

FOI Baseline Assessments

Analysis of Submissions to-date

Presentation to Chief Officers, CEOs, Principal
Officers & their Information Managers
24th January 2008

Format

- ◆ Background & Aim
- ◆ Analysis: provides (1) data; then (2) conclusions
 - Views on FOI
 - Records Management
 - Staffing
 - Proactive Publication & IT readiness
 - Special Requirements
- ◆ Concluding comments

Aim of this brief

- ◆ 90% of Public Authorities are positive about FOI
- ◆ 60% believe the Jan 09 deadline can be met
- ◆ **but** they see the main problems as:
 - Making FOI a priority
 - Training of key staff
 - Inadequate budget
- ◆ **Aim of the brief:** To draw conclusions from the survey data & propose priorities for action

Basis to the analysis

- ◆ “Public Authority” defined:
 - core Ministries/Portfolios; departments; statutory authorities; government companies
- ◆ Two aims of the Questionnaire:
 - Gain feedback to assess FOI readiness
 - A planning tool for Public Authorities to assist with developing FOI Action Plans
- ◆ Submissions so far (deadline was 14 Dec 08):
 - ☺ Received 66 to-date (70% of all Public Authorities)
 - ◆ Includes 15 submissions from Statutory Authorities
 - ◆ 76% of ministries/departments; 55% of Stat Auths

Views on FOI - data

- ◆ Overall, 90% of Public Authorities consider:
 - FOI is **positive**
 - will improve records management
 - will result in engaging the public
- ◆ 75% believe **transparency & accountability** will improve under FOI
- ◆ 70% believe there will **not be more secrecy**

Views on FOI - conclusions

- ◆ The generally positive attitude to FOI is a good start point
- ◆ Provides an opportunity to harness the enthusiasm to develop **FOI action plans**
- ◆ It provides a good basis for the FOI PR message, especially to our staff:
i.e. “the custodians of public information”

Records Management - data

- ◆ Have done a Records Survey?
 - 85% say NO (but it's better for Statutory Authorities – 73% say YES)
- ◆ Have trained RM staff?
 - 66% say NO (but it's better for Statutory Authorities – 80% say YES)
- ◆ But 80% say they can complete a Records Survey by Aug 08

Staffing – data

- ◆ 60% have appointed Records Officers, but only 20% have up-to-date JDs
- ◆ 60% have trained Records Officers but these staff are in other roles
- ◆ To-date 30 Information Managers have been identified
- ◆ 😊 All Information Managers will answer to a senior post (e.g. DCO, Director, CEO) 😊
- ◆ 85% will incorporate IM roles into current positions (15% intend establishing new positions)

RM & staffing – conclusions

- ◆ Recommend: Pub Auth establish **FOI Project Teams** that include their RM trained staff
- ◆ **The key to success - appoint an Information Manager.** Our proposal is by 29 Feb 08
- ◆ Revision of JDs – support will be available through HR Forum & FOI/IM Network
- ◆ Establishing new IM positions:
 - Suggest caution: the workload may not justify it
 - But you need to address contingency planning
 - Pooling of staff is a good option
 - Organisational Review to develop new IM posts

Proactive Publication & IT readiness – data set #1

How do you currently provide information to the public?

	<u>All agencies</u>	<u>Stat Auths</u>
◆ Assign to one person:	45%	60%
◆ Through a website:	47%	67%
◆ Don't provide to public:	19%	13%

Proactive Publication & IT readiness – data set #2

- ◆ Publish information now? 50% yes
- ◆ Have a web-site? 45% yes
- ◆ Have on-line forms now? 30% yes
- ◆ Easy entry to your agency? 60% yes
- ◆ Adequate FOI reading room? 40% yes
- ◆ Have suitable photocopier? 97% do!
- ◆ Can name current 'hot topics' 70% can

Proactive Publication & IT readiness – data set #3

- ◆ Web-site readiness: Is your site updated?
 - Contact details: 75% yes
 - Opening hours: 60% yes
 - Head of organisation: 55% yes
 - Press releases: 50% yes
 - Forms: 35% yes
 - Documents: 30% yes
 - Relevant legislation: 30% yes
 - FAQ: 20% yes

- ◆ Have a general email address: 60% yes

- ◆ Have an email filing policy? 26% yes

Proactive Publication & IT readiness – conclusions

- ☺ **A positive:** the basic structures needed for proactive publication exist in 50% of Pub Auth now
 - e.g. + Have a web-site
 - + Publish information
 - + 70% know their current hot topics -> FAQs
 - + email contact address
 - + Assign one staff member
- ◆ So refining these processes & updating websites now will be good progress
- ◆ E-mail filing policies needed: use the CIG policy
- ◆ Agencies currently not providing info to the public:
 - consider coordinating FOI action plans e.g. use pooled project teams & consider pooling IMs & FOI staffing
- ◆ Computer Services will use the Baseline feedback to sort out website issues

Special Requirements

Responses to what are your special requirements?

- ◆ **Laws with existing disclosure regulations**
- ◆ Release of background to policy papers
- ◆ Confidential investigations
- ◆ Security plans & information
- ◆ **Commercially sensitive info**
- ◆ Matters with legal implications
- ◆ **Release of personal records**
- ◆ Criminal records
- ◆ Release of audit reports, consultancy reports
- ◆ Release of clinical audits & medical records
- ◆ Old legal cases
- ◆ Pension issues
- ◆ Education information
- ◆ Employment relations issues
- ◆ Submissions for scholarships
- ◆ Learning someone else's medical, drug, criminal history
- ◆ **Over 24,000 permit records**
- ◆ Controversial technical investigations
- ◆ Release of third party information
- ◆ **Release of Board minutes**

Special Requirements - addressing the issue

The need: working groups to develop guidelines:

Lead organisation

- | | |
|-------------------------------|----------------|
| ◆ Court records | Judicial Admin |
| ◆ Police information | Police |
| ◆ Medical records | HHS |
| ◆ Immigration records | Immigration |
| ◆ Cabinet documents | Cabinet Office |
| ◆ HR records | PoCS |
| ◆ Commercially sensitive info | CTC |
| ◆ Cayman Brac administration | District Admin |
| ◆ Persons with disabilities | HHS |

Concluding comments

The danger: losing sight of the woods for the trees

Focus on ensuring your Public Authorities have:

1. **Appointed Information Managers** (by 29 Feb 08):

+ The skills are essential + It is a requirement of the FOI Law

2. **Completed the Baseline Assessment** (i.e. now)

3. **Appointed FOI Project Teams** & have started:

- ◆ Developing action plans (needs to be done soonest)
- ◆ Organising files – a work prioritisation issue
- ◆ Organising public information & **updating websites**
- ◆ Addressing any FOI special requirements (with FOI Unit support)

4. **Staff training is arranged:**

- ◆ General familiarisation;
- ◆ IM & RM training, IMs join the FOI support network
- ◆ customer-facing staff

Thank you

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