



Glasgow City Council

Finance and Audit Scrutiny Committee

Item 2

25th February 2026

Report by Director of Legal and Administration and the Chief Officer, City Health and Social Care Partnership

**Contact: Dr Kenneth Meechan Ext. 74517
 Craig Cowan Ext. 76724**

ICO Audit

Purpose of Report:

This report updates Committee regarding the Council's handling of subject access requests under data protection legislation following the Information Commissioner's Office (ICO) audit of this and subsequent ongoing investigation.

Recommendation:

The Committee is asked to:

- Note the background to the ICO audit taking place;
- Note the findings and recommendations of this audit; and
- Note the steps which have been taken and are being taken or planned to address these recommendations.

Ward No(s):

Citywide: ✓

Local member(s) advised: Yes No consulted: Yes No

1. Introduction

- 1.1 On [21 May 2025](#), continued to [18 June 2025](#), Committee were advised as to the circumstances which led to the Information Commissioner's Office (ICO) carrying out an audit of the Council's handling of subject access requests under data protection legislation, together with a summary of the findings of the audit and the steps being taken by the Council to address these findings. Committee asked for an update on this issue to be submitted to the meeting on 25 February 2026.
- 1.2 This report provides an update on the matters considered by this Committee on 21 May and 18 June 2025.

2. Background

- 2.1 Committee will recall that the Council, like all organisations which process personal data, has obligations to respond to requests from individuals whose data we process, known as a "subject access requests" or SARs. Subject to certain exemptions, the Council must comply with any such request within one month of the request being validated; this period can be extended to three months for complex or voluminous requests.
- 2.2 Council and HSCP officers recognise the importance of addressing the SARs backlog as quickly as possible due to the impact delays have on those requesting information, in particular those seeking information as part of the Redress Scheme.
- 2.3 As noted previously, a number of factors have resulted in the Council is having to deal with around 5½ times as many data SARs as we did previously – we received 377 requests in 2017, compared to 2,031 in 2025. Committee were advised in May 2025 that officers estimated that we would receive a total of 1,740 requests for the full year, so the actual figure of 2,031 is significantly higher than this estimate. The increase continues to be almost entirely in connection with requests for social work files which are dealt with by the Complaints and Freedom of Information Team (CFIT) within the HSCP. The significant backlog of cases which has built up since 2020 was standing at 527 overdue requests awaiting responses as of 6 June 2025. As of 18 February 2026, the backlog stands at 662 cases.
- 2.4 The ICO issued (and published) a formal Reprimand in relation to the Council's failure meet its statutory duties on 26 February 2025; this can be seen at <https://ico.org.uk/action-weve-taken/enforcement/glasgow-city-council/>. Publication of this was accompanied by a press release which can be seen at <https://ico.org.uk/about-the-ico/media-centre/news-and-blogs/2025/02/action->

[taken-to-improve-access-to-personal-information-from-local-authorities-across-scotland/](https://ico.org.uk/action-weve-taken/audits-and-overview-reports/2025/03/glasgow-city-council/). The compulsory audit which the ICO carried out in December 2024 was also published (in summary form) by the ICO on 12 March 2025 at <https://ico.org.uk/action-weve-taken/audits-and-overview-reports/2025/03/glasgow-city-council/> .

3 ICO Audit findings

- 3.1 The full version of the ICO Audit Report was included in the papers for the meeting of this Committee on 18 June 2025 and can be seen [here](#).
- 3.2 The audit report contained eight recommendations. Six of these are fully completed, including entering into a service level agreement with Glasgow Life in connection with file retrieval, which was the subject of some discussion at the meeting on 18 June 2025. One recommendation is still in progress. This relates to the council including an out-of-date telephone number for the ICO in a large number of our privacy statements. There is an ongoing rolling programme to remove these instances and from a starting point of over 200 instances, this has now been reduced to 39 (as at 18 February 2026).
- 3.3 The final outstanding audit recommendation is a general catch-all which reads as follows:

“GCC have a statutory responsibility to respond to all SAR requests within one calendar month and must implement all reasonable technical and organisational measures that would ensure they can meet their obligations.”

The next section of this report sets out what steps the council is taking to address this recommendation.

4 Council action to address the backlog and next steps

- 4.1 The commitment to reduce the backlog as quickly as possible requires management to estimate the potential future numbers of SARs that may be received, the complexity of those SARs, and the resources required to process these.
- 4.2 Clearly, it is not possible to control the numbers of SARs that are received each month, but an estimate was produced in June of around 100 per month / 1200 per year to be received by the HSCP alone. As noted at paragraph 2.3 above, this equated to 1,740 requests for the full year, with the actual figure being 2,031. Modelling was then undertaken to identify the additional investment required in the size of the SARs processing team in HSCP with a view to clearing the backlog by 31 March 2027. Thereafter, the intention was that the HSCP would be in a position to respond to SARs within the one month statutory timescale, with only exceptional cases requiring longer but all cases resolved within the maximum three month timescale (the legislation allows controllers

such as the Council to extend the compliance period to three months for complex requests).

- 4.3 The HSCP has expanded the team responsible for processing SARs significantly with a view to meet the significant increase in demand. Four additional staff were appointed in 2023. A further nine staff were recruited between August and January 2025 on 18-month contracts, with one additional post currently in the process of being recruited. Prior to 2023, the team consisted of 8 FTE and now consists of 22 FTE, with all new posts involved in either processing, or supporting the processing of, Subject Access Requests.
- 4.4 Funding was not provided for these additional posts, therefore the HSCP has had to fund these temporarily in a challenging broader financial climate – the IJB is currently projecting an overspend in 2025/26 of £3.6m and a significant budget gap is projected in 2026/27.
- 4.5 The HSCP has also funded a new software solution (Smartbox) with the intention of increasing the efficiency of SAR processing. This test of change is designed to minimise time spent on administrative tasks and enable the team to maximise time spend undertaking review and redaction activity. Previously Committee was advised that the projected efficiency to be realised from the use of Smartbox would be in the region of 20%. The team are still working through implementation of the software which has not yet reached the levels of efficiencies envisaged. This software initiative will continue to be closely monitored.
- 4.6 A target was set to clear sixty cases more each month than were received. As outlined above, the expectation at point of resource planning was that around 100 cases would be received each month based on trends at that time. Demand has, however, risen unexpectedly in recent months, with 162 new cases logged in November, 208 cases logged in December, and 163 cases logged in January. From February 26 onwards, the revised target is now to clear 72 cases more than received each month, assuming 150 new cases each month based on late 25/26 averages.
- 4.7 One factor in this increase in new SARs is a notable spike in requests from four law firms from England. Based on our early investigation into these requests, a significant proportion would appear to be speculative in nature, with no clear link to Glasgow. Nevertheless, these require the same attention as all other SARs and so are adding to the workload on the team. We understand that these firms have also submitted large numbers of requests to other Scottish local authorities where there is no obvious connection to the firms' clients and are exploring options to see if we can reduce the number of speculative requests.
- 4.8 New staff have been working to learn how to process SARs accordingly and the majority of new staff have now cleared a period of intensive quality assurance and are equipped to work independently on casework. Output is being monitored and support is being provided by line management, with indicative targets set for staff. The impact of these new staffing resources is

now being evidenced by a significant upturn in the amount of information being processed and cleared, per data provided in Appendix 1. However, it should be noted that, as with all recruitment, it can take up to 3 months for successful applicants to start and then be trained.

- 4.9 The table below shows the increase in activity, and also the increase in new SARs for the Council as a whole. This shows that despite a significant increase in the numbers of cases closed, the corresponding increase in SARs received has prevented HSCP reducing the backlog until recently, but that the current backlog is now reducing.

Month	Total cases closed	Current backlog	New SARs received
Feb-25	103	480	140
Mar-25	125	465	133
Apr-25	161	505	142
May-25	126	525	150
Jun-25	122	546	143
Jul-25	144	567	210
Aug-25	100	599	144
Sep-25	146	637	171
Oct-25	320	663	163
Nov-25	198	685	218
Dec-25	192	715	257
Jan-26	276	701	212
Feb-26 (MTD)		662	TBC

- 4.10 Of the current backlog of 662 cases, 650 are HSCP cases. As noted at the June meeting of FASC, the number of pages requiring processing can vary significantly, in some cases up to thousands of pages per individual case. Therefore case numbers as a performance metric should also be considered alongside average pages cleared. Productivity has increased significantly since August due to the increased resource and continuing development of new staff. The average number of pages processed by the team prior to August was 23,111, however from September to January that has increased to 36,748 (59% increase). The average number of cases cleared per month was 60 prior to August 2025, however from September to January that has increased to 165 (175% increase).
- 4.11 For the most recent completed month, the team cleared 194 cases, with the total number of pages processed being 48,609. This is the most productive month since recording in this way began.
- 4.12 CFIT staff undertake regular process review activity to identify and implement efficiencies, in order to maximise the productivity of the team. The team also

undertake regular calibration sessions to ensure consistency of approach across the group.

- 4.13 Following discussions with the ICO team, a decision was taken in October to focus the majority of the additional resource on clearing the oldest cases in the backlog, with some additional resource deployed on addressing incoming current cases that could be quickly resolved to prevent the backlog growing excessively. This has been largely effective with those dating more than 24 months reducing from 28 in August 2025 to zero cases in January 2026, and with only 4 cases older than 18 months now outstanding. It should be noted that many of the older cases are due to the need to correspond with the requestor to clarify additional details as our investigators uncover more information (e.g. details of siblings who may have pertinent information in their files on the data subject). The statistics quoted are based on a start date from when the very first correspondence request was received.
- 4.14 In addition to understanding the impact of the position on service users, it is also important to recognise the physical and emotional impact of the ongoing commitment to clearing the backlog of SAR cases. Training has been arranged with the Scottish Association for Mental Health to ensure staff are equipped to protect their mental health while processing large volumes of what is often distressing material.
- 4.15 CFIT management have been in contact with Redress Scotland to support tentative proposals to move away from the requirement for applicants to make SARs to local authorities. Redress Scotland have now begun to consider that a short chronology of care experience would suffice in place of a full SAR response to support applications to their scheme – this has already been piloted in relation to the Fixed Rate Payment element of their scheme, but they are now considering extending this to cover the requirements of the Individually Assessed Payment element. Such a change might reasonably be expected to have some impact on demand, although some applicants may still wish to submit SARs regardless.
- 4.16 Subject Access Officers are being tasked with clearing the longest-standing SARs as a priority, however additional work is also being undertaken to address urgent requests and to identify and clear minor requests at the earliest possible opportunity to avoid new requests adding to the backlog where these can be resolved quickly.
- 4.17 A commitment was made that the backlog could be reduced to zero by March 2027. This commitment was made based on projections in relation to the number of cases expected, investment in and successful recruitment of staff and expected efficiencies from Smartbox. Whilst the recruitment has been successful, demand has surpassed expectations and Smartbox has not yet reached the level of efficiencies envisaged. However the team has been set new targets for cases closed/pages processed to reflect this and based on current trends, there is a level of confidence that this will be sufficient to clear the backlog. However, it needs to be recognised that the demand in terms of new SARs has continued to grow in recent months, against expectations, so

there remains risk around achieving the 31 March 2027 target date. Management will continue to monitor progress closely in relation to targets to identify if this position changes.

- 4.18 As previously advised, ICO staff indicated that monitoring of the Council's compliance with statutory timescales, and the extent of the SAR backlog, would continue to be monitored. It was also made clear that if there is not a significant improvement, then further regulatory action would be taken. This message was repeated at a meeting between Council officers and in the ICO in December 2025. Whilst the ICO has recognised the significant investment in the team, at the last meeting with Council officers in December 2025 they indicated that they remained concerned that the backlog was not reducing, despite the commitment by the HSCP to clear it by 31 March 2027. As noted above, we now have evidence that the backlog is being reduced and it is hoped that the December 2025 position will represent a peak figure.
- 4.19 The two main regulatory tools available to the ICO, should this prove necessary, are to issue an enforcement notice and/or a civil penalty notice (i.e. a fine). An enforcement notice is a legally-binding requirement for the Council to take the steps set out in the enforcement notice itself and can be enforced in the courts. Failure to comply with an enforcement notice can also result in the ICO issuing a fine (although it is not necessary to issue an enforcement notice as a prerequisite to a fine and the ICO could choose to issue a fine instead of – or as well as – an enforcement notice). It is not possible to predict what the level of any fine might be if the ICO chose to go down that route. However, GCC and HSCP officers are committed to the original 31 March 2027 timeline in order to avoid this risk materialising.
- 4.20 Glasgow City Council is not unique in experiencing difficulties in responding to requests for social work files. This is a national trend and contact through professional networks indicates that all 32 local authorities have experienced increased demand. Glasgow is however unique in a number of ways: as the largest local authority in Scotland, it is natural that we have the largest number of people who might make requests for us. However the socio-economic profile of the city's population means that we have a higher than average number of people who have had social work interaction, making the number of potential requestors higher still. We also hold the majority of the archived files from Strathclyde Regional Council (which encompassed around half the population of Scotland) which is also a factor.
- 4.21 Officers will bring a further update report on progress with dealing with this issue in six months' time.

5. Policy and Resource Implications

Resource Implications:

Financial: There are no direct financial implications from this report for the Council. However if the ICO

remain dissatisfied with the Council's progress in reducing the backlogs of SARs, they may issue a financial penalty notice under section 155 of the Data Protection Act 2018. The costs of the steps already taken described above came from the HSCP budget and were previously reported to the Finance and Audit Scrutiny Committee of the IJB.

Legal: The Next Steps section above sets out the ways in which the Council is seeking to better comply with its obligations under the UK GDPR

Personnel: None directly arising from this report; as noted above, the Health and Social Care Partnership are currently advertising for seven additional temporary staff to assist in tackling the backlog.

Procurement: There are no direct procurement issues arising from this report.

Council Strategic Plan: This work directly supports Grand Challenge 4 of the Strategic Plan, to enable staff to deliver essential services sustainably, innovatively, and efficiently.

Equality and Socio-Economic Impacts:

Does the proposal support the Council's Equality Outcomes 2025-29 n/a.

What are the potential equality impacts as a result of this report? None.

Please highlight if the policy/proposal will help address socio economic disadvantage. Reducing the time it takes to process SARs will assist claimants for the Scottish Government Redress Scheme in being able to make and validate their claims sooner.

Climate impacts:

Does the proposal support any Climate Plan actions? Please specify: n/a

What are the potential climate impacts as a result of this proposal? n/a.

Will the proposal contribute to Glasgow's net zero carbon target? No.

Privacy and Data Protection impacts: The steps described in the report will allow the Council to better give effect to individuals' rights under data protection legislation.

6. Recommendations

6.1 Committee is asked to:

- Note the background to the ICO audit taking place;
- Note the findings and recommendations of this audit; and
- Note the steps which have been taken and are being taken or planned to address these recommendations.