

Sheffield City Council

Freedom of Information audit report

June 2023

Executive summary



Audit Methodology

The Information Commissioner is responsible for enforcing and promoting compliance with data protection legislation, as well as the Freedom of Information Act 2000 (FOIA) and Environmental Information Regulations (EIR). Section 47 of the FOIA provides provision for the Commissioner to assess whether a public authority is following good practice, including compliance with the requirements of this Act and the provisions of the codes of practice under sections 45 and 46. The ICO sees auditing as a constructive process with real benefits for public authorities and so aims to establish a participative approach.

The ICO is an independent, proportionate regulator and sees auditing as a constructive process with real benefits for public authorities and so aims to establish a participative approach. High standards of compliance with the relevant legislation can help public authorities to maintain the trust and confidence of the public.

Following engagement with the ICO, Sheffield City Council (SCC) agreed to a consensual audit of its FOI practices. An introductory telephone meeting was held on 11 May 2023 with representatives of SCC to discuss the scope of the audit.

The purpose of the audit is to provide the Information Commissioner and SCC with an independent assurance of the extent to which SCC, within the scope of this agreed audit, is complying with FOIA and EIR requirements.

It was agreed that the audit would focus on the following area(s):

| Scope area | Description |
|-------------------------------|---|
| Freedom of Information | The extent to which the information handling practices of SCC, within the scope of this agreed audit, conform with the codes of practices under sections 45 and 46 of the FOIA. |

Audits are conducted following the Information Commissioner’s data protection audit methodology. The key elements of this are a desk-based review of selected policies and procedures, remote interviews with selected staff, and a virtual review of evidential documentation.

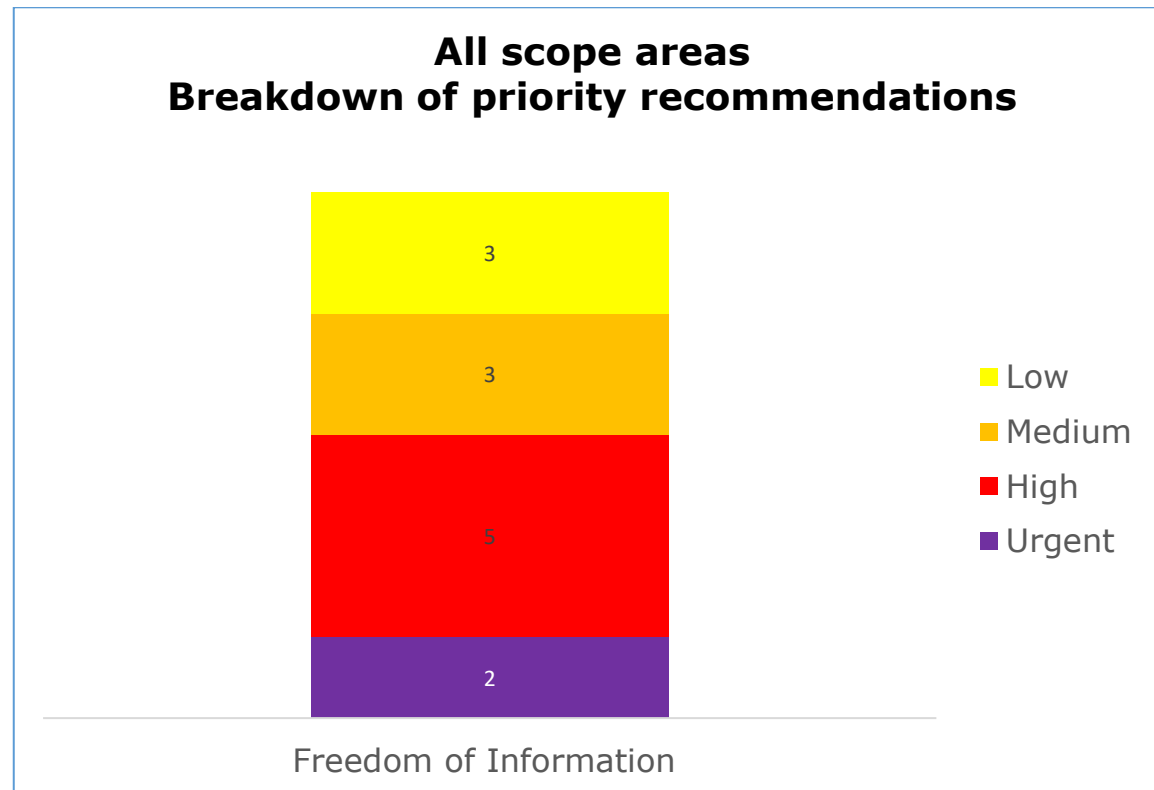
Where weaknesses were identified recommendations have been made, primarily around enhancing existing processes to facilitate compliance with the relevant legislation. In order to assist SCC in implementing the recommendations each has been assigned a priority rating based upon the risks that they are intended to address. The ratings are assigned based upon the ICO’s assessment of the risks involved. SCC’s priorities and risk appetite may vary and, therefore, they should undertake their own assessments of the risks identified.

Audit Summary

| Audit Scope area | Assurance Rating | Overall Opinion |
|-------------------------------|------------------|---|
| Freedom of Information | REASONABLE | There is a reasonable level of assurance that processes and procedures are in place and are delivering FOI compliance. The audit has identified some scope for improvement in existing arrangements to reduce the risk of non-compliance with the FOIA. |

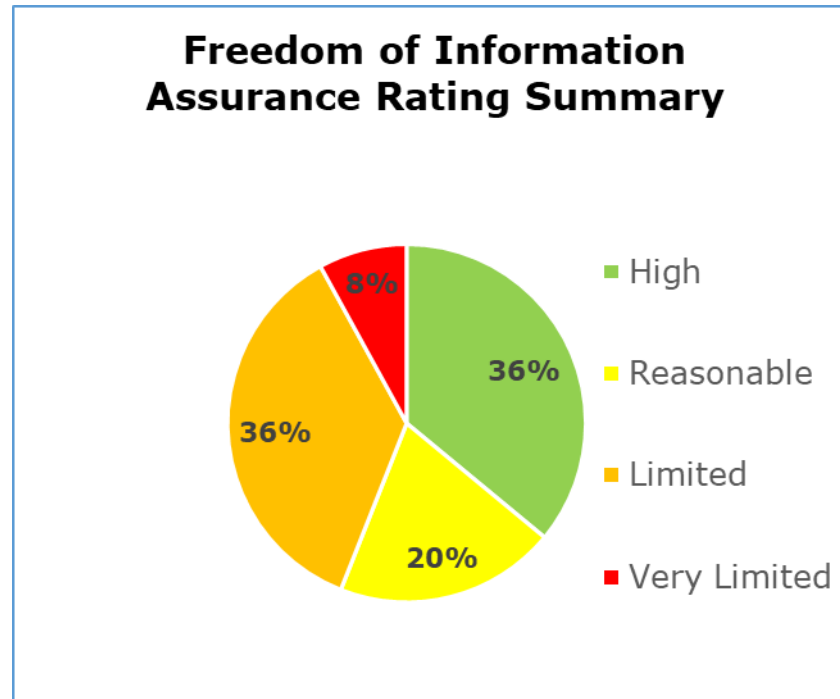
*The assurance ratings above are reflective of the remote audit methodology deployed and the rating may not necessarily represent a comprehensive assessment of compliance.

Priority Recommendations

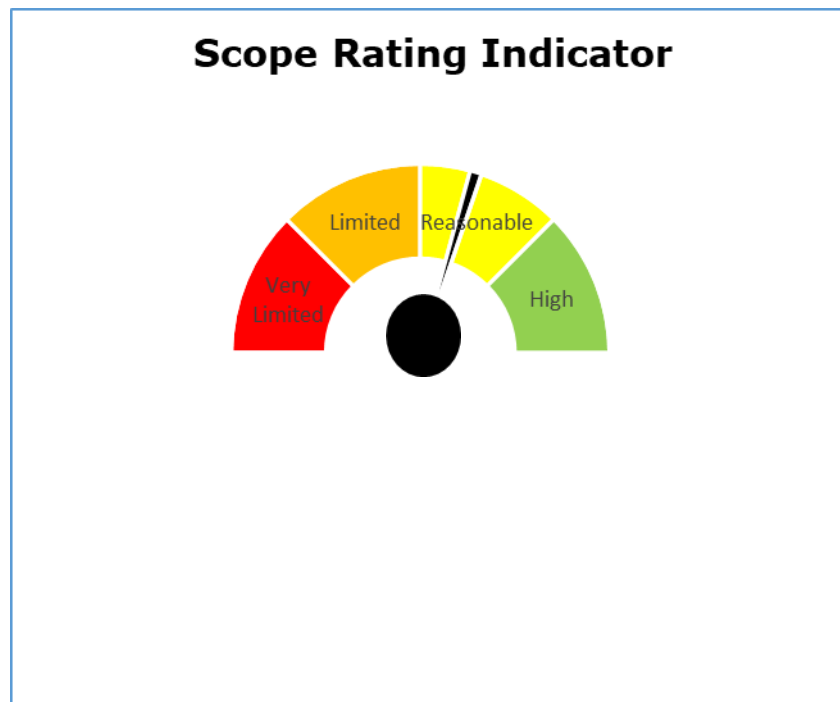


The bar chart above shows a breakdown of the priorities assigned to our recommendations made. There are two urgent priority recommendations, five high priority recommendations, three medium priority recommendations, and three low priority recommendations.

Graphs and Charts



The pie chart above shows a summary of the assurance ratings awarded in the Freedom of Information scope. 36% high assurance, 20% reasonable assurance, 36% limited assurance, 8% very limited assurance.



The speedometer chart above gives a gauge of where the organisation sits on our assurance rating scale from high assurance to very limited assurance.

Areas for Improvement

- SCC's approach to handling FOI requests means that operational staff across the organisation are responsible for locating and retrieving the information to be included in responses. Currently, staff receive only limited training on information management, which primarily relates to information security and avoiding data breaches. The introduction of separate, mandatory training for all staff covering FOI and information management should help staff to fulfil their responsibilities more confidently, and enable staff to locate and retrieve information more efficiently.
- In recent years, SCC's ability to meet statutory timescales under the FOIA has been affected in particular by the introduction of significant policy initiatives, or by other events of public interest. These have created a demand for information, which has led to backlogs of FOI requests. In order to avoid future backlogs, SCC will need to be able to anticipate where a proposal or event is likely to create a demand for information, and prepare to publish information proactively to help manage this demand.
- SCC may need to review internal resources relating to the application of exemptions, to ensure that these are suitably explanatory and expansive.

Best Practice

- SCC has reflected the importance of FOI within its organisational values; 'openness and honesty is important to us'. Staff interviewed were conscious of this value and stated that assisting with FOI requests and compliance was part of their job, whatever their position, and not an additional responsibility.

Disclaimer

The matters arising in this report are only those that came to our attention during the course of the audit and are not necessarily a comprehensive statement of all the areas requiring improvement.

The responsibility for ensuring that there are adequate risk management, governance and internal control arrangements in place rest with the management of Sheffield City Council.

We take all reasonable care to ensure that our audit report is fair and accurate but cannot accept any liability to any person or organisation, including any third party, for any loss or damage suffered or costs incurred by it arising out of, or in connection with, the use of this report, however such loss or damage is caused. We cannot accept liability for loss occasioned to any person or organisation, including any third party, acting or refraining from acting as a result of any information contained in this report.

This report is an exception report and is solely for the use of Sheffield City Council. The scope areas and controls covered by the audit have been tailored to Sheffield City Council and, as a result, the audit report is not intended to be used in comparison with other ICO audit reports.