

Financial Ombudsman Service: Report on Freedom of Information Action Plan, following ICO Practice Recommendation Notice (published 4 March 2024)

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Background

The Freedom of Information Act (FOIA) 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.

Following our proactive engagement in December 2023 with the ICO on our compliance levels, the ICO made a number of recommendations to support and enhance our plans to improve our information rights practices.

We are fully aware of our obligations under the FOIA and have worked hard to improve our performance. We have carefully considered all the ICO's specific recommendations. The changes that we have implemented have already delivered significant improvements, and as other actions continue to deliver benefit, we are confident that we will be able to maintain consistent compliance performance levels.

The results of the actions that we took on the recommendations to comply and improve our performance are set out in this report.

ICO Recommendation 1

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

Action	Status 31.05.2024
Communication around the organisation reminding them of the importance of meeting FOI statutory deadlines	Completed.
Circulation of weekly FOI performance tables to key internal stakeholders which includes details of open FOIs and alerts them to the compliance deadline	Completed.
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	Status 31.05.2024
Complete the timeliness models in the ICO’s self-assessment toolkit using our Q4 statistics.	Completed.

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	Status 31.05.2024
Publication of the breakdown FOI Statistics in line with the Code of Practice.	Completed. Published data here . Data 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 31.05.2024
Completion of FOI request handling process and policy documentation	30 April 2024	Specific guidance has been provided on steps to be taken when a response is late or likely to be late. Additional procedures will be completed by end July 2024.
Completion of guidance on handling requests for casework colleagues	30 April 2024	In progress for completion by end July 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	Status 31.05.2024
Increase our operational people resources by recruiting more staff within the team responsible for facilitating FOI responses	Completed. From April 2024 we have maintained a core team with resource levels being kept under review.
Use cross-trained members of wider information rights team to provide back-up resource	Completed. Kept under review.

ICO Recommendation 6

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

Action	Status 31.05.2024
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	Status 31.05.2024
Deliver on clear measurable milestones and targets: <ul style="list-style-type: none"> • 40% target for December • 60% target for January • 70% for February • 80% March 	Completed. <ul style="list-style-type: none"> • 40% December • 68% January • 71% February • 82% March • 79% April
Maintain at least 90% compliance from May 2024	Exceeded 90% compliance for May 2024 with compliance of 94%. On track to maintain compliance levels on a consistent basis.
Decrease number of requests in our pipeline by end May 2024: <ul style="list-style-type: none"> • no requests older than 4 months by 30 April 2024 • no requests older than 2 months by 31 May 2024 	Significantly decreased number of requests in our pipeline. We're on track to have no requests older than two months by the end of June 2024, and to have no backlog at all by the of end July 2024.
Progress will be reported to the Information Commissioner at the end of May 2024	Completed. Interim progress reported to ICO periodically. Progress report detailing status at end May 2024 submitted to ICO.