

## ESRC End of Award Report

**For awards ending on or after 1 November 2009**

This End of Award Report should be completed and submitted using the **grant reference** as the email subject, to **reportsofficer@esrc.ac.uk** on or before the due date.

The final instalment of the grant will not be paid until an End of Award Report is completed in full and accepted by ESRC.

Grant holders whose End of Award Report is overdue or incomplete will not be eligible for further ESRC funding until the Report is accepted. We reserve the right to recover a sum of the expenditure incurred on the grant if the End of Award Report is overdue. (Please see Section 5 of the ESRC Research Funding Guide for details.)

Please refer to the Guidance notes when completing this End of Award Report.

<b>Grant Reference</b>	<b>IGFD</b>		
<b>Grant Title</b>	<b>Freedom of Information and Local Government</b>		
<b>Grant Start Date</b>	<b>01/06/2009</b>	<b>Total Amount</b>	<b>£</b>
<b>Grant End Date</b>	<b>30/11/2011</b>	<b>Expended:</b>	
<b>Grant holding Institution</b>	<b>University College London</b>		
<b>Grant Holder</b>	<b>Robert Hazell</b>		
<b>Grant Holder's Contact Details</b>	<b>Address</b>	<b>Email</b>	
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		<b>Telephone</b>	
	<b>0207 679 4971</b>		
<b>Co-Investigators (as per project application):</b>		<b>Institution</b>	
<b>Benjamin Worthy</b>		<b>UCL</b>	
<b>Gabrielle Bourke</b>		<b>UCL</b>	

### 1. Non-technical summary

Please provide below a project summary written in non-technical language. The summary may be used by us to publicise your work and should explain the aims and findings of the project. *[Max 250 words]*

This project examined the impact of freedom of information (FOI) on local government in England, which receives around 70% of all FOI requests. FOI was intended to increase transparency and accountability; improve the quality of local government decision making; increase public understanding of local government; and increase public participation, and trust.

We found that FOI has delivered the first two objectives (transparency and accountability), although local government was already very open. It has not delivered the remaining four. It has not increased public understanding, save at a micro level (e.g. reasons for granting a licence). It has had little impact on public participation. It has not increased or decreased trust.

The big changes of the Local Government Act 2000 had far more impact than FOI in creating sharper accountability, and more visible political leadership in local authorities. FOI has not impacted on how local government works. Service delivery was not affected, as few requests are made about it. FOI is used more quietly, day-to-day, to find out about things that matter to people: allotments, parking, speed bumps etc. Businesses use it a lot, and national and local pressure groups make FOI requests on all sorts of topics from zoo licences to libraries.

Since 2011 councils have published all spending over £500. The response has been mixed. Some councils have had no interest, in others local newspapers have exposed controversial items. FOI is now working alongside online innovations, and hyper local sites that allow residents to talk about local issues.

## 2. Project overview

### a) Objectives

Please state the aims and objectives of your project as outlined in your proposal to the us. *[Max 200 words]*

Local government in England receives more than two thirds of all FOI requests. Understanding the impact of FOI on local government is central to a wider understanding of how the Act is working.

We set out to measure the performance of FOI against the objectives set for it.

- Has it improved transparency and accountability?
- Has it increased public understanding of local decision-making?
- Has it improved the quality of local decision-making?
- Has it increased public participation in local politics?
- Has it increased public trust in local government?

The study also set out to examine how FOI has interacted with the new structures and ways of working introduced by the Local Government Act 2000. We asked how FOI has impacted upon local political leadership, local accountability, partnership working and local service provision.

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### b) Project Changes

Please describe any changes made to the original aims and objectives, and confirm that these were agreed with us. Please also detail any changes to the grant holder's institutional affiliation, project staffing or funding. *[Max 200 words]*

None

### **c) Methodology**

Please describe the methodology that you employed in the project. Please also note any ethical issues that arose during the course of the work, the effects of this and any action taken. *[Max 500 words]* 464 words

#### **1. Interviews**

##### **Case study authorities**

- Our target was to interview 15 case study local authorities
- We conducted interviews with 17 authorities of varying types: 3 county, 5 districts, 5 unitaries and 4 metropolitan councils. Their political balance was 5 Labour, 7 Conservative, 1 Liberal Democrat and 4 no overall control.
- We interviewed around five officials and politicians in each authority, a total of 77 interviews

##### **Other interviews**

We also interviewed

- Regional Groups of FOI officers and 1 group of monitoring officers
- 3 FOI requesters
- 3 NGOs who have used FOI (1 Trade Union and 2 interest groups).
- 2 FOI officers from other local authorities
- 2 local journalists who make FOI requests
- An official from Department of Communities and Local Government
- Deputy Information Commissioner Graham Smith who oversees appeals concerning local government bodies.
- 2 Open Data innovators

This added 11 individual and five group interviews.

#### **2. Survey of FOI Officers**

Since 2006 the Unit has conducted a survey of FOI officers in local authorities asking how FOI is working, and the costs and benefits. It regularly obtains a response rate of around 30%.

- In 2009 we added questions about whether FOI had met its objectives
- In 2010 we added questions about the rate of increase of FOI requests
- In 2011 we added questions about the online publication of local authority spending

#### **3. Survey of Requesters**

We placed a link to an on-line survey on all local authorities' websites, or on their responses to FOI requests. We had 96 responses (as with our last project we found responses to online surveys can be slow).

- We supplemented the survey with interviews with 3 requesters and a selection of groups
- We questioned those who work for the FOI request generating website 'whatdotheyknow' (which accounts for 10% of all FOI requests)
- We coded a sample of 311 FOI requests from 3 local authorities who record requester type.

#### 4. Media Coding

- Because very few individuals make FOI requests, the media play a vital role in disseminating information released by FOI. We coded 212 articles in the national press and 549 articles in the local and regional press, to analyse which subjects and departments receive most exposure, and the impact of press coverage on public understanding and public trust.

#### 5. Survey of local journalists

- We conducted a short online survey using the sites 'holdthefrontpage' and journalism.co.uk to survey 20 local journalists who use FOI.

#### 6. Appeal system cases

- We sampled 25 % (94) of local government cases from the Information Commissioner's Office, and 25% (46) from the second stage of appeal, the Information Tribunal

#### 7. Other Research Methods

- We gathered case studies of particularly interesting uses of FOI at local level.
- We asked additional questions about the new transparency reforms of the coalition government and their impact upon FOI (see below).

### d) Project Findings

Please summarise the findings of the project, referring where appropriate to outputs recorded on the ESRC website. Any future research plans should also be identified. *[Max 500 words]*

The findings below are detailed in the final report 'Town Hall Transparency?' and conference paper (both available on research outcomes)

#### Impact of FOI on local government

- Local government was already very open. FOI has further **increased transparency** but as an 'add on' to existing mechanisms. It works with new websites and applications, though new innovations (e.g. the £500 spending data) have had an uneven impact.

- FOI has **increased accountability** at local level as part of building up a ‘bigger picture’ often alongside other mechanisms (e.g. the local media, consultations and NGOs).
- FOI has not **improved the quality of decision-making**. A chilling effect can be seen in a few politically sensitive cases but it is not systematic.
- FOI has **increased public understanding of decision-making** in a low level ‘picture building’ way. However, few people are interested in local government
- FOI has been used by NGOs and for particular campaigns but has had **little general impact on public participation** because few participate.
- FOI has **not increased or decreased trust** in local government. National media reporting of local government is generally negative but local and regional reporting is variable in terms of use, angle and topic. Many felt local government trust was influenced by authority performance and ‘community visibility’ not openness.

### How Local Government Works

- Despite the focus on senior salaries **local leadership has not changed** due to FOI.
- **Service delivery** and **partnership work** have been largely unaffected as requests are rarely made about either.
- The two areas of tension are **media use** and reporting of FOI, and **partnership with private companies**. Media requests cause concern for politicians. Some of the more ‘public facing’ companies working with authorities are happy to share information, whilst others are nervous and resistant.

### Requests and Requesters

- Rising request levels appear to be driven by **increased awareness** of FOI and media stories in the national and local press. Requests also come in waves around a particular issue.
- Requests from the public are **often niche and of private interest** to the person, and this variability makes for a variable impact.

### Why Does Local Government Vary?

- Political support, resources and pre-existing relations all shape how FOI impacts.
- **Leadership is crucial** to FOI. Support for openness from senior figures allows innovation and mitigates internal resistance. Nervousness leads to defensiveness.
- **Resources are key** but how much FOI ‘costs’ is a difficult issue, with competing methodologies offering competing answers and benefits more difficult to measure.
- **Politics is crucial**. A ‘one party state’ can survive a damaging FOI request in a way that a party with a small majority cannot.

- **The local politics** of an area may also determine how FOI works. High levels of activism from local groups or long running controversies often involve FOI.
- **The media** are a further crucial influence. Some authorities experienced heavy and aggressive use of FOI by local media, while others experienced none.
- **The future** may depend on how political, financial and technological factors interact. Technology may enable new developments, but cuts are likely to severely limit FOI capacity.

### e) Contributions to wider ESRC initiatives (eg Research Programmes or Networks)

If your project was part of a wider ESRC initiative, please describe your contributions to the initiative's objectives and activities and note any effect on your project resulting from participation. *[Max. 200 words]*

Not applicable

## 3. Early and anticipated impacts

### a) Summary of Impacts to date

Please summarise any impacts of the project to date, referring where appropriate to associated outputs recorded on the Research Outcomes System (ROS). This should include both scientific impacts (relevant to the academic community) and economic and societal impacts (relevant to broader society). The impact can be relevant to any organisation, community or individual. *[Max. 400 words]*

Our findings were discussed by both academics and non-academics. Non-academics included

- Local politicians, officials and officers
- Think-tanks
- MPs
- Local and regional media

#### Final Report

Report 'Town Hall Transparency' disseminated to

- local authorities, local government think tanks, local journalists
- Placed on website, blog and tweeted
- Passed to Ministry of Justice, Department for Communities and Local Government, World Bank, House of Commons Justice Committee
- Sent out to an FOI global practitioner network via FOIANet list server.

### **Five Other Reports**

- Report on costs of FOI (December 2010)
- Three local government survey reports for 2009, 2010, 2011 (and summary)
- Submission to Justice Committee's Post-legislative scrutiny of FOI Feb 2012

### **Four Presentations (to academics)**

- Rutgers First Global transparency conference 19 May 2011 (Newark, NJ)
- Government Information Seminar series October 2010 (University College London)
- Archives Society October 2011 (London-also podcasted)
- Transparency and Corruption Network October 2011 (Oxford-also podcasted)

### **Articles and publicity (to academics)**

- Regular project updates to FOI community network of 50 academics and practitioners
- Regular project updates to advisory group (who assisted with dissemination)
- Guest article on LSE blog

### **16 Presentations (to non-academics, practitioners and professionals)**

- London Information Rights Forum 11 August 2009 (London)
- Modernising Government 11 Nov 2009 (London)
- FOI officers group (Midlands Group) 15 Feb 2010 (Leicester)
- FOI officers group (North West) 18 February 2010 (Blackburn)
- FOI (South West Group) 10 March 2010 (Taunton)
- FOI group (AGMA) 15 April 2010 (Stockport)
- National Association of Data Protection Officers Nov 2010 (London)
- Modernising Government 24 Nov 2010 (London)
- Holyrood Transparency Conference 15 Dec 2010 (Edinburgh)
- South East Monitoring Officers group 11 Feb 2011 (Ipswich)
- Expert witness to Canadian Committee on Access to Information and Privacy 8 March 2011(Canada)
- FOI group (AGMA) 7 April 2011 (Manchester)
- London Information Rights Forum 18 Aug 2011(London)
- Local Government Information Unit (LGIU) 9 Nov 2011 (London)
- CPA Parliamentary Delegation: fourth commission on access to information 15 Nov 2011 (Westminster)
- DCLG transparency team 15 Dec 2011(DCLG London)
- Expert witnesses to Justice Committee's Post-legislative scrutiny of FOI 21 Feb 2012 (Westminster)

### **Articles and publicity (to non-academics, practitioners and professionals)**

- Three articles in *Local Government Chronicle*
- One article in *Local Government Lawyer*
- Articles in Constitution Unit's Quarterly Newsletter
- Regular posts on the Constitution Unit blog
- Disseminated findings on the Communities of Practice Hub
- Submission to Justice Select Committee post-legislative scrutiny of FOI

### **Others reporting our findings**

- LGIU blog post
- Huffington Post article
- BBC FOI blog
- Anonymous blogger 'FOIman'

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### b) Anticipated/Potential Future Impacts

Please outline any anticipated or potential impacts (scientific or economic and societal) that you believe your project might have in future. [Max. 200 words]

#### Future Academic Impact

FOI advocates and academics have made bold claims about the wider benefits of FOI. Our work subjects those claims to careful empirical testing, analysing whether FOI does deliver better decision making, public understanding, trust in government, public participation. Forthcoming articles will pursue the same rigorous questioning approach in a range of different journals:

- Worthy, Ben (forthcoming) 'The Impact of Open Data Projects: Cautionary Lessons from Other Transparency Experiments' (submitted to *Journal of Administration Research and Theory* December 2011- awaiting review)
- Worthy, Ben and Hazell, Robert (forthcoming) 'Does FOI work? The Impact of FOI on Local Government in England' (submitted to *Policy Studies Journal* February 2012).
- Worthy, Ben (forthcoming) 'Institutionalising Distrust? The Impact of Transparency on Public Trust' (to be submitted to the *British Journal of Political Science* March 2012).
- Worthy, Ben (with Stephan Grimmelikhousen) conference paper comparing transparency and trust in the UK and Netherlands (conference paper in preparation)

#### Future Practitioner Impact

- Involvement in post-legislative scrutiny of FOI in the UK by the Justice Select Committee
  - Written submission (3/2/2012)
  - Oral evidence to the committee (28/2/2012)
- Approaches to Local Government Association, CIPFA
- Ben Worthy appointed regular expert commentator on transparency for the *Local Government Chronicle*

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You will be asked to complete an ESRC Impact Report 12 months after the end date of your award. The Impact Report will ask for details of any impacts that have arisen since the completion of the End of Award Report.

#### 4. Declarations

Please ensure that sections A, B and C below are completed and signed by the appropriate individuals. The End of Award Report will not be accepted unless all sections are signed. Please note hard copies are **not** required; electronic signatures are accepted and should be used.

##### A: To be completed by Grant Holder

Please read the following statements. Tick **one** statement under ii) and iii), then sign with an electronic signature at the end of the section (this should be an image of your actual signature).

##### i) The Project

This Report is an accurate overview of the project, its findings and impacts. All co-investigators named in the proposal to ESRC or appointed subsequently have seen and approved the Report.	<input checked="" type="checkbox"/>
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##### ii) Submissions to the Research Outcomes System (ROS)

Output and impact information has been submitted to the Research Outcomes System. Details of any future outputs and impacts will be submitted as soon as they become available.	<input checked="" type="checkbox"/>
<b>or</b>	
This grant has not yet produced any outputs or impacts. Details of any future outputs and impacts will be submitted to the Research Outcomes System as soon as they become available.	<input type="checkbox"/>

##### iii) Submission of Datasets

Datasets arising from this grant have been offered for deposit with the Economic and Social Data Service.	<input checked="" type="checkbox"/>
<b>or</b>	
Datasets that were anticipated in the grant proposal have not been produced and the Economic and Social Data Service has been notified.	<input type="checkbox"/>
<b>or</b>	
No datasets were proposed or produced from this grant.	<input type="checkbox"/>

<b>Signature:</b>	
<b>Name:</b>	<b>Date:</b>

##### B: To be completed by Head of Department, School or Faculty

Please read the statement below then sign with an electronic signature to confirm your agreement.

This Report is an accurate overview of the project, its findings and impacts.

**Signature:**

**Name:**

**Position:**

**Date:**

**C: To be completed by Finance Officer of Grant-Holding Research Organisation**

Please read the statement below then sign with an electronic signature to confirm your agreement.

ESRC funds have been used in accordance with the ESRC Research Funding Guide. All co-investigators named in the proposal to ESRC or appointed subsequently have seen and approved the Report.

**Signature:**

**Name:**

**Position:**

**Date:**