

Councillor Chris Holley  
Convenor  
Service Improvement & Finance Scrutiny  
Performance Panel

**BY EMAIL**

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*Our Ref:* DH/CM  
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*Date:* 6<sup>th</sup> May 2020

Dear Councillor Holley

Thank you for your letter dated 19<sup>th</sup> March 2020.

Please accept my apologies for the delay in responding to you.

**1. What is meant by 9 Complaints being resolved by Quick fix/voluntary settlement?**

The Ombudsman will review all the Councils documentation in relation to any complaint that is raised with them. After reading the information provided they may decide rather than undertake a full investigation that the matter can be resolved by a quick fix/voluntary settlement, for example in the report submitted they requested that letters of apology be issued, undertake a Stage 2 investigation, request that the service area produces additional leaflets on the issue.

**2. Can you provide us with the further information about the grounds in which FOI can be refused.**

The Council adheres to strict guidelines for all refusals. They can be viewed at:

<https://ico.org.uk/for-organisations/guide-to-freedom-of-information/refusing-a-request>

As an example we can refuse an entire request due to the following;

- It would cost too much or take too much staff time to deal with the request.
- The request is vexatious.
- The request repeats a previous request from the same person.

- In addition, the Freedom of Information Act contains a number of exemptions that allow you to withhold information from a requester. In some cases it will allow you to refuse to confirm or deny whether you hold information. Some exemptions relate to a particular type of information, for instance, information relating to government policy. Other exemptions are based on the harm that would arise or would be likely arise from disclosure, for example, if disclosure would be likely to prejudice a criminal investigation or prejudice someone's commercial interests. There is also an exemption for personal data if releasing it would be contrary to the General Data Protection Regulation (the GDPR) or the Data Protection Act 2018 (the DPA2018).
- 3. We recommend that future FOI Annual Reports show actual cost incurred by the Council through dealing with FOI, and their impact on the budget.**

Unfortunately the Council does not have the mechanism to quantify the cost incurred or impact on the budget for handling Freedom of Information requests. They are a legal and statutory obligation and are managed and responded to, by various officers across the whole Authority and is often an 'additional' task to an officers normal role.

I hope this response meets with your expectations, however, should you require any further information, please do not hesitate to contact me.

Yours sincerely



**Y CYNGHORYDD/COUNCILLOR DAVID HOPKINS  
AELOD Y CABINET DROS GYFLWYNO A PHERFFORMIAD  
CABINET MEMBER FOR DELIVERY & PERFORMANCE**