051</b> |
| <b>MSP/MP</b>                 | <b>122</b>   | <b>248</b>   |
| <b>Percentage %</b>           | <b>12% ▼</b> | <b>24%</b>   |

### Trade Unions

17 requests were made by Trades Unions representing 0.7% of all FOISA requests. This shows an increase from the same reporting period in 2022/23, where 0.6% of requests were made by Trade Unions.

|                               | 2023/24       | 2022/23      |
|-------------------------------|---------------|--------------|
| <b>Total Received In Year</b> | <b>1,041</b>  | <b>1,051</b> |
| <b>Trade Union</b>            | <b>7</b>      | <b>7</b>     |
| <b>Percentage %</b>           | <b>0.7% ▲</b> | <b>0.6%</b>  |

### Local Authority

14 FOISA requests were made by a Local Authority representing 1.3% of all FOISA requests. This is a 0.3% decrease from the same reporting period in 2022/23.

|                               | 2023/24       | 2022/23      |
|-------------------------------|---------------|--------------|
| <b>Total Received In Year</b> | <b>1,041</b>  | <b>1,051</b> |
| <b>Local Authority</b>        | <b>14</b>     | <b>17</b>    |
| <b>Percentage %</b>           | <b>1.3% ▼</b> | <b>1.6%</b>  |

### Charity/Voluntary Organisation

12 requests were made by a Charity or Voluntary Organisation representing 1.2% of all FOISA requests. This is a 0.8% decrease from the same reporting period of 2022/23. 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).

|                               | 2023/24       | 2022/23      |
|-------------------------------|---------------|--------------|
| <b>Total Received In Year</b> | <b>1,041</b>  | <b>1,051</b> |
| <b>Charity / Vol Org</b>      | <b>12</b>     | <b>23</b>    |
| <b>Percentage %</b>           | <b>1.2% ▼</b> | <b>2%</b>    |

### Solicitor

12 FOISA requests were made by a solicitor representing 1.2% of all requests. This is an increase of 1% from the same reporting period in 2022/23. 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).

|                               | 2023/24       | 2022/23      |
|-------------------------------|---------------|--------------|
| <b>Total Received In Year</b> | <b>1,041</b>  | <b>1,051</b> |
| <b>Solicitor</b>              | <b>12</b>     | <b>3</b>     |
| <b>Percentage %</b>           | <b>1.2% ▲</b> | <b>0.2%</b>  |

### University/College

5 requests were made by a university or college representing 0.5% of all FOISA requests. This is an increase of 0.3% from this reporting period in 2022/23.

|                               | 2023/24       | 2022/23      |
|-------------------------------|---------------|--------------|
| <b>Total Received In Year</b> | <b>1,041</b>  | <b>1,051</b> |
| <b>University/College</b>     | <b>5</b>      | <b>2</b>     |
| <b>Percentage %</b>           | <b>0.5% ▲</b> | <b>0.2%</b>  |

### Other

2 requests were categorised as “other” in 2023/24 representing 0.2% of all requests. This is a decrease of 0.2% from the same reporting period in 2022/23.

|                               | 2023/24       | 2022/23      |
|-------------------------------|---------------|--------------|
| <b>Total Received In Year</b> | <b>1,041</b>  | <b>1,051</b> |
| <b>Other</b>                  | <b>2</b>      | <b>4</b>     |
| <b>Percentage %</b>           | <b>0.2% ▼</b> | <b>0.4%</b>  |

### Claims Company

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

|                               | 2023/24      | 2022/23      |
|-------------------------------|--------------|--------------|
| <b>Total Received In Year</b> | <b>1,041</b> | <b>1,051</b> |
| <b>Claims Company</b>         | <b>0</b>     | <b>0</b>     |
| <b>Percentage %</b>           | <b>0% ◀▶</b> | <b>0%</b>    |



## EIR Enquiries 1 July 2023 to 30 June 2024

### 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 (as outlined in [Appendix 3](#)).

#### Public

**206** requests were identified as having been made by the public, representing 45.1% of all EIR requests. This is an increase of 7.1% from 2022/23 where 38% of EIR requests were received from the General Public:

|                               | 2023/24        | 2022/23    |
|-------------------------------|----------------|------------|
| <b>Total received in year</b> | <b>457</b>     | <b>349</b> |
| <b>Public</b>                 | <b>206</b>     | <b>131</b> |
| <b>Percentage %</b>           | <b>45.1% ▲</b> | <b>38%</b> |

#### Company

**143** requests were made by a Company representing 31.3% of all EIR requests. This is a decrease of 5.7% from 2022/23 where 37% of EIR requests were received from a Company:

|                               | 2023/24        | 2022/23    |
|-------------------------------|----------------|------------|
| <b>Total Received In Year</b> | <b>457</b>     | <b>349</b> |
| <b>Company</b>                | <b>143</b>     | <b>130</b> |
| <b>Percentage %</b>           | <b>31.3% ▼</b> | <b>37%</b> |

#### Press

**46** requests were made by the Press representing 10% of all EIR requests. This is equal to the same reporting period in 2022/23:

|                               | 2023/24       | 2022/23    |
|-------------------------------|---------------|------------|
| <b>Total Received In Year</b> | <b>457</b>    | <b>349</b> |
| <b>Press</b>                  | <b>46</b>     | <b>34</b>  |
| <b>Percentage %</b>           | <b>10% ◀▶</b> | <b>10%</b> |

#### MSP/MP

**38** requests were attributed to being from an MSP/MP, representing 8.3% of all EIR requests. This is a decrease of 0.7% from 2022/23.

|                               | 2023/24       | 2022/23    |
|-------------------------------|---------------|------------|
| <b>Total Received In Year</b> | <b>457</b>    | <b>349</b> |
| <b>MSP/MP</b>                 | <b>38</b>     | <b>33</b>  |
| <b>Percentage %</b>           | <b>8.3% ▼</b> | <b>9%</b>  |

#### Solicitor

**14** requests were made by a Solicitor, representing 3.1% of all EIR requests. This is a decrease of 0.9% compared to the same reporting period in 2022/23.

|                               | 2023/24       | 2022/23    |
|-------------------------------|---------------|------------|
| <b>Total Received In Year</b> | <b>457</b>    | <b>349</b> |
| <b>Solicitor</b>              | <b>14</b>     | <b>14</b>  |
| <b>Percentage %</b>           | <b>3.1% ▼</b> | <b>4%</b>  |

### Charity/Voluntary Organisation

5 requests were made by a Charity/Voluntary Organisation, representing 1.1% of all EIR requests. This is a decrease of 0.3% from 2022/23.

|                        | 2023/24 | 2022/23 |
|------------------------|---------|---------|
| Total Received In Year | 457     | 349     |
| Charity/Vol. Org       | 5       | 5       |
| Percentage %           | 1.1% ▼  | 1.4%    |

### Local Authority

3 requests were made from a Local Authority in 2023/24 representing 0.7% of all requests. This is an increase of 0.4% from the same period of 2022/23.

|                        | 2023/24 | 2022/23 |
|------------------------|---------|---------|
| Total Received In Year | 457     | 349     |
| Local Authority        | 3       | 1       |
| Percentage %           | 0.7% ▲  | 0.3%    |

### Other

1 request was made by requestors categorised as 'Other'.

|                        | 2023/24 | 2022/23 |
|------------------------|---------|---------|
| Total Received In Year | 457     | 349     |
| Other                  | 1       | 0       |
| Percentage %           | 0.2% ▲  | 0%      |

### University/College

1 request was made from a University/College in 2023/24.

|                        | 2023/24 | 2022/23 |
|------------------------|---------|---------|
| Total Received In Year | 457     | 349     |
| University/College     | 1       | 0       |
| Percentage %           | 0.2% ▲  | 0%      |

### Trades Unions

No requests were made from a Trade Union in 2023/24.

|                        | 2023/24 | 2022/23 |
|------------------------|---------|---------|
| Total Received In Year | 457     | 349     |
| Trades Unions          | 0       | 1       |
| Percentage %           | 0% ▼    | 0.3%    |

### Claims Company

No requests were made by claims companies in 2023/24.

|                        | 2023/24 | 2022/23 |
|------------------------|---------|---------|
| Total Received In Year | 457     | 349     |
| Claims Company         | 0       | 0       |
| Percentage %           | 0% ◀▶   | 0%      |

## 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                          | FOI/EIR Performance Analysis   |
| Lead Officer<br>(Name/Position/Email) | Wynne Carlaw, Service Lead – Democratic Governance –<br>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<br>Consider the 'Three Key Needs' of the Equality Duty  | Level of Negative and/or Positive Impact<br>(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. Summary Assessment

|  |  |
|--|--|
| <b>Is a full Equality Impact Assessment required?</b><br>(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><br><br><input type="checkbox"/> <b>NO</b> |
| <b>Rationale for decision:</b><br><br><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>Chief Governance Officer</b>  |
| <b>Date:</b> 15 October 2024   |  |