

FOI and Local Government: *Surveys by the Constitution Unit covering the four years from 2005 to 2008*

December 2009

Jim Amos, Honorary Senior Research Associate

These four annual surveys¹ cover the experiences with FOI of the 388 local authorities in England. Between about 28 per cent and 30 per cent of these authorities provided substantive responses to most questions asked in the surveys. (112 authorities for 2005, 118 for 2006, 121 for 2007 and 110 for 2008)

The purpose of this paper is to summarise the key facts and the evidence that was provided by respondents to these surveys in order to help understand whether any trends are starting to become clear. Some of the questions that were asked changed after the first survey and more open questions were asked. There were also some changes to the methods of analysis. Here we have attempted to provide information in a way that provides a fair comparison across the four surveys.

This shows a number of apparent trends and changes over the four years, however we have not attempted to draw firm conclusions from the evidence, since there are a number of possible reasons for the trends and changes. In a previous paper we outlined the need for more research, in particular we suggest, to focus upon the reasons why the costs of compliance vary so widely between authorities and the relationship between this and the employment of ‘good practice’ as described in our report for the Audit Commission.

1. Numbers of requests, refusals and internal reviews

	Number of requests	Number of refusals	% of refusals	Number of intnl. reviews	% of refusals subject to intnl. reviews
2005	60,361	5,024	8.3%	1,313	26%
2006	72,361	7,594	10.5%	1,701	22%
2007	80,114	8,278	10.3%	1,205	14.6%
2008	118,569	8,259	7.0%	1,632	19.7%

¹ The surveys are published in full at www.ucl.ac.uk/constitution-unit/research/foi/publications.htm

2. Sources of requests

Respondents were asked to rank the first three sources of requests. We applied a weighting of 100 to the first choice, 50 to the second and 25 to the third. On this basis the percentages are as follows, with a very large proportion of total requests being made by private individuals, business and the media.

	Private individuals	Business	Media & journalists
2005	43%	29%	11%
2006	46%	27%	17%
2007	41%	25%	21%
2008	40%	22%	31%

3. Spend on handling requests

We asked respondents how many full time equivalent staff (FTE) were employed on FOI compliance activities both in the central teams and in service departments. We then related this to the hours available and to the numbers of requests to produce an average number of hours spent on each request.

On this basis the average time in hours spent handling a request is shown in the table below. However in each year we have noted a very large spread around these averages, in 2007, for example, from around three hours to fifty hours. We have suggested that this is an area where more research could be of value to authorities.

Year	Average hours per request
2005	16.4
2006	13.1
2007	15.3
2008	11.6

4. Types of information requested

This is an area where comparisons between years are difficult, since the way questions were asked and analysed changed. For the first two years respondents were asked to select from a list of eight categories. These categories were broadly similar but not identical for the second year. For example, environmental information was a new category in 2006. It was also possible for a question to be placed quite reasonably in more than one category. For 2007 we changed the method and the question was an open one. We think this gave a good result, but put the onus upon us to place answers in the most suitable categories. For 2007 and 2008 we suspect that the very low percentages for active local issues may reflect more a change in method of analysis than a

substantial reduction in requests which might be categorised in this way. A subject for more research.

	Finance incl. costs & expenses	Active local issues	Contracts & business	Procedures, policy decsns. minutes	Envnmntal Information	Public services
2005	24%	21%	20%	16%	Not listed	5%
2006	19%	15%	18%	11%	14%	11%
2007	31%	2%	7%	29%	3%	10%
2008	26%	1%	11%	17%	10%	25%

5. Problems with compliance

Here also comparisons were not easy and for similar reasons. For the survey of 2005, respondents were asked to select from a list of six categories. For the surveys of 2006, 2007, and 2008 the question was an open one and respondents were asked to list their top three problems with compliance. This chart does seem to illustrate interesting changes over the three years.

	2005	2006	2007	2008
Applying exemptions	27%	8%		
Lack of resources	24%	24%	12%	24%
Applying the Public interest test	18%			
Requests that affect a third party	17%			
Processes, procedures, training, advice		27%	15%	8%
Difficult requests and requesters		25%	17%	27%
Motivation/co-operation from service departments		13%	19%	10%
Records management			14%	6%
Timescales				16%

6. Positive aspects of FOI

Respondents were asked to identify the ways in which they thought FOI had positively affected their organisation. Again for the survey of 2005, they were asked to select from a list of six categories, while for 2006, 2007 and 2008 they were asked to provide in their own words the top three ways in which they thought FOI had had a positive effect.

	2005	2006	2007	2008
More openness/transparency & accountability	29%	51%	28%	28%
Improved records management	28%	24%	22%	16%
Improvements within organisation (not Rcds. Mgt.)	16%	13%	23%	26%
Improved relationship with public	13%	8%	26%	7%

JwaNov2009