



Title of report: Annual review of the council's Information Requests & Complaints 2024/25

Meeting: Audit & Governance Committee

Meeting date: 25 September 2025

Report by: Information Governance Manager / Complaints and Children's Rights Manager

Classification

Open

Decision type

This is not an executive decision

Wards affected

All wards

Purpose

To inform the committee of performance in the areas of complaints, data incidents and requests for information made to the council over the municipal year 2024/25.

Recommendation(s)

That the information set out in the report is noted.

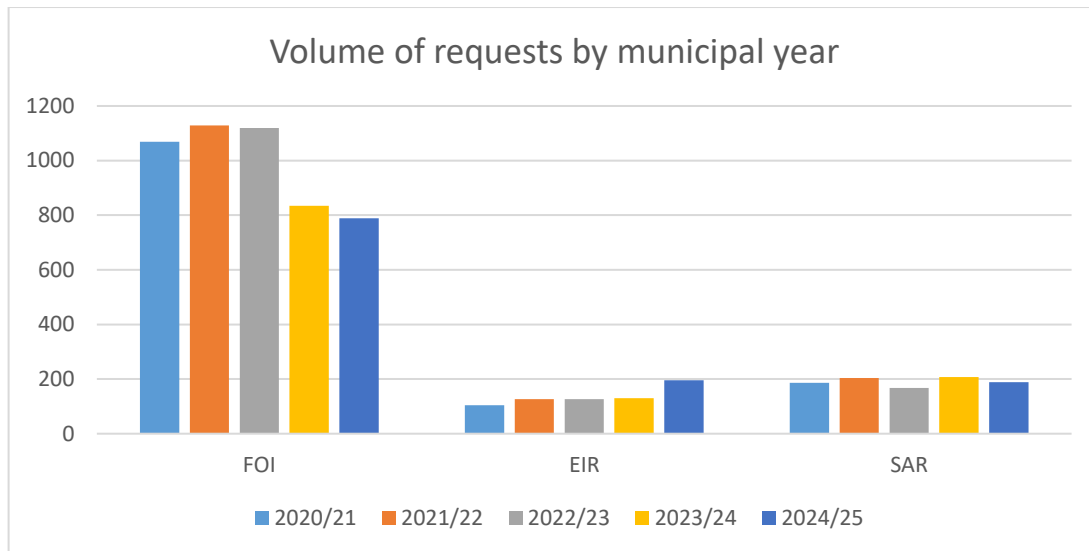
Key considerations

Requests for information

1. The council is subject to legislation that requires openness and transparency, providing members of the public with qualified rights of access to information. At the same time, the council is also required by legislation to protect certain information from unauthorised disclosure, and to exempt information from being released. The council therefore makes decisions on disclosure of information based on the law and regulatory guidance, occasionally having to balance the public interest in releasing data with the confidentiality of the information and the harm that release would cause. When the council undertakes this balancing exercise,

it does so taking into account relevant case law and decision notices.

2. From 1 May 2024 to 30 April 2025 the council dealt with 789 requests under the Freedom of Information (FOI) Act 2000, and 196 requests under the Environmental Information Regulations (EIR) 2004.
3. A total of 35 such requests were answered outside of the statutory deadlines for responses to be made (20 working days), meaning that the overall response rate was 96.4%. This exceeded the council's target of 95% compliance and was within the Information Commissioner's Office (ICO) threshold of 90% for responses within deadline. Where information was not provided in full this was because some of the information was exempt (for reasons such as the information consisting of personal data). In a small number of cases the information was not held or refused in full due to the information being exempt from disclosure and no information was released. If information is withheld the reasons for this are explained to the requester.
4. There were 21 more requests received in comparison to the previous municipal year. In the last couple of years volumes of requests received have fallen or increased only slightly each year, compared to the steady year-on-year increase which was experienced a few years ago. We believe that this is due to the introduction of a disclosure log where we publish requests / responses to all FOI and EIR requests except for those which have had an exemption applied for personal data. To date over 2,500 requests / responses have been published to the log. We have also dealt with more requests as Business as Usual. These are requests for which the information is already publicly available either on the council's website or disclosure log or are otherwise easily answerable. During the municipal year we dealt with an additional 322 requests as business as usual. Handling them that way ensures a faster response for requesters and reduces the amount of time that service areas have to spend on FOI / EIR requests.
5. Two cases were referred to the ICO. In one case the ICO upheld the council's decision and in the other confirmed previously withheld information should be disclosed.
6. During the last municipal year there were also 189 requests where individuals asked for personal data about themselves under their right of subject access in data protection legislation. The response rate for this period was 64% of requests responded to within the statutory deadlines. This was below the target for the calendar year, which we set at 95% response rate. The processing of these requests is very complex. For each request the Information Governance team have to review every single document to consider whether an exemption applies and redact accordingly. If the request is from a care leaver this can involve reviewing 1000+ documents. The graph below compares volumes of requests received in the municipal year 2024/25 with volumes received in previous years.



7. [Statistical data](#) on requests processed under FOI and EIR are published on the council's website and updated quarterly.
8. Where other council's publish their FOI / EIR request volume statistics, some informal benchmarking can be made based on requests received in the financial or calendar year, and the council is performing well in comparison to other such councils. During 2024/25, Powys had a response rate of 80% and Staffordshire County Council 80%, while Shropshire Council's response rate for the start of 2025 was 76%.
9. Information request data is monitored monthly within the council with Corporate Directors provided with monthly Information Governance reports, at the information governance steering group and bi-annually at Corporate Leadership Team. There is a section on processes for staff to follow regarding information requests within the mandatory training completed by all council staff upon joining the council and then annually.
10. The information governance team deals with requests made by the police in relation to criminal investigations to view council information, and requests from other public sector organisations in relation to such matters of investigation of fraud and child protection matters concerning closed social care cases. The volumes of the latter requests increased during the municipal year having been stable over previous years. Police requests also increased over the past year, and a total of 80 requests were processed, including the locating, proportionate sharing and redaction of records.

Information Governance

11. The council's information governance team monitors low-level data security incidents, near misses, and allegations of breaches of data protection legislation, of which 288 such cases were reported and dealt with over the past municipal year. Out of these, 1 met the threshold for reporting to the Information Commissioner's Office (ICO), however no action was taken against the council. The figures reflect that the council has sound processes in place for reporting data incidents, and that there is a high level of awareness from the mandatory training given to all council staff regarding data protection. It also indicates a more open culture around reporting things that have gone wrong. Incidents are reviewed at the information governance steering group and learning from incidents is fed back through staff training, communications to officers and changes in processes and procedures.
12. The information governance team also assesses the mandatory data protection impact assessments that are completed for new programmes, projects or systems that involve

processing of personal data, advise on information sharing agreements, implement information security policies and procedures, and ensure that teams make information available on how the council processes personal data.

13. In addition to providing the council with a service, as of April 2025, 39 of the county's schools were signed up to a self-funding school's data protection officer service level agreement. A high-level service and support to schools is provided whether on the end of the telephone or via a face-to-face visit.

Corporate Complaints

14. This section of the report provides information on complaints and feedback received by Hereford Council for the period 1 April 2024 to 31 March 2025 that relate to all services within the Council, excluding children's social care. More information can be found in Appendix 1 'Annual Corporate Complaints Report 2024/2025'

Complaints about that specific service area is managed by a different statutory process and are subject to separate scrutiny.

The aim of the Corporate Complaints Procedure is to make sure that:

- Complaints are dealt with to a fair and consistent standard
- The Council responds to complaints in a reasonable timescale
- Outcomes from complaints are documented and shared throughout the Council
- A 'do it once do it right' approach is taken to complaints

The Council has based its complaints procedure on guidance set out in the Local Government and Social Care Ombudsman's 'Guidance on Running a Complaints System 2009'. The guidance explains the principles underpinning a successful complaints procedure:

15. Performance Metrics, Corporate Complaints

Complaints and compliments have been categorised into each directorate.

There were **560** complaints processed through the Corporate Complaints Policy, an increase in comparison to 483 received the previous year

NB: complaints about Community Wellbeing and Children's Services are reported and analysed separately but will be captured in the data within this report

16. Local Government and Social Care Ombudsman

The Ombudsman investigates complaints about the actions taken by or on behalf of a council or authority. The service is independent, free and impartial. The Local Government Act gives the Ombudsman the powers of the High Court to require the production of evidence held or witnesses.

The main statutory functions for the Ombudsman are:

- To investigate complaints against councils and some other authorities
- To investigate complaints about adult social care providers from people who arrange or fund their adult social care (Health Act 2009)
- To provide advice and guidance on good administrative practice.

At time of writing this report, **8** open cases being investigated. The LGSCO have received 55 communications from Herefordshire members of the public. These communications relay to the following directorates;

- 62% complaints were closed after initial enquiries
- 11% were premature
- 9% of complaints that were investigated, fault was found with the Local Authority with only a third of those upheld being found to have caused fault and injustice (2 complaints).

Statutory Children's Complaints and Representations

17. This section of the report seeks to recognise the determination of children and young people to see that Social Care processes improve and develop and outline not just what complaints were made, but what difference they have made in the work of Herefordshire Children's Services. More information can be found in Appendix 2 'Children's Complaints Annual Report 2024/2025'

The Complaints team reviews the policies and procedures for administering Children's complaints, reporting on complaints to the children's services DCS and senior management team, and arranged training for complaint investigation officers which is delivered both internally and by the Local Government and Social Care Ombudsman (LGSCO).

The procedure covers complaints about councils' actions under Part 3 and some of Parts 4 and 5 of the Children Act 1989, as well as some adoption and special guardianship services. When deciding if a complaint should be considered under the procedure councils should check which part of the Act the service being complained about falls under. Generally, assessments and services in the following areas should be considered under the procedure:

- Children in need
- Looked after children
- Special Guardianship support
- Post-adoption support

18. Performance Metrics, Statutory Complaints

There were 79 complaints made under the Children's Complaints and Representations Policy in 2024/2025, with 4 of those being withdrawn. This totals a 22.5% decrease from the previous year.

- 53 were resolved at stage 1
- 22 were progressed to stage 2 (see point 26 for reasons)
- 5 were progressed to a stage 3

The Children's Complaints and Representations policy has demonstrably fostered a more open and responsive environment since 2022/2023. While the initial years saw an increase in processed complaints, this can be interpreted positively as reflecting greater awareness and accessibility of the complaint procedure.

The changes implemented have empowered families, children, and young people to voice their concerns with confidence, knowing that Children's Services values their feedback and is committed to learning and improvement. Moreover, the encouraging decrease in complaints received this year suggests that the changes implemented are having a positive impact and result in improved service delivery and a higher degree of satisfaction among those utilising children's services.

19. Outcomes from Stage One Complaint Investigations

| Reporting Period | Upheld | Partially Upheld | Not Upheld |
|------------------|--------|------------------|------------|
| 2023/2024 | 19 | 41 | 34 |
| 2024/2025 | 24 | 31 | 20 |
| % difference | 27.27% | 27.78% | 51.85% |

NB: At the time of writing this report, a number of complaints remained open/outstanding, therefore these figures are not definitive and may alter should data be requested in the future.

Of the 75 complaints received in 2024/2025, outcomes from Investigation Officers include:

- 24 were upheld;
- 31 were partially upheld;
- 20 were not upheld;

20. Stage 2 Statutory Independent Investigations

Following the stage 1 internal investigation if a complainant remains dissatisfied they have the right to progress their complaint to stage 2.

21. Stage 3 Statutory Complaints, Independent Review Panel Hearing

Where Stage 2 of the complaints procedure has been concluded and the complainant is still dissatisfied, he will be eligible to request further consideration of the complaint by a Review Panel (regulation 18). As it is not possible to review a complaint that has not yet been fully considered at Stage 2 (including providing the report(s) and adjudication to the complainant), it is essential that the local authority does not unnecessarily delay the conclusion of Stage 2.

22. Statutory Complaints taken to the LGSCO

The Local Government and Social Care Ombudsman (LGSCO) looks at complaints about councils and some other authorities and organisations, including education admissions appeal panels and adult social care providers (such as care homes and home care providers). The service is free, independent and impartial.

23 complainants took their complaints to the LGSCO for review in 2024/2025:

- 5 were deemed as premature
- 1 Not upheld: no injustice
- 0 Upheld: Fault and Injustice
- 7 Upheld: Fault and Injustice, financial redress
- 1 Upheld: no further action, organisation already remedied
- 1 Not upheld, no further action
- 8 Closed after initial enquires

23. Financial Implication of Statutory Complaints

Financial year 22/23, concluded stage 2 and stage 3 complaints cost a total of; **£19,830.20**
 Financial year 23/24, concluded stage 2 and stage 3 complaints cost a total of; **£72,107.65**
 Financial year 24/25, concluded stage 2 and stage 3 complaints cost a total of; **£87,826.34**

Community impact

24. In accordance with the adopted code of corporate governance, the council must ensure that it has an effective performance management system that facilitates effective and efficient

delivery of planned services. The council is committed to promoting a positive working culture that accepts, and encourages constructive challenge, and recognises that a culture and structure for scrutiny are key elements for accountable decision making, policy development, and review.

This report provides information about the council's performance in handling complaints and requests for information from members of the public, in order to provide assurance that the council handles requests and complaints effectively and derives learning from them to improve experiences for those who receive services from the council. It also provides information about the measures taken to protect personal data under the data protection legislation.

Environmental Impact

25. The council provides and purchases a wide range of services for the people of Herefordshire. Together with partner organisations in the private, public and voluntary sectors we share a strong commitment to improving our environmental sustainability, achieving carbon neutrality and to protect and enhance Herefordshire's outstanding natural environment.

Whilst this is a decision on back office functions and will have minimal environmental impacts, consideration has been made to minimise waste and resource use in line with the council's Environmental Policy, including through encouraging complaints and requests for information to be submitted electronically to the council.

Equality duty

26. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:
- A public authority must, in the exercise of its functions, have due regard to the need to:
 - a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

This report is for information only and therefore there are no equality duty implications arising directly from this report.

Resource implications

27. There are no financial implications arising directly from this report, which is for information. As outlined above however, there are risks of fines from the Information Commissioner's Office for breaches of data protection legislation, and compensation payments if the council has acted in a way that results in maladministration and injustice. The council has sufficiently protected the personal data it holds to not incur fines so far.

Legal implications

28. There are no direct legal implication of this report other than it is a function of this Committee to undertake an annual review for Complaints and Information Governance.

Risk management

29. The risks to the council are of non-compliance with legislation including the UK General Data Protection Regulations, the Data Protection Act 2018, the Freedom of Information Act 2000, the Environmental Information Regulations 2004, and the Local Government Act 1974. Effective operational and governance processes mitigate these risks of non-compliance with information legislation and standards, and maintaining high standards of compliance mitigates risks to the reputation of the council.

Consultees

Not applicable.

Appendices

Appendix 1 Annual Corporate Complaints Report 2024/2025
Appendix 2 Children's Complaints Annual Report

Background papers

None identified.