

NEWS

MP expense scandal proves trigger for FoI request rise

English councils have been hit with a 39% rise in Freedom of Information (FoI) requests, according to a survey on the impact of the legislation on the sector (see analysis, opposite).

The research from University College London's Constitution Unit estimates that some 45,939 additional requests were lodged in 2009 compared with 2008, making an annual total of 164,508 (see figures, right).

The figure is based on a survey of information officers at English local authorities and builds on the 2008 figure of 118,500, itself a 48% rise on the previous year.

Researchers at UCL have been tracking the effects of the Freedom of Information Act and Environmental Information Regulation (EIR) requests, which are treated as FoIs for the purposes of the survey, since their introduction in 2005.

Responses were received from about one-third of English authorities, with the parliamentary expenses scandal

highlighted as a primary reason for increased interest and awareness of FoI.

The recession was also cited as a driver for spending-related information.

Ben Worthy, lead researcher at UCL, said it was too early to say whether the slowing of the rate of increase may represent the start of a levelling off of demand for FoIs. "It's still a significant increase, but just not as high as it was last year," he said (see comment, below).

"It may be because FoI requests have reached saturation point, or because local authorities are publishing more information now."

Mirza Ahmad, corporate director of governance at Birmingham City Council, said he was surprised the rate of increase was down, but pointed to other factors. "What the figures don't tell us is the level of complexity of questions," he said.

"Our experience is that there is a maturity in the market and that people are asking more focused questions."

ANALYSIS

MORE HASTE, LESS SPEED

Jim Dunton, reporter

As the number of Freedom of Information Act (FoI) requests continues to rocket, University College London's latest survey of the legislation's impact on local government sheds some light on new trends.

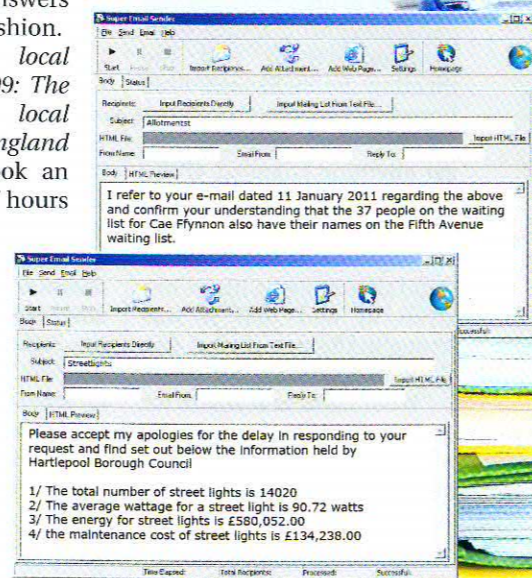
Councils are reducing the time it takes to compile information for individual responses, but that doesn't necessarily mean requesters are getting their answers in a more timely fashion.

FoIA 2000 and local government in 2009: The experience of local authorities in England shows councils took an average of 8.9 staff hours answering individual FoIs in 2009, a significant reduction on the previous year's average of 11.6.

That increase is responsible for a disproportionately small increase in the estimated cost to councils.

Estimated number of requests

2005	60,361
2006	72,361
2007	80,114
2008	118,569
2009	164,508



Costing staff time for each request at £25 an hour, researchers calculated that dealing with 2009's enquiries cost councils £36.6m, compared with £34m for 2008 despite a 39% increase in volume. The average cost of dealing with a single FoI request was calculated to be £222.48, down from £286.75 the previous year.

Many commentators would argue that the real cost of dealing with FoIs is higher. In estimates supplied to LGC by Birmingham City Council last year, the stand-

ard £25-per-hour charge accounted for less than half of its estimated £800,000 FoI-related bill.

In terms of actual requests, respondents reported an across-the-board increase in "round robin" requests, such as those from newspapers and organisations such as the TaxPayers' Alliance.

Journalists (32%), individuals (31%), and businesses (27%) were responsible for the bulk of requests, with requests ranked in terms of their time-intensity broadly comparable (see chart, below).

While questions related to finance were the most commonly asked, researchers said demands for "personal" information about salaries, councillor costs, and employee numbers rose sharply – up from 8% in 2008 to 21% in 2009.

UCL's survey also highlights a wide disparity regarding the time taken by different councils to answer requests. About one-third said they dealt with FoIs in an average of between one and six hours, another significantly sized cluster said it took "10 hours or more".

By council type, London boroughs said they dealt with FoIs in the fastest time, reporting an average of 7.8 hours.

Although the average time councils spent answering requests has decreased, the proportion of requests answered within the 20 working days guideline fell, from 86% in 2008 to 79% in 2009 across all council types. Metropolitan authorities experienced the most dramatic

decline, falling from 95% in 2008 to 66% in 2009.

The proportion of requests answered in full also dropped from 84% in 2008 to 78% in 2009, while the number of cases in which none of the requested information was disclosed rose from 7% to 7.2%. Correspondingly, councils saw a rise in the number of internal reviews sparked by requesters – from 1.4% of all requests in 2008 to 1.6% in 2009.

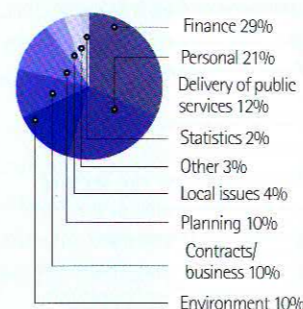
The survey cites a number of respondents calling for the introduction of fees to curb the level of requests, although researchers found that the limited use of existing charging powers for requests placed particular burdens on staff.

Sixty-five percent of councils did not charge a fee for any request in any circumstances, while 51% of authorities that had asked for fees said they never actually received payment.

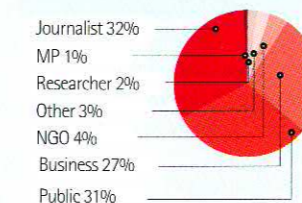
• The Constitution Unit's latest survey can be read in full at: LGCplus.com/documents

WHO IS ASKING FOR WHAT?

Requests by topic



Requests by profession



Survey by Constitution Unit, University College London, into the impact of FoI legislation



COMMENT

HAVE WE FORGOTTEN THE SPIRIT OF THE ACT?

Ben Worthy, research associate, UCL Constitution Unit

Our latest survey confirms some of the emerging findings from our study of Freedom of Information Act (FoI) requests and local government.

The number of requests to local government is rising steeply across all authorities, as it has been doing year on year since 2005. What is interesting is that this pattern seems to be a general increase from all types of requesters rather than a particular group.

One big event did, however, shape the 2009 findings. The MPs' expenses scandal led to a wave of requests to local government for information relating to the salaries and expenses of local officials and politicians.

Many officials who spoke to us also felt that the scandal had damaged public perceptions of all politicians at whatever level and of whatever party. This may account for the fact that fewer officials

now feel FoI has improved relations with the public.

The common concerns of most FoI officers are resources and misuse. Resources are not rising to meet request numbers and many officers we have spoken to are concerned they are now at capacity with as many requests as it is possible to deal with.

There is also a feeling that FoI is being 'misused', not technically but in a way that is against the spirit of

“A particularly interesting survey finding is that so few officials feel FoI is helping local members of the public

the act. This can come in many forms. It can mean use by journalists to trawl for large amounts of information or by businesses to gain competitive advantage. It can also mean individuals pursuing a grievance.

A particularly interesting finding is that so few officials feel FoI is helping local members of the public.

It is by no means all negative. Officers continue to feel that FoI

has improved the transparency and accountability of local authorities. A growing number of officers also seem to feel that FoI has improved records management within their organisation.

Our findings give us an overview of what is happening, but one of the difficulties with looking at local government is the sheer variety of approaches and attitudes.

Local government in England is already open, and FoI has improved that, but some authorities are more open than others.

Exactly how open each individual authority is may depend on many factors, and the attitudes of senior officials and politicians towards FoI within each area is crucial. Interestingly, size or political make-up does not appear to have a bearing.

The next big question for

us is how the publication of all spending over £500 will influence FoI. Will it lead to fewer requests, given that nearly a third of all requests relate to finance? Or will it lead to more as users ask for more background or query figures?

Is there an army of armchair auditors waiting to pounce or will it be a handful of the usual suspects? We hope the 2010 survey will tell us.