



Joanna Booth
By email

Reply to
xxx@xxxxxxxx.xxx.xx
Our ref 5688904
Date 25 August 2020

Dear Joanna Booth

Our ref 5688904 – internal review response

I am writing in response to your concerns about Bristol City Council's handling of your request for a copy of the monthly social media analysis reports which was responded to on 27 July.

You originally asked for copies of "all the analysis provided to the council / mayor / head of office etc. in line with the [Impact Social] contract?"

Original decision

Bristol City Council responded to your request on 27 July to confirm that we hold the information requested. We advised that the monthly analysis reports were in the process of being published on opendata.bristol.gov.uk and that the unpublished reports had been withheld under Section 22 of the Freedom of Information Act 2000 ('the FOI Act') because of our plans to publish them in the future.

Internal review request

On 31 July you contacted Bristol City Council to request an internal review as you were not satisfied with our original response as follows:

The only reports published so far have been those covering the time period March 2018 to August 2018. These were published over two years after they were provided to the mayor. These reports contain data gathered from individuals without their consent and without an appropriate GDPR notice on the council website.

It is in the public interest that information gathered about them and presented to the mayor and other council members be visible. It is unacceptable that it takes two years to know what information the mayor is gathering about residents. The mayor has used £90,000 of public funds to find out what people on social media are saying about him. It is in the public interest that we know what information he is gathering and what Impact Social are telling the mayor.

- 1. Please provide all reports available.**
- 2. Please let me know when will all the information be published on the Opendata site?**

I have treated your request for an internal review in line with the terms of the FOI Act.

Information requested

Bristol City Council receives monthly reports with analysis of social media accounts linked to the Council and the Mayor which are used to inform policy decisions and understand citizen needs. The information is taken from social media posts that have been placed in the public domain.

Internal review

I have reviewed the decision to withhold the information under the following exemption:

FOI Act Section 22: Information intended for future publication

Section 22 states that information is exempt from disclosure if it is held by the public authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not) and in all the circumstances it is reasonable to withhold the information until its planned publication.

As provided in our original response, there is a settled intention to publish the analysis on the Council's website. As you have noted in your email dated 18 August, the Council has since moved the reports from its [opendata.gov.uk](https://www.bristol.gov.uk/opendata) site and the 2018 reports are now published here: <https://www.bristol.gov.uk/data-protection-foi/council-and-mayor-social-media-analysis>.

In order to engage the exemption, the Council is not required to have a determined publication date; we only have to demonstrate that there was a settled intention to publish the requested information at the time of the request.

I agree with the original response that the exemption at Section 22 is engaged and have therefore focused my review on whether it is in the public interest to release the information.

Public Interest Test

This exemption is subject to a public interest test which means that we must consider whether the public interest favouring disclosure is greater than the public interest in maintaining the exemption.

You have raised concerns that the reports contain information gathered from social media posts and consider that this should be a factor in favour of disclosure. In response to that point, the posts themselves have already been placed in the public domain and we have removed any information that would identify an individual, such as their Twitter or Facebook account name, prior to publication.

I have considered the following public interest test factors:

Factors supporting disclosure:

- The Council recognises the importance of transparency and that disclosure of the requested information will ensure that it remains accountable to the public in respect of its operations and decision making.
- Disclosing information would contribute to the development of public debate and allow the public to understand the rationale behind the Council's decisions.

Factors supporting non-disclosure:

- As the information is of interest to the wider public it is important it can be accessed simultaneously by the general public rather than piecemeal by disclosure to a small number of individuals under the FOI Act. Therefore it is in the wider interest that information is accessible to the public at large by adhering to the publication schedule.
- The reports will be prepared for publication on the Council's website as soon as possible. Responding to individual requests for information will unreasonably impact on the Council's already limited resources.
- There is a legitimate public interest in ensuring that public authorities (funded by the public purse) allocate their resources appropriately and proportionately.
- Once published on the website this information will be freely and easily available to the public.

Based on the above, I consider that the factors for not releasing the requested information outweigh those for disclosure and uphold the decision provided in the original response.

When will the remaining reports be published?

We intend to publish the 2019 reports on the Council's website at the link given above within the next three months.

If you are not content with the outcome of this Internal Review you have the right to apply directly to the Information Commissioner's Office for a further decision. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

www.ico.org.uk

Yours faithfully

Jane Ivey
Freedom of Information Officer