

# NORTH YORKSHIRE POLICE

## ACTION PLAN TO RECOVER FOI RESPONSE PERFORMANCE

AS AT JULY 2022



### Introduction

This action plan is in response to a letter from the ICO to the Chief Constable dated 15<sup>TH</sup> October 2020. In the letter the ICO acknowledges the significant progress made since North Yorkshire Police self-reported performance issues in 2019, but noted that *‘the Commissioner’s analysis of the performance statistics has led to the issue of the practice recommendation to ensure that the trend of improvement continues and NYP achieves satisfactory levels of timeliness’*. One of the recommendations was to publish an action plan. This action plan therefore considers some of the actions suggested by the ICO regarding best practice.

Action	How will this be achieved?	Review Date	Status	Comments
<b>1. Response Rates</b>				
Make sure staff are aware of the circumstances when timescales can be paused/extended	A review of the FOI training given to new members of staff/SPOCs will be undertaken to ensure that this is highlighted more largely and that staff are aware to change compliance dates manually in such cases on the records.	01.10.2022	In progress	July 2022 - FOI staff have been reminded that compliance dates can be changed if clarification is required from applicants. SPOCs still to be updated.
Set measurable milestones if less than 95% of requests are	Further Milestone <ul style="list-style-type: none"><li>• 30 September 2022 - 80%</li><li>• 30 November 2022 – 85%</li></ul>	01.10.2022	Ongoing	July 2022 - Compliance rates have not yet been met and as of 30 June 2022

responded to within the statutory timescales.				compliance was 48%. However, this is an improvement on previous months and a compliance rate of 80% by 30 September is achievable and 85% by 30 November 2022
Ensure responses are started as soon as possible to ensure departments have enough time to provide results/documents within the statutory timescales.	Continue to start FOIs off on a daily basis by those who have FOI responsibility.  Continue to allocate FOIs to the team on a weekly basis so responsibility is taken at an early stage.	01.04.2022	Completed	July 2022 – FOIs are sent to business areas on a daily basis to ensure that the departments have sufficient time to respond to the request and allocation of FOIs to be completed takes place weekly
Re-do ICO Toolkit	Regularly review the action plan and the ICO Toolkit on an annual basis to review progress any identify any further solutions.	01.09.2022	To action	Nov 2021 – The action plan is being reviewed. The Toolkit will be reviewed in April 2022. July 2022 – New Legal Officers have recently been appointed to the CDU to assist with the backlogs and compliance rates. It was therefore felt that September would be an appropriate time to re-do the toolkit and review the progress of the department
<b>2. Handling Requests</b>				
Ensure staff and business areas recognise quickly when a request is	Refresher training on FOIs will be offered to all department SPOCs, as well as any new department	01.04.2022	Ongoing	Nov 2021 - Training continues to be on hold due

<p>not clear and clarification is required.</p>	<p>members who will deal with FOIs, to ensure they are aware of the process and how to recognise unclear requests.</p> <p>Current Legal Officers who have FOI responsibility have all been on the FOI Decision Makers Course so are able to identify such requests. However, a reminder will issued to the FOI Team.</p>			<p>to the current climate and other workloads within the Unit, but virtual training will be looked into during 2022.</p>
<p>Review mechanisms for consulting with relevant parties.</p>	<p>The FOI SPOC list will be reviewed on a 6 monthly basis to ensure relevant departments / or people with specific knowledge are updated so FOIs are directed to the relevant parties for consultation.</p>	<p>31.03.2022</p>	<p>Ongoing</p>	<p>Nov 21 – the SPOC list has been updated and will continue to be reviewed on a 6 monthly basis.</p> <p>July 22 – an e-mail has been sent to all heads of departments to ask them to inform CDU of any changes to their FOI SPOC</p>
<p>Check what contingency plans you have in place if there is a spike in the number of requests received.</p>	<p>Develop a contingency plan that will consider using other team members within the CDU department to assist with the gathering of information during any ‘spikes’.</p> <p>Ensure that any ‘spikes’ are highlighted to the CDU Line Manager and Senior Managers so that team workloads can be reviewed and possible changes in allocations undertaken to free up additional staff. a review of additional assistance (officers on restricted duties) can also be considered at an early stage to assist in the processing of FOIs.</p>	<p>30.01.2022</p>	<p>Completed</p>	<p>July 2022 – 2 new Legal Officers have joined the department on a full time basis on fixed term contracts for 2 years. With these new team members in place the department now have sufficient trained team members who can assist with FOIs in the event of annual leave, sickness or other absence.</p>

3. Training and Awareness				
Consider opportunities to build FOI expertise so that there is reliance when staff with FOI responsibility are absent.	A review will be undertaken to look at the opportunities of training other existing Legal Officers in FOIs so that they can be considered for cover if any current FOI staff are absent long term.	01.03.2022	Completed	July 2022 – 2 new Legal Officers have joined the department on a full time basis on fixed term contracts for 2 years. With these new team members in place the department now have sufficient trained team members who can assist with FOIs in the event of annual leave, sickness or other absence.
Regular FOI training and FOI point-of-contacts.	The FOI SPOC list will be reviewed on a 6 monthly basis to ensure relevant departments / or people with specific knowledge are updated.	31.03.2022	Ongoing	Nov 21 – the SPOC list has been updated and will continue to be reviewed on a 6 monthly basis.  July 2022 – an e-mail has been sent to all heads of department to ask whether there have been any changes to their FOI SPOC
	Training will be provided to any new SPOCs if staff roles have change and refresher training will be offered annually to any current SPOC members.	01.04.2022	To action	Nov 2021 – Training continues to be on hold due to the current climate and other workloads within the Unit, but virtual training will be looked into during 2022.
Review ways in which NYP can assist the public when submitting an FOI.	The NYP website and CDU email footers will be reviewed and updated to include tips on how to	01.02.2022	In progress	Nov 2021 – This was completed, however the force has since moved to a

	make an FOI request, along with providing links to relevant Home Office and Government statistics.			new website. A review of whether this information can be added again will be conducted.
<b>4. Compliance and Assurance</b>				
Regularly review tracking systems, internal escalation processes so that they support compliance.	<p>All internal reviews are logged and highlighted with the CDU Line Manager to ensure action is taken at an early stage.</p> <p>Emails that are sent to departments to request FOI information contains an escalation process for late responses.</p> <p>Late responses are reviewed on a weekly basis and the team have been informed to bring any issues to the attention of the CDU Line Manager.</p> <p>If problems still arise then such departments are highlighted at the Gold Meetings with Senior leaders.</p>	01.04.2022	Ongoing	Nov 2021 – The system that the FOIs are held on has a colour coordinated status so that late responses can be easily identified and reviewed. Business areas are reviewed in respect of their timeliness for providing any necessary information relating to FOIs.
<b>5. Governance -Structure</b>				
Ensure there is a reporting process to senior leaders so they have sight of timeliness information and are aware of the risks of any non-compliance.	<p>There is a monthly Gold meeting with Senior leaders where compliance rates are reported and any risks identified relating to non-compliance. Regular FOI team meetings are held so that staff are able to discuss any potential issues and review any solutions.</p> <p>A quarterly update is provided to IAB.</p>	01.04.2022	Ongoing	July 2022 – Although the monthly Gold meetings have now ceased, the Head of Legal Services has regular meetings with the DCC to update on compliance rates and a quarterly update is provided to IAB.
Review our contingency plans - so they cater for scenarios such as a	Develop a contingency plan that will consider using other team members within the CDU department	30.01.2022	Completed	July 2022 – 2 new Legal Officers have joined the

<p>spike in the number of requests received or the absence of key staff.</p>	<p>to assist with the gathering of information during any 'spikes'.</p> <p>Ensure that the long term absence of key staff will be highlighted to the Senior Managers so that a review of additional assistance can be considered at an early stage.</p>			<p>department on a full time basis on fixed term contracts for 2 years. With these new team members in place the department now have sufficient trained team members who can assist with FOIs in the event of annual leave, sickness or other absence.</p>
<p>Improve the reporting of FOI compliance to the wider public.</p>	<p>As part of the ICO's Practice Recommendation and the update of the NYP FOI web page. A section will be included that shows the FOI compliance figures for the Force.</p>	<p>01.02.2022</p>	<p>In progress</p>	<p>Nov 2021 – This was completed, however the force has since moved to a new website. A review of whether this information can be added again will be conducted.</p>