

Response to Request for Information

Reference FOI 001604
Date 23 October 2017

Subject Access Requests

Request:

1. How many Subject Access Requests under the Data Protection Act 1998 did your Local Authority / Data Controller receive in the following years?
 - i. 2014 = 632
 - ii. 2015 = 476
 - iii. 2016 = 351

Please note that the information above relates to the number of requests received per financial year (running from 1 April to 31 March).

Unfortunately, we do not hold the information in calendar years and therefore we believe that Section 12 of the Freedom of Information Act 2000 (FOIA) would be engaged.

Section 12 of the FOI exempts Public Authorities from providing information where the estimated cost of compliance exceeds the appropriate limit. Any estimate must be undertaken in accordance with the limits set in fees regulations made under Section 12 (5) of the FOI.

These Fees Regulations (SI 2004/3244 Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations) allow for a refusal where the cost of compliance, for local authorities such as the Council, would exceed £450. As a guide, staff time to identify and extract this information is charged at a rate of £25 per hour.

In summary to provide the information you have requested for calendar years 2014, 2015 and 2016 would take us at least three days (21 hours) to compile as we do not record this information in calendar years and we would have to carry out a manual trawl to produce the detailed analysis you require.

In estimating the cost of complying with a request for information, an authority can only take into account any reasonable costs incurred in:

“(a) determining whether it holds the information,

(b) locating the information, or a document which may contain the information,

*(c) retrieving the information, or a document which may contain the information,
and*

(d) extracting the information from a document containing it”.

2. How many Subject Access Requests under the Data Protection Act 1998 did your Local Authority / Data Controller receive from adult care leavers for their own social care records in the following years?
 - i. 2014
 - ii. 2015
 - iii. 2016

In response to question 2, following careful consideration, the Council regrets to inform you that it has decided not to disclose this information.

The information you have requested has been withheld from disclosure. The exemption engaged is Section 12 of the Freedom of Information Act 2000 (FOI).

Section 12 of the FOI exempts Public Authorities from providing information where the estimated cost of compliance exceeds the appropriate limit. Any estimate must be undertaken in accordance with the limits set in fees regulations made under Section 12 (5) of the FOI.

These Fees Regulations (SI 2004/3244 Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations) allow for a refusal where the cost of compliance, for local authorities such as the Council, would exceed £450. As a guide, staff time to identify and extract this information is charged at a rate of £25 per hour.

In summary to provide the information you have requested would take us at least three days (21 hours) to compile as we do not record this category of information in a central area and therefore we would have to carry out a manual trawl to produce the detailed analysis you require.

In estimating the cost of complying with a request for information, an authority can only take into account any reasonable costs incurred in:

“(a) determining whether it holds the information,

(b) locating the information, or a document which may contain the information,

*(c) retrieving the information, or a document which may contain the information,
and*

(d) extracting the information from a document containing it”.