

Freedom of Information: One Year On

January 2006



contents

Background	3
Objectives	3
Summary Report	4
1. Method	4
2. Sample	4
3. Main Findings	6
3.1 Understanding of and Compliance with the Act	6
3.2 Information Released Automatically	8
3.3 Public Requests	9
3.4 Additional Information Released to Public Because of FOI	12
3.5 Future Changes	14
3.6 Attitudes to Freedom of Information Act	15
3.7 Impact of Freedom of Information Act on Organisation and Respondent	19
4. Summary	23



Background

The Information Commissioner promotes public access to official information and protects personal information. The Information Commissioner's Office (ICO) is an independent body with specific responsibilities set out in the Data Protection Act 1998, the Freedom of Information Act 2000 and other legislation, including the Environmental Information Regulations 2004 and the Privacy and Electronic Communications Regulations 2003.

The ICO commissioned a research project amongst public authorities aimed at enhancing understanding of how freedom of information is working in practice. This research project was part of the ICO's review of the first year of the Freedom of Information Act 2000.

The ICO commissioned Continental Research to undertake the research on its behalf. Continental Research is an independent market research agency which adheres to the Market Research Society's Code of Conduct. Individual responses to the survey are anonymous.

Objectives

Specific objectives of the research were designed to help understand:

- Whether the Act has led to a culture of increased openness, and whether public authorities are publishing more information as a matter of course since the introduction of the Act;
- Estimated volumes of information released under the Act (through publication schemes and general right of access) that would not previously have been made available to the public. What types of information are being requested and what is being released / withheld and why;
- What are public authorities' perceptions of the Act, and what they perceive its benefits (and drawbacks) to be.

Summary Report

1. Method

500 telephone interviews were conducted with the person with day-to-day responsibility for freedom of information across a range of types and sizes of public authority in England, Wales and Northern Ireland.

Quotas were set by size and type of public authority, as well as region (England, Wales and Northern Ireland) to achieve a spread.

Interviewing was conducted from 17th November to 6th December 2005.

2. Sample

The final number of interviews achieved with each type of public authority is shown below.

	Large Public Authorities	Small/Medium Public Authorities	TOTAL
Central Government	50	-	50
Local Government	79	75	154
Police	40	10	50
NHS	54	53	107
Education	43	51	94
Publicly owned companies	-	45	45
England	190	143	333
Wales	38	51	89
Northern Ireland	38	40	78

Respondents had a wide range of different job titles, but the most commonly held posts were information managers or officers (for large authorities) or clerical officers or clerks (for small/medium authorities). The table below shows all job titles mentioned by 2% of respondents or more.

Respondent job title			
	Total sample	Large authorities	Small / medium authorities
Base: all respondents	500	266	234
Information manager / officer / head of information	19%	24%	12%
Clerk/clerical officer / clerk to council / Parish clerk	11%	2%	21%
Administrator / admin officer / office manager	6%	7%	6%
Records manager / officer / archivist	6%	7%	5%
Corporate services/corporate affairs officer/c.s. head	6%	9%	3%
FOI manager / officer	5%	8%	2%
Bursar / finance manager / officer	4%	2%	5%
Communications manager / officer	4%	5%	2%
Head of legal services / corporate solicitor etc.	4%	6%	2%
Head teacher / principal	3%	-	6%
Secretary / PA	3%	2%	4%
IT manager / IT officer	2%	1%	2%
Compliance manager / officer	2%	2%	2%

3. Main Findings

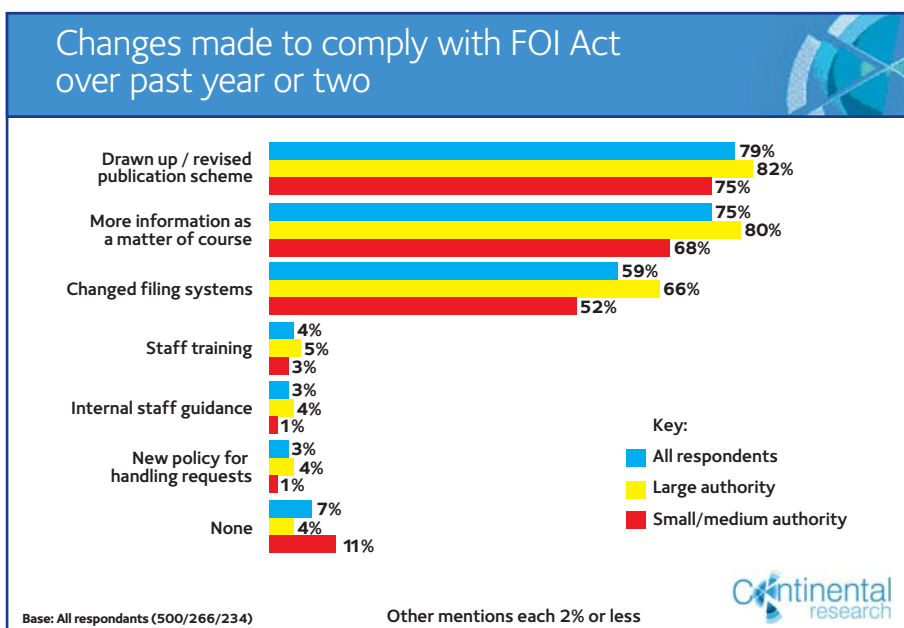
3.1. Understanding of and Compliance with the Act

Respondents almost universally said they were very or fairly clear about the implications of the Freedom of Information Act for their organisation. As shown in the table below, those in large authorities were significantly more likely than those in small/medium authorities to say they were very clear about the implications.

How clear respondent feels about implications of Act for their organisation			
	Total sample	Large authorities	Small / medium authorities
Base: all respondents	500	266	234
Very clear	66%	71%	59%
Fairly clear	32%	29%	36%
Not very clear	2%	-	5%

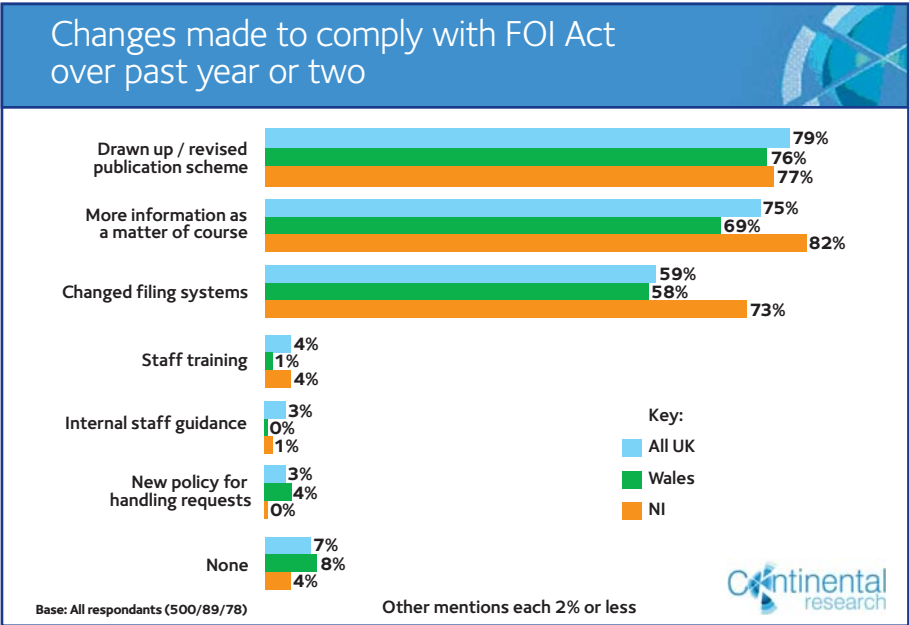
Over nine in ten respondents said their organisation had made some changes over the past year or two to comply with the Act, most commonly drawing up or revising a publication scheme or increasing the amount of information provided or released to the public as a matter of course. As shown in the chart below, around three-quarters of respondents said their organisation had taken these steps, while three in five said they had made changes to filing or record management systems

Respondents in Wales were significantly less likely than the UK as a whole to say they were very clear about the implications of the Act for their organisation (53% vs 66%).



Large authorities were significantly more likely than small/medium authorities to have made changes to filing systems or to publish more information as a matter of course.

As shown in the chart below organisations in Northern Ireland were significantly more likely than those in the UK as a whole to have increased the amount of information provided or released to the public as a matter of course, and to have made changes to filing or record management systems.



3.2. Information Released Automatically

All respondents were asked what types of information they published or released to the public as a matter of course for any reason, whether related to the Freedom of Information Act or not. They were then asked which of those types of information were only published automatically because of the Act. As shown in the table below (showing all responses given by 3% of respondents or more), most of the types of information listed were released automatically by three quarters of organisations or more.

Types of information published or released as a matter of course		
	All information released automatically	Information only released because of FOI
Base: all respondents (500)		
Annual reports / audited accounts	91%	11%
Future strategies / objectives	85%	7%
Information about decisions made by organisation	84%	18%
Details of what public money is spent on	83%	12%
Internal policies (e.g. equal opportunities)	81%	21%
Stats about organisation (e.g. staff numbers)	80%	14%
Information about organisation's performance	78%	12%
Meeting minutes	74%	20%
Details and results of consultations / research	60%	10%
Details of contracts awarded	36%	10%
Personal data about staff	12%	2%
Information about services e.g. council services	5%	-
None/don't know	2%	57%

Over two-fifths of respondents said that they released some information automatically only because of the Freedom of Information Act. The types of information most frequently released purely because of the Act were internal information, either internal policies or meeting minutes, each mentioned by one in five respondents.

Although respondents in Wales and Northern Ireland were as likely as those in the UK as a whole to say their organisation released any information to the public as a matter of course (97% in Wales, 96% in Northern Ireland, 98% in the UK as a whole), significantly more in Northern Ireland (63%) than in Wales (43%) or in the UK as a whole (43%) said there was information they only released because of the Freedom of Information Act.

3.3. Public Requests

Three quarters of all respondents said they had received requests from the public for information under the Act in the last year, with large authorities (93%) significantly more likely to have received requests than small/medium authorities (55%).

The table below shows the types of information respondents said was requested by members of the public (including all spontaneous mentions given by over 7% of respondents).

Types of information published or released as a matter of course		
	Spontaneous mentions	Total mentions after prompting
Base: all receiving requests from public (376)		
Stats about organisation (e.g. staff numbers)	27%	70%
Information about decisions made by organisation	24%	65%
Details of what public money is spent on	32%	64%
Details of contracts awarded	27%	58%
Personal data about staff	25%	53%
Internal policies (e.g. equal opportunities)	22%	51%
Meeting minutes	15%	51%
Information about organisation's performance	20%	47%
Annual reports / audited accounts	15%	46%
Future strategies / objectives	16%	43%
Details and results of consultations / research	14%	41%
Information about services e.g. council services	12%	n/a

After prompting, those receiving requests for information from the public most frequently said they were asked for statistics about the organisation, information about decisions made by the organisation, or details of what public money is spent on. Just over half were asked for personal information about members of staff, perhaps indicating some lack of public understanding of the scope of the Freedom of Information Act.

As shown in the following table, one in four of those who received any requests for information from the public had received only ten requests or less, and three fifths had received no more than 50 requests. The average number of requests received in a year by those receiving any was boosted to 95, due to a relatively small number of organisations receiving a high volume of requests (8% had received over 300 requests). On average, those in large authorities who received any requests received twice as many as those in small / medium authorities, as shown in the table below.

Number of requests received from public over last year			
	Total sample	Large authorities	Small / medium authorities
Base: all receiving requests from public	376	248	128
Up to 10	25%	17%	41%
11 to 50	34%	35%	31%
51 to 100	15%	14%	16%
101 to 300	16%	23%	5%
Over 300	8%	10%	5%
Average number	95	114	57

As shown in the table below, authorities in Northern Ireland who received requests for information from the public tended to receive fewer requests than across the UK as a whole, and were significantly less likely to receive over 100 requests.

Number of requests received from public over last year			
	Total sample	Large authorities	Small / medium authorities
Base: all receiving requests from public	376	61	59
Up to 10	25%	30%	25%
11 to 50	34%	26%	42%
51 to 100	15%	16%	22%
101 to 300	16%	18%	7%
Over 300	8%	7%	2%
Average number	95	90	57

A high proportion of authorities who had received requests for information from the public had turned requests down in the past year. As shown in the following table, over two thirds of all respondents said public requests had been turned down in the past year, with significantly more in large authorities saying this (77%) than in small authorities (52%). If these figures are re-percentaged on the total sample, results suggest that half of all public authorities have received requests for information from the public that they have had to turn down in the past year, and among large authorities, this figure rises to almost three quarters.

Proportion having to turn down requests for information from public in past year		
	All receiving requests	Re-percentaged on total sample
Base: all receiving requests from public (376)		
All respondents	68%	51%
Large authorities	77%	71%
Small/medium authorities	52%	28%

Where requests for information from the public were turned down, the most frequent reason for this was that personal data about staff had been asked for. Just over half of those turning down requests had done so for this reason. As shown over the page, one in three turned down requests for commercially sensitive information, and one in seven refused to provide information that was already available elsewhere. A range of other reasons was given for turning down requests, but each by fewer than one in ten, as shown in the table over the page (which shows all mentions of 3% or more).

Types of information turned down	
Base: all having turned down requests for information	256
Personal data about staff	53%
Commercially sensitive information	33%
Information already available by other means	14%
Legally sensitive / legally privileged information	9%
Private / confidential information	9%
Information we don't have / hold / record	8%
Exempted information / FOI exempted	8%
Cost of providing information above threshold	8%
Information exempted under Data Protection Act	6%
Information intended for future publication	4%
Investigations / ongoing investigations	4%
Health & safety exemptions e.g. officer whereabouts	3%
Far-reaching requests / those that take too long / are too broad	3%
Information prejudicial to conduct of public affairs	3%

3.4. Additional Information Released to Public Because of FOI

All respondents were asked how much more information, if any, they felt their organisation released to the public now because of the Freedom of Information Act that would not otherwise be provided. Almost three in ten respondents (58%) felt their organisation released a lot or a little more information than they would have done without the Act, with significantly more large authorities (68%) saying this than small/medium authorities (47%). Only one in five respondents said they did not release any more information at all than they would otherwise have done, as shown in the table below.

How much more information released to public because of FOI			
	Total sample	Large authorities	Small / medium authorities
Base: all respondents	500	266	234
A lot more	19%	25%	13%
A little more	39%	43%	34%
Not much more	18%	18%	18%
No more than before	21%	11%	32%

Although there was no regional difference in the proportion saying they released a lot or a little more information than they would have done without the Act, respondents in Northern Ireland were significantly less likely than the UK as a whole to say they were not releasing any more information now as a result of the Act, as shown in the following table.

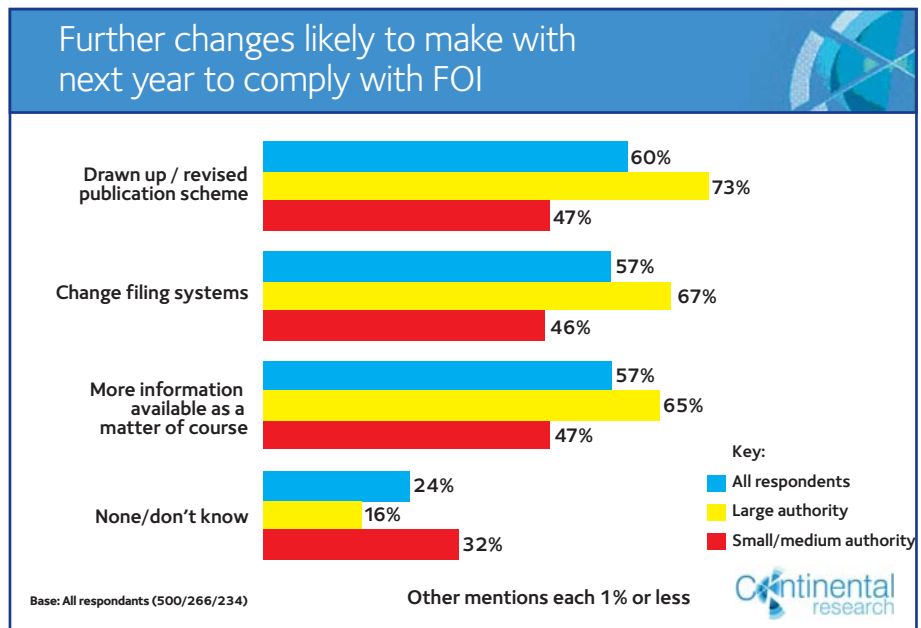
How much more information released to public because of FOI			
	Total sample (All UK)	Wales	Northern Ireland
Base: all respondents	500	89	78
A lot more	19%	22%	21%
A little more	39%	34%	44%
Not much more	18%	13%	23%
No more than before	21%	27%	12%

The types of information respondents were most likely to say that the public has access to now because of the Freedom of Information Act were details of contracts awarded, information about decisions made by the organisation, meeting minutes and internal policies, as shown in the table below. Three in ten or more of those releasing more information said these types of information were available purely because of the Act (which equates to around a quarter or more of all respondents).

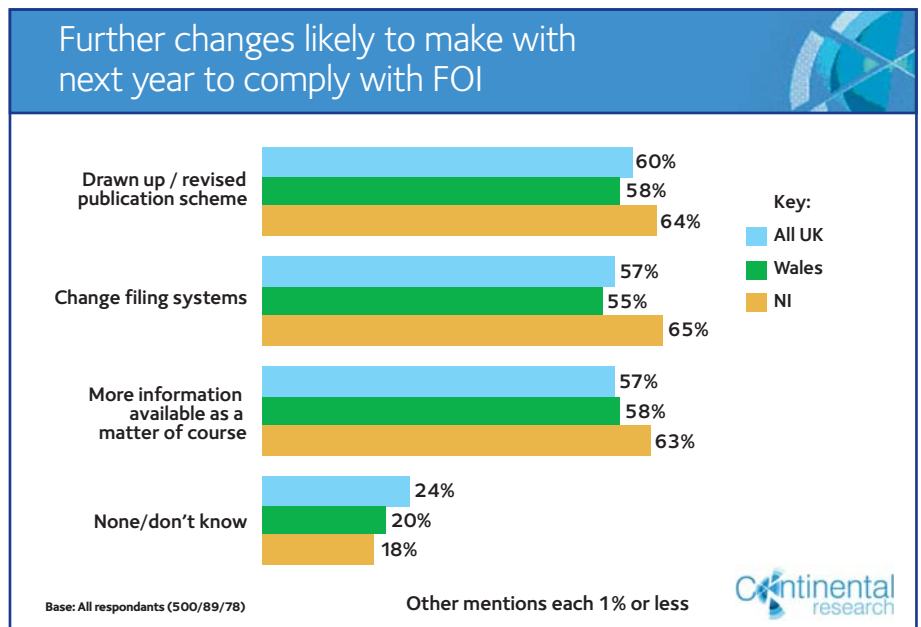
Types of information available that public would not have had access to before FOI		
	All releasing more info. because of FOI	Re-percentage on total sample
Base: all releasing more info. due to FOI (379)		
Details of contracts awarded	39%	29%
Information about decisions made by organisation	34%	26%
Meeting minutes	31%	24%
Internal policies (e.g. equal opportunities)	30%	23%
Details of what public money is spent on	26%	20%
Statistics about organisation e.g. staff numbers	26%	19%
Future strategies / objectives	24%	18%
Details and results of consultations / research	21%	16%
Information about organisation's performance	20%	15%
Annual reports / audited accounts	13%	10%
Personal data about staff	10%	8%

3.5. Future Changes

Respondents were prompted with a list of changes their organisation might make within the next year to comply with the Freedom of Information Act. As shown in the chart below, 76% of all respondents planned to make further changes. Significantly more of those in large authorities (84%) than in small/medium authorities (68%) said they might make changes in future. Respondents were most likely to say they might draw up or revise a publication scheme, closely followed by making changes to filing or record management systems, and making more information available to the public as a matter of course.



As shown in the following chart, although differences were not significant, respondents in authorities in Northern Ireland tended to be more likely than the UK as a whole to say they might make further changes to comply with the Act in future



Those who said they were likely to make more information available as a matter of course in future were asked what types of additional information they might release. As shown in the table below, after prompting, details of contracts awarded and meeting minutes were most frequently mentioned.

Types of information likely to make available in future		
	Spontaneous mentions	Total mentions after prompting
Base: all likely to publish more information as a matter of course (283)		
Details of contracts awarded	20%	37%
Meeting minutes	27%	36%
Internal policies (e.g. equal opportunities)	24%	31%
Information about organisation's performance	19%	31%
Details and results of consultations / research	14%	31%
Information about decisions made by organisation	23%	30%
Stats about organisation (e.g. staff numbers)	18%	26%
Details of what public money is spent on	18%	26%
Future strategies / objectives	20%	25%
Annual reports / audited accounts	19%	22%
Personal data about staff	5%	8%

3.6. Attitudes to Freedom of Information Act

When asked how they felt about the Act overall, respondents were positive. As shown in the table below, four in five respondents felt the Act was a very good thing or a fairly good thing from the point of view of their organisation. Those in large authorities were significantly more likely than those in small / medium authorities to say the Act was a good thing (86% vs 76%), but both groups were highly positive. Only a tiny minority described the Act as a bad thing (3%), with the remainder saying they were not really affected by the Act.

Overall rating of Freedom of Information Act			
	Total sample	Large authorities	Small / medium authorities
Base: all respondents	500	266	234
A very good thing	36%	38%	34%
A fairly good thing	45%	48%	42%
Not affected by FOI	14%	10%	19%
A very/fairly bad thing (net)	3%	3%	3%

When asked to say, spontaneously, what they felt were the benefits of the Act from the point of view of their organisation, all but 15% of respondents mentioned at least one positive aspect, as shown in the following table. The most commonly mentioned benefits, particularly by large authorities, were increased openness or transparency as a result of the Act, or the fact that it led to improvements in record management.

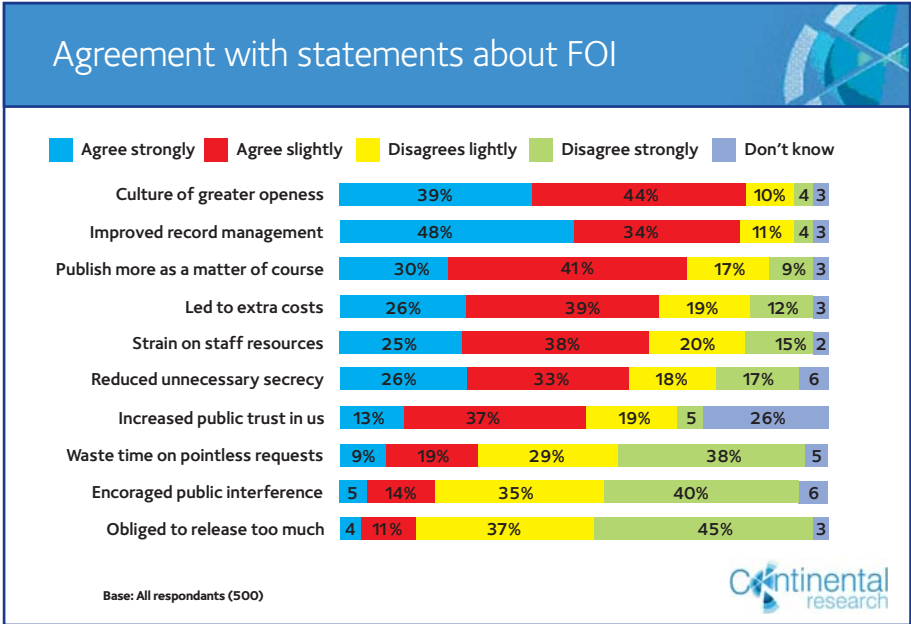
Perceived benefits of Act for organisation (spontaneous)			
	Total sample	Large authorities	Small/medium authorities
Base: all respondents	500	266	234
Openness / transparency	35%	36%	29%
Better record management / more organised records	27%	36%	17%
Accountability	18%	19%	17%
Improved relationship with public / public understanding	17%	19%	16%
Improved public access to info. / helps us respond to public	16%	18%	15%
Makes us think about what should / should not release	5%	7%	3%
Improved quality of service / ensures best practice	5%	7%	3%
Consistency of release of information / have rules	4%	4%	5%
Makes us think about information we hold / if should hold it	4%	5%	4%
Agree with FOI / right for public to have info.	4%	3%	4%
Staff more aware of their responsibilities	3%	4%	2%
Ability to demonstrate how decisions are made	3%	3%	3%
No benefits / don't know	15%	11%	16%

When asked what they felt the disadvantages of the Act were for their organisation, one in four respondents could not think of any. Significantly more respondents in small/medium authorities (33%) than in large authorities (17%) did not mention any disadvantages. As shown in the table opposite, the most frequently mentioned issue with the Act was that it was time consuming, mentioned by just over one in five respondents. One in eight said that they experienced problems with workload, and the same proportion mentioned cost issues. One in ten said the Act led to an administrative burden. A range of other issues were mentioned, but each by fewer than one in ten respondents.

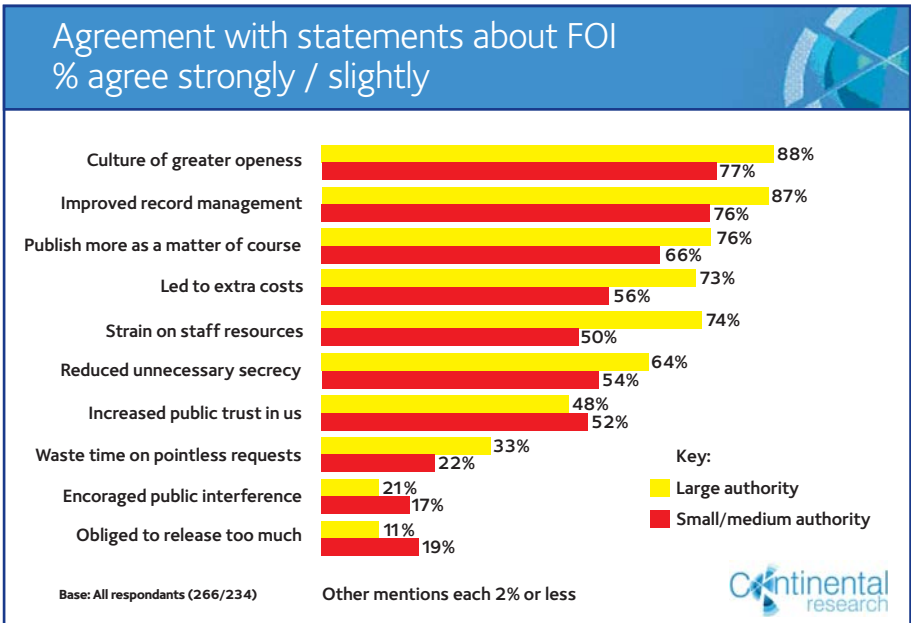
Perceived disadvantages of Act for organisation (spontaneous)			
	Total sample	Large authorities	Small / medium authorities
Base: all respondents	500	266	234
Time / time consuming	22%	26%	18%
Workload	13%	15%	12%
Cost / finance / no funding from Government	13%	17%	9%
Administrative burden / bureaucracy	10%	8%	13%
Resource element / resource implications	9%	12%	6%
Have to respond to commercial / research / media requests	8%	9%	6%
Staffing / staff resource	8%	9%	6%
Malicious / vexatious requests e.g. by competitors	6%	7%	4%
Inappropriate / trivial requests	4%	6%	3%
Lack of clear guidance e.g. exemptions difficult to understand	4%	4%	3%
Lack of public understanding of Act / unrealistic expectations	3%	2%	3%
None/don't know	25%	17%	33%

Reactions to the Act were positive too across a range of attitude statements read to respondents. As shown in the following chart, over four fifths of all respondents agreed strongly or slightly that the Act promoted a culture of greater openness, and that it had encouraged them to improve their record management systems. Three in five respondents or more agreed that that Act meant they published more information as a matter of course now, and that it reduced unnecessary secrecy about the way they worked, while half agreed that it had increased the public's trust in them.

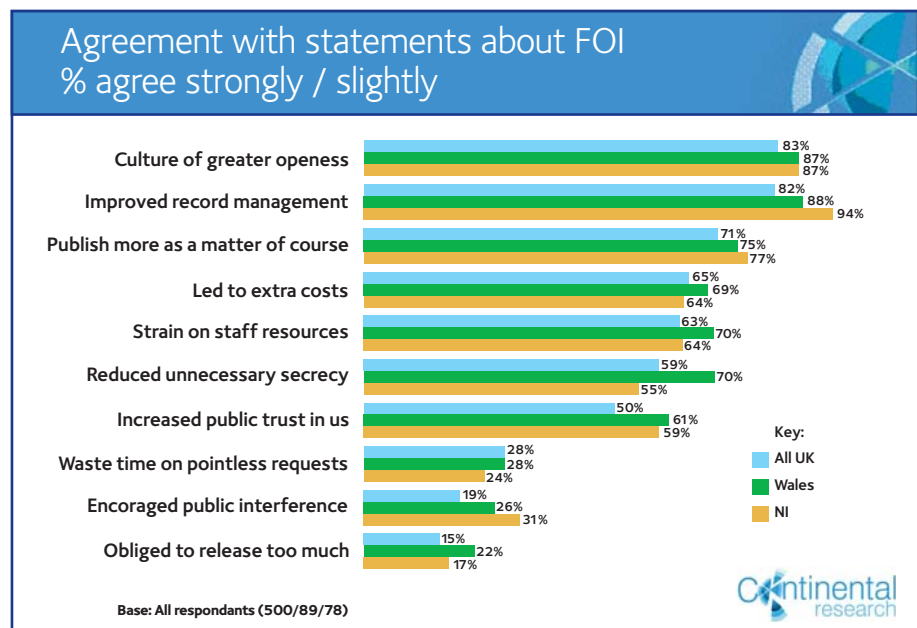
On the negative side, over three in five respondents agreed that the Act had led to extra costs and put a strain on staff resources, but these administration related issues aside, fewer than three in ten agreed with any negative statement about the Act in that it meant they had to waste time responding to pointless requests from the public, that it encouraged the public to interfere too much or that it obliged them to release too much information. See chart over the page.



As shown in the following chart, respondents in large authorities were significantly more likely to agree with each of the statements about the Act, other than that it increased public trust in the organisation or encouraged public interference (where levels of agreement were similar between large and small/medium authorities) and that it obliged them to release too much information, where significantly more small/medium than large authorities agreed.



By region, as shown in the following chart, respondents in Northern Ireland were significantly more likely than the UK as a whole to agree that the Act had encouraged them to improve their record management systems, but they were also significantly more likely to agree that it has encouraged the public to interfere in the way they work. Significantly more respondents in Wales than in the UK as a whole agreed that the Act had reduced unnecessary secrecy about the way they worked and that it had increased the public's trust in them.



3.7. Impact of Freedom of Information Act on Organisation and Respondent

As shown in the following table, the majority of respondents (70%) felt the Act had at least some impact on their organisation, but many more said it had some impact (58%) than a substantial impact (12%). Those in large authorities were significantly more likely than those in small/medium authorities to say the Act had an impact on them.

	Amount of impact FOI had on organisation		
	Total sample	Large authorities	Small / medium authorities
Base: all respondents	500	266	234
A substantial impact	12%	18%	5%
Some impact	58%	64%	51%
Not much impact	23%	16%	30%
No impact	7%	2%	12%

Given the perceived level of impact of the Act on organisations, it is perhaps not surprising that over three fifths of all respondents (62%) said that, in an average month, they spent only 10% of their time or less on tasks related to Freedom of Information. As shown in the table below, significantly more respondents in small/medium authorities (77%) than in large authorities (48%) said the Act took up 10% or less of their time. On average, respondents spent 24% of their time dealing with Freedom of Information, though those in large authorities spent more than twice as much time (32%) than those in small/medium ones (14%).

Amount of time respondent spends on tasks related to FOI in average month			
	Total sample	Large authorities	Small / medium authorities
Base: all respondents	500	266	234
None	15%	5%	26%
Up to 10%	47%	43%	51%
Up to a quarter	16%	20%	11%
Half to three quarters	15%	20%	8%
All/almost all	6%	11%	2%
Average %	24%	32%	14%

Two thirds of respondents said their organisation found the introduction of freedom of information very easy or fairly easy, and only 3% said it was very difficult, as shown in the table below.

How organisation found the introduction of FOI			
	Total sample	Large authorities	Small / medium authorities
Base: all respondents	500	266	234
Very easy	8%	3%	13%
Fairly easy	59%	59%	58%
Fairly difficult	28%	32%	24%
Very difficult	3%	4%	1%

Although the introduction of the Act was generally perceived to have been easy, it did mean additional workload for the majority of organisations. As shown in the table below, over three quarters of all respondents (78%) said the Act had meant a lot or a little additional workload for their organisation, and significantly more of those in large organisations said this (88%) than in small/medium authorities (68%).

How much additional workload Act has meant for organisation			
	Total sample	Large authorities	Small / medium authorities
Base: all respondents	500	266	234
A lot	27%	35%	18%
A little	51%	53%	50%
Not much	14%	8%	21%
None at all	6%	2%	10%

When asked whether they felt things would get easier or more complicated in future, opinions differed by size of authority. Among all respondents, as many felt things would get easier (32%) as that they would get more complicated (33%) as shown in the following table. Among large authorities more felt things would get easier (42%) than that they would get more complicated (28%), but the reverse was true among small/medium authorities, where more felt things would get more complicated (40%) than that they would get easier (22%).

Whether believe things will get easier or more complicated in future			
	Total sample	Large authorities	Small / medium authorities
Base: all respondents	500	266	234
A lot easier	6%	9%	3%
A little easier	26%	33%	19%
Won't change	29%	24%	34%
A little more complicated	28%	23%	34%
A lot more complicated	5%	5%	6%
Don't know	5%	6%	5%

All respondents were asked what, if anything, would help them to implement the Act. As shown in the table below, clearer guidance was most commonly mentioned, by almost a quarter. A range of other suggestions were made by respondents, but the only other one mentioned by over one in ten was more staff. Just over one in three respondents could not think of anything that might help them implement the Act.

What would help organisations implement the Act (spontaneous)			
	Total sample	Large authorities	Small / medium authorities
Base: all respondents	500	266	234
Clearer guidance	23%	26%	20%
More staff	11%	12%	11%
More resources	9%	10%	7%
More updates / info. / decision notices from ICO	8%	9%	7%
More money / finance / help with funding	7%	10%	5%
Improved records management / document management	7%	8%	6%
Training / training courses	5%	6%	3%
Better public awareness / public seminars etc.	4%	5%	2%
More time to answer requests	3%	3%	2%
Other mention of more time	2%	1%	3%
More guidance on exemptions	2%	3%	-
Case law / more case law	2%	2%	1%
Case studies / guidance that applies to specific cases	2%	2%	1%
Nothing / don't know	35%	29%	43%

4. Summary

Taking into account both information published as a matter of course and information released in response to requests from members of the public, three in five respondents said their organisation released a lot or a little more information to the public as a result of the Freedom of Information Act that would not otherwise be provided.

Results perhaps indicate some lack of public understanding of the scope of the Act, as two thirds of organisations who had received public requests for information under the Act had had to turn some requests down, most commonly because the requests were for personal information about members of staff.

Respondents' attitudes to the Freedom of Information Act were generally positive. It was widely viewed as a good thing from the point of view of the organisation, to have promoted a culture of greater openness and to have encouraged organisations to improve their record management systems. However, there was some feeling too that compliance with the Act led to extra costs for the organisation and put a strain on staff resources.

Although over three fifths of respondents said the Act had at least some impact on their organisation, only one in eight described its impact as substantial. Three quarters felt the Act had meant a lot or a little additional workload for their organisation, but still, two thirds said their organisation found the introduction of the Act very or fairly easy, and three in five said they spent only 10% of their time or less on tasks related to the Act in an average month.

Overall, both large and small/medium public authorities had experienced some impact of the Act, but on most measures, the impact was greater on large public authorities than on the small/medium ones. Despite this, attitudes to freedom of information were positive among authorities of both sizes, and, in fact were more positive among the large authorities than the small/medium ones.

Publications Line

t: 08453 091 091

f: 0870 600 8181

Helpline

t: 01625 545745

f: 01625 524510

e: mail@ico.gsi.gov.uk

w: ico.gov.uk



January 2006

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



Information Commissioner's Office