

# Financial Ombudsman Service: Freedom of Information Action Plan, following ICO Practice Recommendation Notice issued 20 February 2024

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This page sets out the Financial Ombudsman's action plan to improve its Freedom of Information (FOI) performance.

## Background

The Freedom of Information Act 2000 gives the public the right to access recorded information held by public bodies. It has applied to the Financial Ombudsman Service since November 2011.

In the first two quarters of 2023/24 our compliance rates remained high. We processed 218 FOI requests fulfilling 88% of these within the statutory timeframe. This was due to a concerted effort by the Ombudsman Service to continually improve performance - we had increased our people resources, successfully improved our timeliness compliance, eliminated our backlog, and integrated good practice as set out in the Freedom of Information Code of Practice and ICO Self-Assessment Framework using new technical and procedural measures and tools. However, despite that positive progress, during Quarter 3 we acknowledge that our compliance rate fell well below accepted levels.

We take our commitment to the Freedom of Information Act incredibly seriously which is why we responded swiftly to this downturn in performance. We proactively raised the matter with the Information Commissioner's Office (ICO), put in place a robust Action Plan and are fully committed to improving our timeliness.

Since starting to implement our Action Plan at the end of 2023 we have already begun to make significant strides in our performance. This has already resulted in improved compliance with 71% of requests being handled within time limits in February 2024. This meets the target set in the Action Plan.

We know there is still more work to do, and we are continuing to drive improvements, with more staff joining the team in the coming months.

In the meantime, we are committed to working closely with the ICO and keeping them regularly updated on our progress.

The ICO issued a practice recommendation to us in February 2024 and the actions that we are taking to comply and improve our performance are set out below. We will update this information at the end of May 2024 to report on our performance against the plan.

## ICO Recommendation 1

The Commissioner recommends that the Service should ensure that requests for information are responded to in a timely manner.

Action	Date to complete	Status /Comments
Communication around the organisation reminding them of the importance of meeting FOI statutory deadlines	8 March 2024	Completed
Circulation of weekly FOI performance tables to key internal stakeholders which includes details of open FOIs and alerts them to the compliance deadline	18 March 2024	
Proactive daily and weekly monitoring of our FOI performance to ensure targets are being met with weekly progress meetings to triage, review progress of requests and identify and address issues and “blockers”	Completed	
Use of improved tooling for logging FOI requests to manage requests and internal reviews effectively and assist with insight and projection	Completed	
Regular reporting to Information Governance Board (IGB) and executive committee on our progress against our Action Plan	Completed	

## ICO Recommendation 2

The Commissioner recommends that the Service should consider using the Commissioner’s FOI self-assessment toolkit to improve its timeliness compliance.

Action	Date to complete	Status /Comments
Complete the timeliness models in the ICO’s self-assessment toolkit using our Q4 statistics.	30 April 2024	

## ICO Recommendation 3

The Commissioner recommends that the Service should publish its information access request statistics and make these easily accessible on its website. The statistics should

include the number of information access requests that have not been processed and the number of completed requests where the processing took longer than 20 working days.

Action	Date to complete	Status /Comments
Publication of the breakdown FOI Statistics in line with the Code of Practice.	Completed	Completed.  Published data is available on <a href="#">our website</a> .  Data to be updated on quarterly basis.

#### ICO Recommendation 4

The Commissioner recommends that the Service's request handling procedures should include provision for when a response is late or is likely to be late. At any stage of the internal processes, it should be clear when and to whom to escalate, who is responsible for taking action, the action they will need to take, and by when.

Action	Date to complete	Status /Comments
Completion of FOI request handling process and policy documentation	30 April 2024	
Completion of guidance on handling requests for casework colleagues	30 April 2024	

#### ICO Recommendation 5

The Commissioner recommends that the Service must ensure that it has sufficient numbers of information rights trained staff to prevent request handling times falling below a compliant level in the event of the departure or absence of key staff members.

Action	Date to complete	Status /Comments
Increase our operational people resources by recruiting more staff within the team responsible for facilitating FOI responses	Completed	We increased our people resources from 1 FTE in November 2023 to 3 FTE in January 2024 using secondment and redeployment of existing staff.  From April 2024 we will maintain a core team of 3.5 FTE including onboarded additional FTE.

		Resource levels will be kept under review.
Use cross-trained members of wider information rights team to provide back-up resource	Completed	To be kept under review

## ICO Recommendation 6

The Commissioner recommends that the Action Plan which the FOS is implementing should be published on its website for full transparency about the improvements it is making.

Action	Date to complete	Status /Comments
Publication of the Action Plan on our website	Completed	

## ICO Recommendation 7

The Commissioner recommends that the Service should ensure that both the backlog of overdue requests is cleared, and that 90% of requests are answered within the time statutory time limits on a consistent basis by the end of May 2024, in line with its Action Plan. This should be maintained consistently with data on performance published regularly in line with the approach outlined above.

Action	Date to complete	Status /Comments
Deliver on clear measurable milestones and targets: <ul style="list-style-type: none"> <li>• 40% target for December</li> <li>• 60% target for January</li> <li>• 70% for February</li> <li>• 80% March</li> </ul> Maintain at least 90% compliance from May 2024  Decrease number of requests in our pipeline: <ul style="list-style-type: none"> <li>• no requests older than 4 months by 30 April 2024</li> <li>• no requests older than 2 months by 31 May 2024</li> </ul>	31 May 2024	Ongoing  Met interim milestones <ul style="list-style-type: none"> <li>• 48% December</li> <li>• 66% January</li> <li>• 72% February</li> </ul>
Progress will be reported to the Information Commissioner at the end of May 2024	31 May 2024	Action plan produced will be revised regularly to assess progress.

		<p>We will also take account of increased volumes of requests we have received, and the lead time associated with recruitment and training of additional staff.</p>
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