

| <b>MERSEYSIDE FIRE AND RESCUE AUTHORITY</b> |   |                       |                     |
|---|---|-----------------------|---------------------|
| <b>MEETING OF THE:</b>                      | <b>POLICY AND RESOURCES COMMITTEE</b>                                     |                       |                     |
| <b>DATE:</b>                                | <b>14 JANUARY 2014</b>  | <b>REPORT NO:</b>     | <b>CFO/001/14</b>   |
| <b>PRESENTING OFFICER</b>                   | <b>DEPUTY CHIEF FIRE OFFICER</b>  |                       |                     |
| <b>RESPONSIBLE OFFICER:</b>                 | <b>DEB APPLETON</b>   | <b>REPORT AUTHOR:</b> | <b>DEB APPLETON</b> |
| <b>OFFICERS CONSULTED:</b>                  | <b>JEAN CRIMMINS, JULIE YARE – CORPORATE INFORMATION SHARING OFFICERS</b> |                       |                     |
| <b>TITLE OF REPORT:</b>                     | <b>FREEDOM OF INFORMATION REQUESTS</b>                                    |                       |                     |

|                    |             |
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| <b>APPENDICES:</b> | <b>NONE</b> |
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### **Purpose of Report**

1. To inform Members of the number and type of Freedom of Information (FOI) requests received by the Authority between 2011 and 2013.

### **Recommendation**

2. That Members note the content of this report.

### **Introduction and Background**

3. At the meeting of the Policy and Resources Committee held on 19<sup>th</sup> November 2013 Members requested an update on the number and type of Freedom of Information requests received by the Authority.
4. As of 1<sup>st</sup> January 2005, all public authorities have had a legal obligation under the Freedom of Information (FOI) Act 2005 to provide information through an approved publication scheme and in response to requests made by anyone regardless of age, location or nationally. Those requesting information do not need to mention the FOI Act 2000 in their request.
5. This obligation applies to all information held by the Authority but personal information will also be subject to compliance under the Data Protection Act 1998 and is generally exempt information under the FOI Act 2000. All staff have a responsibility to comply with the FOI Act 2000. Under the Act staff do not have the right to ask why the information is required, but they can ask for more details to assist in locating the information.
6. Requests must be received in a written format and from the moment a written request is received a 20 working day countdown begins. All written requests for information are subject to the FOI Act 2000 requirements whether or not they mention the Act, but all the requests detailed below have been specifically sent

as FOI requests and dealt with by the Strategy and Performance Department in conjunction with the department holding the information.

7. A number of exemptions exist which the Authority can apply in order to refuse a FOI request, but these are used infrequently, with the exception of Exemption 21 which allows the Authority not to provide the information requested if it already exists elsewhere. In these cases a link to the information is included in the refusal letter. In 2013, 16 requests have been refused, of which four were only partly refused. The majority of these were citing exemption 21. There was one internal review/appeal against a refusal to supply the information requested, which was unsuccessful, the public interest test was applied in that case. The public interest test is applied to determine whether it would be in the public interest to release otherwise exempt information. There were no complaints to the Information Commissioners Office.

#### Freedom of Information requests received

8. The table below details the number of requests received over the last three years. It is important to note that each request could include anything from one to twenty questions, so the time taken to deal with them can vary considerably. As can be seen from the table, there has been an increase in FOI requests since 2011.

| MONTH        | Requests made in 2011 | Requests made in 2012 | Requests made in 2013<br>(to November) |
|--------------|-----------------------|-----------------------|--|
| January      | 7                     | 4                     | 5                                      |
| February     | 8                     | 10                    | 7                                      |
| March        | 7                     | 10                    | 5                                      |
| April        | 8                     | 5                     | 15                                     |
| May          | 3                     | 12                    | 4                                      |
| June         | 7                     | 7                     | 9                                      |
| July         | 7                     | 7                     | 9                                      |
| August       | 6                     | 1                     | 9                                      |
| September    | 4                     | 4                     | 10                                     |
| October      | 7                     | 7                     | 11                                     |
| November     | 9                     | 9                     | 8                                      |
| December     | 3                     | 3                     |  |
| <b>Total</b> | <b>76</b>             | <b>79</b>             | <b>92</b>                              |

9. Examples of the types of information requested are set out below. There are a number of recurring themes and these often relate to what is topical in the media at the time. It is the case however, that although similar in theme each request is slightly different and almost invariably requires the information to be provided in a different format.

| FOI Reference                               | Exemption applied                     | Details of Information Requested   | Was the request fulfilled within the 20 working day deadline |
|---|---------------------------------------|--|--|
| <b>Request for ICT contract Information</b> |                                       |  |  |
| FOI/08/2013                                 | No                                    | ICT Contract Information   | Yes  |
| FOI/13/2013                                 | No                                    | Information on mobile and fixed Estate details   | Yes  |
| FOI/15/2013                                 | No                                    | ICT contract information   | Yes  |
| FOI/18/2013                                 | No                                    | Mobile phones Contract Information   | Yes  |
| FOI/40/2013                                 | Yes section 38                        | Winning contract Information   | Yes  |
| FOI/42/2013                                 | No                                    | ICT contract Information   | Yes  |
| FOI/43/2013                                 | Yes section 43 to part of the request | Information on Telecommunications and Internet Services                                    | Yes  |
| FOI/48/2013                                 | No                                    | ICT contract Information   | Yes  |
| FOI/62/2013                                 | No                                    | WiFi Information   | Yes  |
| FOI/92/2013                                 | No                                    | Telephone Support and Maintenance Information  | Yes  |
| <b>Requests for various statistics</b>      |                                       |  |  |
| FOI/04/2013                                 | No                                    | Number of call outs to incidents for 'burnt toast'   | Yes  |
| FOI/05/2013                                 | No                                    | Information on Fitness tests for MFRS Staff  | Yes  |
| FOI/16/2013                                 | No                                    | Projected response times   | Clock stopped  |
| FOI/30/2013                                 | No                                    | Hoax calls attended and received by MFRS for Southport and its suburbs for yrs 2011/12/13. | Yes  |
| FOI/31/2013                                 | No                                    | Deliberate Fires proven in Southport 2011/2012/2013  | Yes  |
| FOI/37/2013                                 | No                                    | Data on Fire incidents that included a Mobility Scooter                                    | Yes  |
| FOI/55/2013                                 | No                                    | Number of Fires at Recycling plants/Waste Management sites                                 | Yes  |
| FOI/56/2013                                 | No                                    | Number of HFSCs for 2010/2011/2012   | Yes  |
| FOI/68/2013                                 | No                                    | Fire callouts for e-cigarettes   | Yes  |
| FOI/70/2013                                 | No                                    | Fire incidents where the cause was cigarettes  | Yes  |
| FOI/76/2013                                 | No                                    | Response times, staff information on stress related absence and number of fire crew.       | Yes  |
| FOI/78/2013                                 | No                                    | Stats information about rescues  | Yes  |
| FOI/83/2013                                 | No                                    | Statistics on various breakdowns   | Yes  |
| <b>Requests from the Press</b>              |                                       |  |  |
| FOI/01/2013                                 | No                                    | No. of settlements and compensation  | Yes  |
| FOI/07/2013                                 | No                                    | Information on no. of injuries on MFRA premises and compensation paid                      | Yes  |
| FOI/23/2013                                 | Yes section 21                        | Copy of a Fire Report for a hotel  | Yes  |
| FOI/28/2013                                 | No (Information not held)             | Information for NW Trading Ltd   | Yes  |
| FOI/30/2013                                 | No                                    | Hoax calls attended and received by MFRS for Southport and its suburbs for yrs 2011/12/13. | Yes  |
| FOI/31/2013                                 | No                                    | Deliberate Fires proven in Southport 2011/2012/2013  | Yes  |
| FOI/34/2013                                 | No                                    | Information about complaints about fire Service staff                                      | Yes  |
| FOI/35/2013                                 | No                                    | Fitness tests  | Yes  |
| FOI/49/2013                                 | No                                    | Attendance to incidents at Waste Management sites  | Yes  |
| FOI/55/2013                                 | No                                    | No. of fires at recycling/waste management plants  | Yes  |
| FOI/56/2013                                 | No                                    | No. of HFSC for 2010/2011/2012   | Yes  |
| FOI/63/2013                                 | No                                    | Details of secondary jobs for staff  | Yes  |
| FOI/68/2013                                 | No                                    | Fire callouts for e-cigarettes   | Yes  |
| FOI/70/2013                                 | No                                    | Fire incidents where the cause was cigarettes  | Yes  |
| FOI/74/2013                                 | Yes section 21                        | Information on attendance to an incident on RN Intrepid                                    | Yes  |
| FOI/93/2013                                 | No                                    | No. of call outs for people locked in bathrooms or toilets                                 | Yes  |

Nb. the "clock stopped" reference above relates to the provision within the Act for the 20 day response period to be suspended whilst clarification is sought from the applicant.

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**Equality and Diversity Implications**

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10. There are no equality and diversity implications arising from the report. The EIA for the Information Security and Governance Policy (Agreed by Policy and Resources Committee on 19<sup>th</sup> November 2013) has an equality impact assessment and this highlighted the need to ensure that assistance is provided to any person who wishes to submit a FOI request. This could for example mean waiving the requirement to apply in writing if this is not possible for the applicant.

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**Staff Implications**

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11. There are no implications for staff arising from this report.

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**Legal Implications**

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12. The Authority complies with the FOI Act 2000 when dealing with requests for information and also the changes made to that Act by the Protection of Freedoms Act 2012.

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**Financial Implications & Value for Money**

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13. There are no financial implications arising from this report.

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**Risk Management, Health & Safety, and Environmental Implications**

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14. The Authority has in place processes that enable requests for information to be dealt with in accordance with the law, thus reducing risk to the Authority.

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**Contribution to Our Mission: *Safer Stronger Communities – Safe Effective Firefighters***

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15. Unless an exemption applies, individuals are provided with the information they require about the Authority in an efficient manner.

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**BACKGROUND PAPERS**

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**NONE**

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**GLOSSARY OF TERMS**

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