



For Information

Title: Information requests and complaints update

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Purpose

This paper provides an update on the number of information requests, and key performance measures in meeting them, under Freedom of Information (Scotland) Act (FOISA)/ Environmental Information (Scotland) Regulations (EIR) and Data protection arrangements since September 2023, and focusing on financial years 23/24 and 24/25 (Q1 & 2).

The paper also describes numbers and outcomes of formal complaints to the Park Authority.

Recommendations

The Audit and Risk Committee is asked to

- a) Note activity in this area and Park Authority performance
- b) Comment on breadth and depth of reporting for future updates

Activity

Freedom of Information

1. As a public body, CNPA is subject to statutory requirements under the Freedom of Information (Scotland) Act (FOISA) and also the Environmental Information (Scotland) Regulations (EIR). This paper provides an update on the number of information requests under these provisions received in the last three financial years and the first two quarters of 24/25, and performance in key measures. Previous years information is provided for benchmarking purposes. All figures relate to the time period in which the request was first received.
2. In handling information requests, it is for the Park Authority to determine whether a request should be dealt with under the provisions of either FOISA or EIR, or a subject access request falling separately under the provisions of data protection legislation. Handling of information requests under FOISA and EIR varies slightly in terms of



potential exemptions for release of information and consideration of the wider public interest in deciding whether to release or withhold information. The classification of an information request could itself be a point of challenge by a requester and will be tested by the Scottish Information Commissioner should a matter be referred to the Commission.

- Total request numbers in 23/24 rose on the previous year to approach just less than one per week on average. However, the current financial year Q1 and Q1 has seen lower numbers highlighting the variable nature of requests. The proportion of requests processed under EIR arrangements has fallen somewhat in recent years. Figures are summarised in Table 1.

Table 1: Number of FOISA/ EIR Requests Received, 20/21 to date

Request Type	FY 20/21	FY 21/22	FY 22/23	FY 23/24	FY 24/25 Q1 & Q2
FOISA	21	25	20	42	14
EIR	14	17	8	4	3
FOISA/EIR			1		
Total	37	42	29	46	17
% FOISA	57%	60%	69%	91%	82%

- The most relevant performance measure for all requests is the proportion of requests met within statutory timescales (which may vary depending on the nature of the request). CNPA performance in responding to all requests is generally very good and has been at or above 95% over the last 4 years (Table 2). A performance benchmark figure¹ for all Non-Departmental Public Bodies (NDPBs) in Scotland (2013-2020) is 85% for FOIs and 88% for EIRs.
- The number of internal review requests remains very low, with only two in 23/24 and one to date in 24/25 (still in process). The outcome of the two in 23/24 was further information provided. No referrals to the Scottish Information Commissioner have occurred since FY 20/21. Figures are summarised in Table 2.

¹ Source: [Scotland Information Request Statistics \(mysociety.org\)](https://mysociety.org)

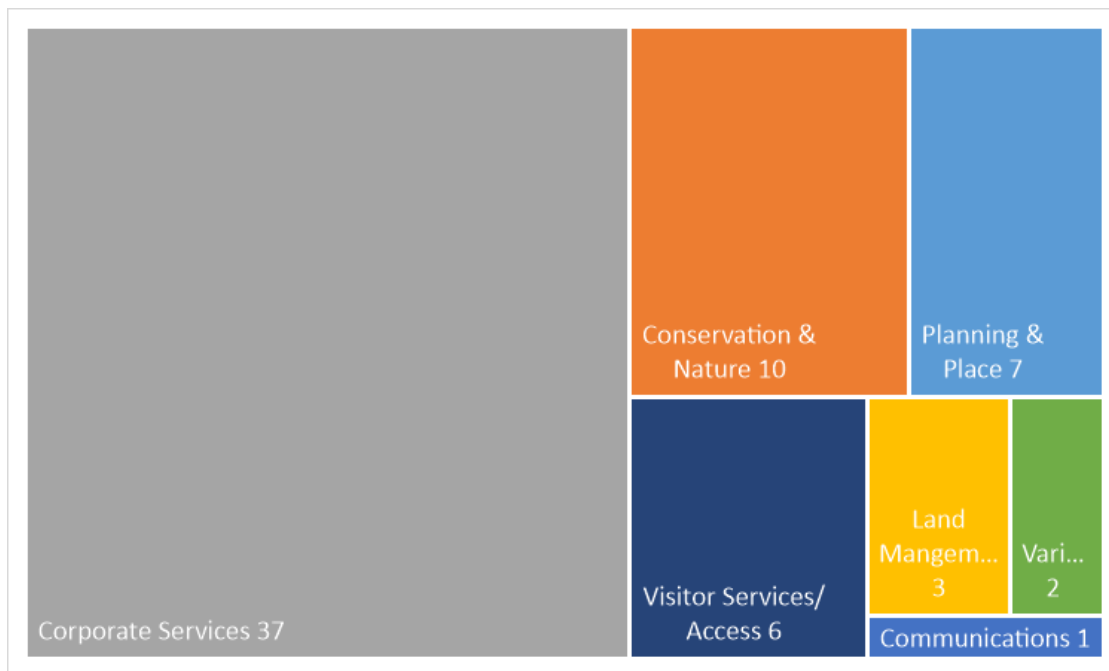


Table 2: Information requests performance overview, 20/21 to date

All FOI/EIR Requests	FY 20/21	FY 21/22	FY 22/23	FY 23/24	FY 24/25 Q1 & Q2
Met within Statutory Timescales	97%	95%	97%	98%	100%
Internal Review Requests	2	2	1	2	1
Referral to Scottish Information Commissioner	1	0	0	0	0

6. From FY 23/24 to date, the distribution of requests across the organisation is shown in Figure 1. Corporate Services encompasses the largest number and includes all corporate requests that include areas such as governance, finance, procurement, HR, ICT and information management, amongst others. Conservation/ nature comprise the next largest category, followed by Planning & Place and Visitor services (including access). Requests vary significantly in breadth and complexity.

Figure 1: Requests by Service Area, 2023/24 to date





Subject Access Requests

7. Under data protection legislation, individual have the right to request information held about them by an organisation, a process known as a subject access request (SAR). The Park Authority generally receives very few SARs compared to other public bodies; it generally holds and processes relatively little personal data other than the minimum it requires to fulfil its statutory duties and other activities effectively.
8. Throughout 23/24 and the first half of 24/25, the Park Authority has processed two formal subject access requests. One of these continued into the current quarter as an agreed extension to the time period of the original request, and is now complete.

Complaints

9. The Park Authority has a formal complaint handling process set out clearly on its [website](#). Where possible staff are encouraged to resolve more straightforward complaints directly within 5 working days (known as Stage 1 – frontline resolution). Where a complainant remains dissatisfied or the issue is more complex, a complaint is logged for a Stage 2 investigation and response, generally by a senior member of staff. The total number of complaints logged is shown in Table 3, as well as a summary of topics. In all but 2 cases, complaints were investigated and a reply sent within the target period of 20 working days; 1 resulted in ongoing communications and the other required wider input due to complexity and was two days later than target.

Table 3: Complaints overview, 2023/24 to date

	FY 23/24	FY 24/25 Q1 & Q2
Number of complaints	10	6
Main topic areas of complaints	Planning	7
	Visitor Services/ Access/Transport	4
	Conservation	4
	Corporate Services	1