

The FOI Implementation plan, milestones and achievements



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Chief Officers Retreat
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Objective

- Inform Chief Officers/ Principal Officer and Information Managers of the progress achieved in implementation
- Outline the critical outputs, risks and mitigation

Accomplishments

1. Significant progress has been made in:
 - a. *Preparation of a comprehensive Government Wide FOI Implementation Plan*
 - a. *Briefing of over 260 public officials in Ministries, Portfolios, Departments and Statutory Authorities;*

Accomplishments

- c. Hosting of the Cayman Islands first ever Sunshine Week to increase awareness of the Act,*
- d. Preparation of a list of public authorities as defined under s. 2 of the FOI law;*
- e. Preparation of draft Regulations for the appointment of the Information Commissioner*

Accomplishments

- f. *Coordination of FOI training courses for Information Managers and Records Officers through the Civil Service College*
- g. *Preparation of tools for planning for the implementation of the law by January 2009 and analysis of Baseline Assessments.*
- h. *Finalisation of system requirements for monitoring and tracking system for FOI requests that can meet the CI Government requirements*

Where are we?

- Approximately 11 months for preparation of all public authorities to receive their first FOI request
- Currently on track to complete outputs and meet the target times in the plan.
- Critical for public authorities to familiarize themselves with the plan and start implementation of their Model Action Plan

Where are we?

- Only 30 public authorities have designated Information Managers
- In receipt of 66 Baseline Assessments out of 92 public authorities

Where are we?

- Quarterly Report prepared for Cabinet
- Process of Appointment of Information Commissioner to be commenced in February
- Guidance Manual for Information Managers to be completed by March 31st

Where are we?

- FOI Sensitization video, brochure, etc to be completed in February to start sensitization of public authority
- Public Authority schedule of staff sensitization to be prepared based on requests received from Public Authority

Where are we?

- Guidance on how to create E- Publication scheme will be available end of February
- Work on Special Requirements has been commenced with the courts – await working group to be formed for the Police, next group Immigration and Medical records

Where are we?

- The Computer Services Department has been chosen to develop a tracking and monitoring system.
- Development costs to be paid by FOI Unit Budget
- Continued central funding for support costs of this program have been requested from Cabinet at the cost of **\$ 163,824** per year for 2009.

Where are we? :FOI Regulations

- Draft Plan - consultation paper by December 2007.
- Consultation Paper to be prepared by March 2008.
- The Legal Sub Committee of FOISC has completed a review of proposals for FOI fees, definitions of personal information and the public interest.
- Opinion received from Legal Department on counting time under FOI law – public holidays and Sundays are included in the computation of time.

Where are we?:- Laws which may be inconsistent with FOI

- A review of all laws that may be inconsistent with FOI is to be completed by the Legal Revision or Law Reform Department by January 2009.
- Priority attention to be given to review of Declaration of Secrecy & Confidential Relationship Law

Where are we? :-

Records Management

- Identifying electronic records and bringing them under central control will be a significant challenge
- Draft Code of Practice on Records Management circulated to Chief Officers for comment
- Record Management Readiness Assessment Report Completed (to-date)

Where are we? Training Program

- Records Management training for IM and RO commenced (full for January / February)
- FOI training to be commenced in May/ June and continued August September
- Information Managers must be designated by latest 29th Feb.
- Training in IM system to also begin in August

Where are we ? Information Managers Network

- The information manager's network has been formed.
- 2 meetings held November & December 2007. Core group to meet more frequently.
- Will give technical support for the work of Information Managers

Risks / Mitigation

- FOI Regs ---- FOI Legal Retreat (FEB)
- Record Readiness – special projects within agencies , IM & RO's need to be trained
- Failure to designate IM –emphasize need to heads of public authorities
- Special requirements not addressed – encourage public authorities to create teams supported by FOI on these requirements
- Public authorities not prepared- Use model action plan as guidance

What we need of Chief Officers

- A realistic assessment of those public authorities that are finding:-
 - implementation challenging or who have not commenced planning for FOI
 - Who have been identified as having special requirements of agencies and need to form working groups to address these issues
- Examining the level of preparedness in detail thru use of Model action Plan

Conclusion

- The Freedom of Information Law needs to work to provide a right of access to the public without bureaucratic red tape, and ensure the public sees a real change in openness in government.
- This is what the public expects from the Freedom of Information Law.