# Statutory compliance

## Freedom of Information (FOI) & Environmental Information Regulation (EIR)

- Figures represented cover FOI & EIR requests
- Requests must be responded to within 20 working days, with services required to provide a response within 15 working days
- Applicants can request a review if they are unhappy with the response, this must be completed within 20 working days

| Requests | 2024/25 |
|---|---|
| Requests | 1631 |
| Compliance | 72% |
| No. requests on previous year | -50 -3% |

| Reviews | 2024/25 |
|---|---|
| Requests | 48 |
| Compliance | 73% |
| No. requests on previous year | +8 +17% |

**Trends**
Frequent requests:
- Potholes
- Planning applications
- Temporary accommodation
- Business rates
- Food Hygiene reports
- EHCP Plans
- School admissions
- Cleckheaton Town Hall

2024/25 saw us capture the number of questions being submitted under FOI/EIR for the first time.

**Total questions asked: 7,556**

**Analysis**
- Slight decrease in requests on last year
- Compliance rates have decreased
- Increase in requests for review

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## Subject Access Requests (SARs)

- This information covers SARs only, not the other rights
- Requests must be responded to within a calendar month, or 3 months for complex requests
- Backlog cases are those which are queued for responses due to capacity issues – these have exceeded the statutory timescales
- Working with the ICO since July 2022 in the management of backlog cases

| SARs | 2024/25 |
|---|---|
| Requests | 541 |
| No. of which are complex | 19 |
| Compliance | 64% |
| No. requests on previous year | +107 +26% |

| SAR Backlog 24/25 | Apr | Jun | Aug | Oct | Dec | Feb |
|---|---|---|---|---|---|---|
| Requests on backlog | 65 | 64 | 58 | 54 | 51 | 54 |
| No. of which are complex | 31 | 28 | 29 | 26 | 23 | 23 |
| No. closed since last report | 15 | 18 | 32 | 27 | 27 | 37 |

**Trends**
- Increased requests relating to housing disrepair claims
- Increase in requests relating to SEN
- Increase in requests from staff/former staff

**Analysis**
- Increases year on year
- Compliance rates have been maintained throughout 24/25
- Expect that no. of requests will continue to rise year on year
- Backlog management continues to be monitored by the ICO

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## Data Subject Rights & Disclosure Requests

- This information covers Data subjects' rights outside or SARs and further disclosures to the Police or solicitors for a specified purpose.
- Data subjects' rights requests should be responded to within a calendar month, or 3 months for complex requests
- Disclosure requests do not have a statutory response time however, the IG Team work to the same timescales as data subjects' rights

| DSR Requests | 2024/25 |
|---|---|
| Requests | 56 |
| Compliance | 79% |
| No. requests on previous year | -37 -40% |

| Disclosures | 2024/25 |
|---|---|
| Requests | 466 |
| Compliance | 80% |
| No. requests on previous year | +30 +6% |

**Analysis**
- DSR request numbers have returned to expected rates following a sharp increase last year
- Requests for disclosures have risen slightly

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## Information security incidents

- Incidents and near misses should be reported to the IG Team as soon as an individual becomes aware
- Incidents vary in severity, the most severe must be reported to the ICO within 72hrs of the Council becoming aware
- The IG team determine the severity of an incident and provide appropriate advice and guidance for managing the incident and mitigating against future instances

| Incidents | 2024/25 |
|---|---|
| Reported total | 314 |
| Reported to ICO | 6 |
| No. requests on previous year | -8 -2% |

**Trends**
- Most reported incidents are from information being emailed or posted to incorrect recipients
- Increase in AI related incidents

**ICO reported incidents**
- Supplier suffered a cyber attack, reported by Kirklees Council as the Data Controller - NFA
- Confidential documents shared with incorrect recipient – NFA
- Sensitive information posted to an incorrect address (neighbouring property) – NFA
- 2x reports of Council Tax information being made available to ex-partners of women fleeing domestic abuse – NFA
- AI Bots joining meetings without consent, issuing minutes to all attendees and requesting sign-up to access them – NFA

*NFA – No further action taken by the ICO*

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## Data Protection Impact Assessments (DPIAs)

- DPIAs must be completed for all processing activities containing personal data
- DPIA is a risk assessment for data protection and privacy
- DPIAs must be signed off by the Information Asset Owner (IAO), usually the Service Director

| DPIAs | 2024/25 |
|---|---|
| Received | 77 |
| Open | 36 |
| Awaiting sign off | 8 |
| Signed off | 29 |
| Rejected / Discontinued | 4 |

### Analysis

- Demand for new DPIAs is consistent year on year however, all DPIAs need to be reviewed regularly (level of risk determining frequency)

- Over 1/3 of DPIAs submitted to IG and returned to service for clarification fail to come back

- New process aims to improve the process and ensure that DPIAs are signed off appropriately

# Success, challenges & next steps

**Successes**
- Revised DPIA process
- Maintained compliance
- Data Security & Protection Toolkit submission
- Updated policies
- Development of a new mandatory training module for launch in Q1 2025/26

**Challenges**
- Meeting statutory timescales
- SARs backlog
- Significant increase in demand

**Next steps**
- Continue working through the SARs backlog
- Review processes on FOI management
- Continue to review ways of working to streamline processes
- Monitor revisions to data protection legislation and respond as required
- Develop further training modules (subject specific)
- Update resource materials for staff