

**CABINET**  
**4 OCTOBER 2022**

**FREEDOM OF INFORMATION AND ENVIRONMENTAL INFORMATION REGULATIONS POLICY**

**Cabinet Member:** Cllr Clive Eginton  
**Responsible Officer:** Lisa Lewis, Corporate Manager Business Transformation and Customer Engagement

**Reason for Report:** To review the existing policy to ensure compliance with the Data Protection Act (DPA) 2018 and the General Data Protection Regulations.

**RECOMMENDATION(S):** That the revised Freedom of Information and Environmental Information Regulations Policy be approved and the next review date set for 3 years hence.

**Financial Implications:** The Freedom of Information and Environmental Information Regulations Policy does not itself have any financial implications but the Council incurs significant costs meeting the requirements of the legislation. The direct cost of the Information Management Team in responding to FOI/EIR requests is in the region of £30,000 and there is also an indirect cost for the time of many other staff in replying to requests for information. The Council reserves the right to make permitted charges for particularly large or complicated requests on a case by case basis.

**Legal Implications:** Not complying with the Freedom of Information Act 2000 (FOIA) and Environmental Information Regulations 2004 (EIR) would expose MDDC to the potential for enforcement action by the Information Commissioner's Office (ICO).

**Risk Assessment:** Approving the Freedom of Information and Environmental Information Regulations Policy reduces the risk of enforcement action by the ICO.

**Equality Impact Assessment:** No equality issues identified for this report.

**Relationship to Corporate Plan:** This policy supports good governance arrangements enabling confidence in delivery of the Corporate Plan.

**Impact on Climate Change:** There are no implications relating to Climate Change with this policy.

## **1.0 Introduction**

1.1 The policy was last reviewed in 2019 and as agreed at the adoption of the policy should be reviewed every three years or if legislation changes determine a change in policy or practice.

## **2.0 The Policy**

2.1 The existing policy is based on best practice. There have been no amendments identified as being necessary since the review of the policy in 2019.

### 3.0 **Staff Changes**

3.1 The council takes Data Protection and Information Management very seriously. We have recently recruited a new Information Management Team who commenced work with MDDC on 4 July 2022.

- Data Protection Officer - Giovanni Wallace
- Information Management Officer – Ewan Girling

### 4.0 **Conclusion**

4.1 That the revised Freedom of Information and Environmental Regulations Policy be approved and the next review date set for 3 years hence.

**Contact for more Information:** Lisa Lewis, Corporate Manager Business Transformation and Customer Engagement (llewis@middevon.gov.uk)

**Circulation of the Report:** Cabinet Members and Leadership Team