

**Coventry City Council**  
**Minutes of the Meeting of Cabinet Member (Policy and Leadership) held at 10.00**  
**am on Friday, 5 September 2014**

Members Present:

Councillor A Lucas (Cabinet Member)  
Councillor J Blundell (Shadow Cabinet Member)

Employees (by Directorate):

C Dear, Chief Executive's Directorate  
H Lynch, Resources Directorate  
M Rose, Resources Directorate

**Public Business**

**1. Declarations of Interest**

There were no disclosable pecuniary interests reported.

**2. Minutes**

The minutes of the meeting of the Cabinet Member (Policy and Leadership), held on 28<sup>th</sup> November, 2013 were signed as a true record.

**3. Complaints to the Local Government Ombudsman 2013/14**

The Cabinet Member (Policy and Leadership) considered a report of the Chief Executive, regarding complaints to the Local Government Ombudsman during 2013/14.

The report noted that the Local Government Ombudsman (LGO) provided an independent means of redress to individuals for injustice caused by unfair treatment or service failure by a local authority. As part of the Council's complaints process complainants were informed of their rights to contact the LGO if they were not happy with the Council's decision.

The Cabinet Member (Community Safety and Equalities) at the meeting of 27<sup>th</sup> March 2014, decided that the number and outcome of complaints received by the LGO about the Council would be formally reported to elected members through the Cabinet Member (Policy and Leadership) (minute 99/13 refers). The first report following the recommendation was considered and covered complaints over the period 1 April 2013 to 31 March 2014.

In July 2014, the Ombudsman had issued the Annual Letter to the Chief Executive which summarised complaints dealt with during the year. A report "Review of Local authority complaints" had also been published on the LGO web pages; this was used to compare Coventry's performance with national trends.

The Councillors and officers present discussed; learning from complaints, communicating with complainants and amending the process so that Audit and Procurement Committee consider the report prior to Cabinet Member (Policy and Leadership).

**RESOLVED that, after due consideration of the report and the matters raised at the meeting, the report detailing the Council's performance in relation to complaints to the Local Government Ombudsman be noted and the Audit and Procurement Committee be requested to:**

- 1. Review and be assured that the Council takes appropriate action in response to complaints investigated and where the Council is found to be at fault.**
- 2. Advise on the timing and focus for future reports to help to ensure that the Council learns from complaints.**

#### **4. 2013/14 Annual Freedom of Information/Data Protection Act Report**

The Cabinet Member (Policy and Leadership) considered a report of the Executive Director, Resources, which detailed the Freedom of Information Act (FOIA)/Data Protection Act (DPA) requests during 2013/14.

The Cabinet Member (Community Safety and Equalities) at the meeting of 1<sup>st</sup> May, 2014, decided that an annual report regarding FOIA and DPA requests would be formally reported to elected members through the Cabinet Member (Policy and Leadership) (minute 107/13 refers). The first report following the recommendation was considered initially by the Audit and Procurement Committee on 14<sup>th</sup> July, 2014 (minute 10/14 refers). There were no additional comments or recommendations from the Committee.

The report noted that under the Freedom of Information Act 2000 (FOIA) the Council were required to provide the public with a means for requesting information held by the Authority, subject to any exemptions that may apply. Also Section 39 of FOIA required the Council to process requests for environmental information under the Environmental Information Regulations (2004) (EIR). The EIR process, whilst similar to FOIA, promoted 'proactive dissemination' of information and provided fewer grounds for the Council to withhold information. Both FOIA and EIR permit personal data, as defined by the Data Protection Act 1998 (DPA), to be withheld where the applicant was not the subject of the data.

The Data Protection Act 1998 (DPA) required the authority to process personal data in accordance with the principles of the Act, which included providing a means for an individual to request access to information that the Council processes about them, subject to any exemptions that may apply.

The Information Commissioner's Office (ICO) oversees compliance with FOIA, EIR and DPA, promoted good practice, rules on complaints and takes appropriate action when the law had been broken.

This report provided an overview of the number of requests for information received under the FOIA, EIR and DPA; the volume completed within the legislative timescales; the number and outcome of internal reviews; and the

number and outcome of complaints made to the ICO about Coventry City Council during 2013/14.

The Councillors and officers present discussed; the subjective element of redaction and differences between Freedom of Information and Environmental Information requests.

**RESOLVED that after due consideration of the report and the matters raised at the meeting, the Council's performance for responding to access to information requests report be noted by the Cabinet Member (Policy and Leadership) including the number and outcome of internal reviews and the number and outcome of complaints made to the ICO.**

5. **Outstanding Issues**

There were no outstanding issues to report.

6. **Any Other Items of Public Business**

There were no other items of public business.

(Meeting closed at 10.20 am)