

NHS Western Isles

Meeting:	Board Meeting
Meeting date:	22 June 2022
Item:	11.4
Title:	FOI and SAR Summary
Responsible Executive/Non-Executive:	Maggie Watts, Director of Public Health / Caldicott Guardian
Report Author:	Carol Macdonald, Information Governance Manager

1 Purpose

This is presented to the Board for:

- Awareness

This report relates to a:

- Legal requirement

This aligns to the following NHSScotland quality ambition(s):

- Effective
- Person Centred

2 Report summary

2.1 Situation

The report provides a summary of Freedom of Information requests received and Subject Access Requests up to the latest quarter 2022.

2.2 Background

Boards have one calendar month to respond to SARs and 20 working days to respond to FOIs. Numbers of both have increased in recent years.

2.3 Assessment

It is anticipated that requests for information to support Social Security payments will rise in 2022 following legislative changes. These will be routed through Data Protection but will require clinical staff to provide supporting information for payment applications. Response rates for Freedom of Information requests have generally been below target for the last 2 years, and we are looking at ways to improve the process.

2.3.1 Quality/ Patient Care

FOI awareness sessions for staff planned in 2022.

2.3.2 Workforce

Numbers of SARs and complexities of FOIs have increased, and the Social Security Scotland applications will add to the workload. Covid related staffing issues, sickness and redeployment have contributed to poorer response rates.

2.3.3 Financial

Non-applicable

2.3.4 Risk Assessment/Management

Non-applicable

2.3.5 Equality and Diversity, including health inequalities

Non-applicable

2.3.6 Other impacts

N/A

2.3.7 Communication, involvement, engagement and consultation

Non-applicable

2.3.8 Route to the Meeting

Non-applicable

2.4 Recommendation

- **Awareness** – For Members' information only.

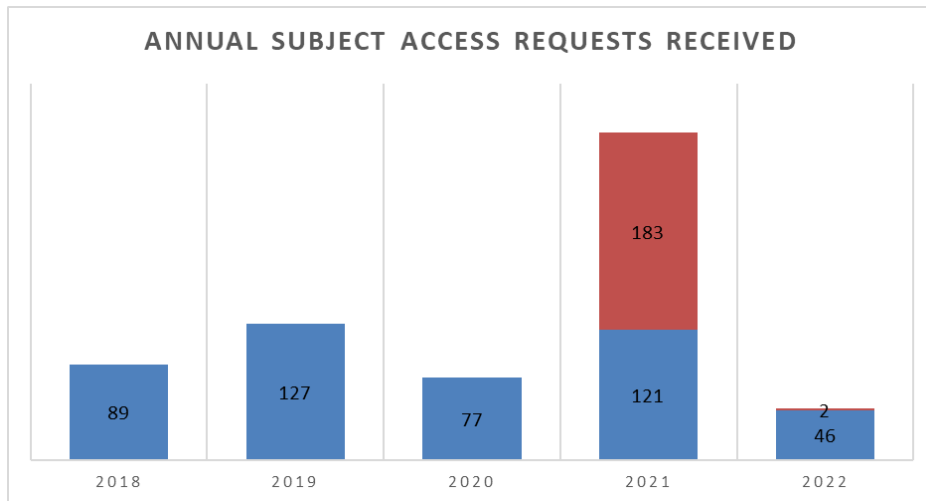
3 List of appendices

The following appendices are included with this report:

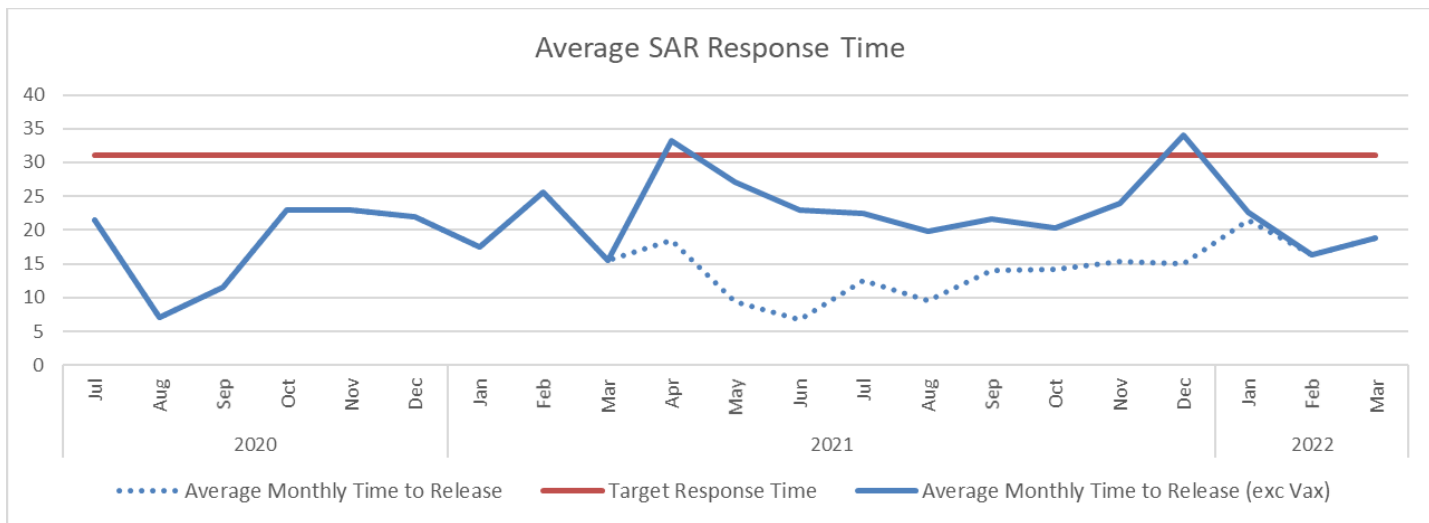
- N/A

Summary of Freedom of Information Requests (FOIs) and Data Protection Subject Access Requests (SARs) – April 2022

SAR Request Activity



Excluding requests for Covid-19 Vaccination information, there was a 57% increase in SARs received in 2021 compared to 2020, the second highest number received in one year. The first quarter of 2022 has seen a higher than average number received to date.



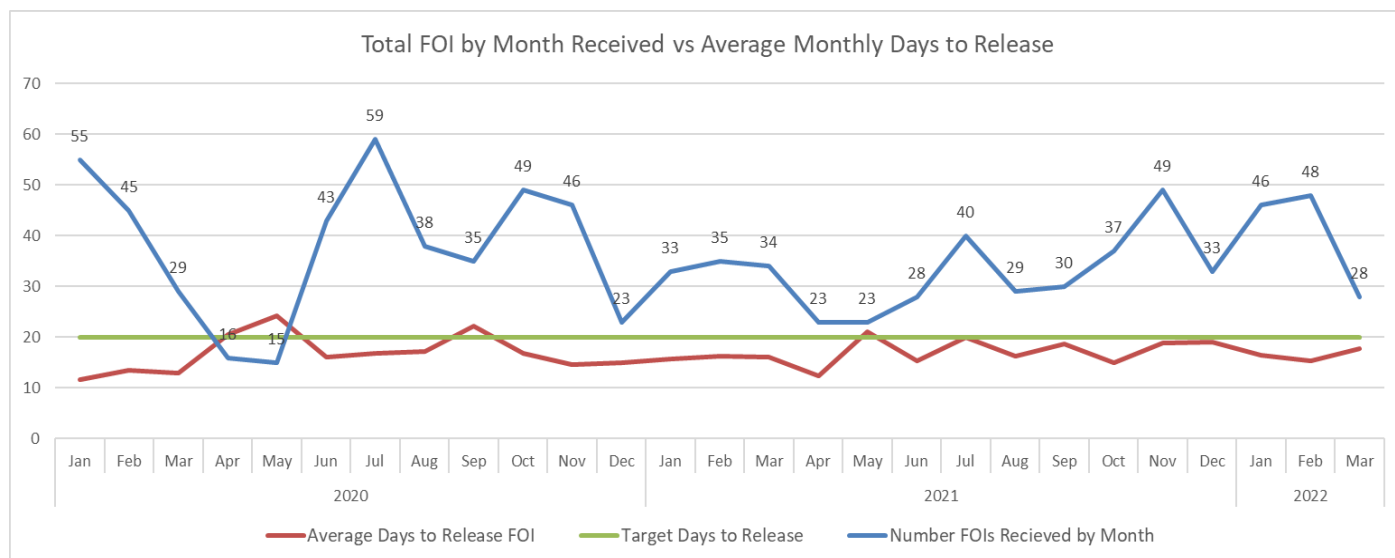
Subject Access Requests received by Type:

Years	Type	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2020	Court	1		1			2	1		1	1		1	8
	Police	1	1			1		1		3	1	1		9
	Standard	2	9	12		6	5	4	4	7	5	3	2	59
	DWP												1	1
2021	Court	2	1					1				1		5
	Police	1		2	1		1	2			1		1	9
	Standard	5	3	13	12	5	10	7	12	9	8	5	10	99
	DWP								1			1		2
	Covid Vax				13	52	41	31	28	8	4	6	6	189
2022	Court	4	3											7
	Police		2											2
	Standard	7	12	12	3									34
	DWP		1											1
	Covid Vax	1			1									2

Recent legislative changes have given the Scottish Parliament powers over a number of Social Security benefits including Adult and Child Disability allowance.

The projected number of requests we might receive for information supporting applications for child and adult disability allowance in NHSWI, is estimated to be up to 500 requests per year.

FOI Activity



Quarter	% Compliance within 20 working days	Number responded to over 20 days
Q1 2020	82%	22
Q2 2020	72%	20
Q3 2020	67%	15
Q4 2020	83%	19
Q1 2021	80%	20
Q2 2021	62%	27
Q3 2021	81%	19
Q4 2021	60%	47
Q1 2022	81%	18

FOI compliance has been below the target of 85% for the last two years.

Covid priorities and staffing issues have contributed to the delays in response times, and we are looking at ways to try to improve response rates in 2022.