

Mid Devon District Council Scrutiny Proposal Form

(This form should be completed by Member(s), Officers and / or members of the public when proposing an item for Scrutiny).

Note: The matters detailed below have not yet received any detailed consideration. The Scrutiny Committee reserves the right to reject suggestions for scrutiny that fall outside the District Council's remit.

Proposer's name and designation	Barry G J Warren	Date of referral	5 th November 2024
Proposed topic title	Examination and Review of Freedom of Information processes within MDDC.		
Link to national, regional and local priorities(Corporate Plan) and targets	<p>Compliance with Freedom of Information Act 2000 and The Environmental Information Regulations 2004.</p> <p>MDDC Corporate Plan 2024 – 2028: Involving and engaging with our communities.</p> <p>Role of Scrutiny Committee :-</p> <p>Evaluating performance and progress;</p> <p>Highlighting areas for improvement;</p> <p>Reviewing services;</p> <p>Encourage public involvement.</p>		
Background to the issue	<p>A number of requests for Information are not being dealt with in a timely and open manner. Cases meet with refusal to supply information requested and Review requests usually meet with a similar negative or limited response.</p> <p>Cases referred to Information Commissioner (IC) have lead to findings against MDDC and advice on improving the processing of requests.</p> <p>This is an extract from a recent IC Decision Notice:-</p> <p><i>“The Commissioner has already advised the Council of his concerns regarding the particularly poor arguments provided in its correspondence with the complainant regarding its reliance on section 40(2). Although this information has now been disclosed the fact that this has required the intervention of the Commissioner has considerably delayed disclosure. The Council should ensure that its responses to requests for information and any subsequent internal reviews are of a suitable quality and demonstrate an appropriate understanding of the legislation.”</i></p>		
List main points this report should cover (What do you want to achieve?)	<p>Training of staff to achieve “an appropriate understanding of the legislation” to enable proper processing the requests and the undertaking of reviews.</p> <p>Appropriate Staffing levels.</p> <p>Appropriate time taken for responses (not just the legal maximum).</p>		
Should this be referred to the appropriate PDG/ Committee?	<p>This will be a matter for Scrutiny Committee but would best be decided by examination of processes, discussion with relevant officers and findings/recommendations by Scrutiny Committee to Cabinet and subsequently to the Chief Executive.</p>		
What degree of priority is this issue? 1 = Urgent 2= High 3=Medium 4=Low	2		

Proposing an item for the Scrutiny Committee Work Programme

