



Professional Development and Support for FOI Officers

Insights from FOI Practitioners' Survey

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Purpose of Survey

- Survey ran from 11 January to 11 February 2022.
- Research FOI Practitioner views and attitudes to support delivery of the Commissioner's four-year Strategic Plan.
- Survey gathered data on:
 - Practitioners' perception of the value and impact of FOI;
 - Practitioners' perception of the quality and adequacy of support available to them.

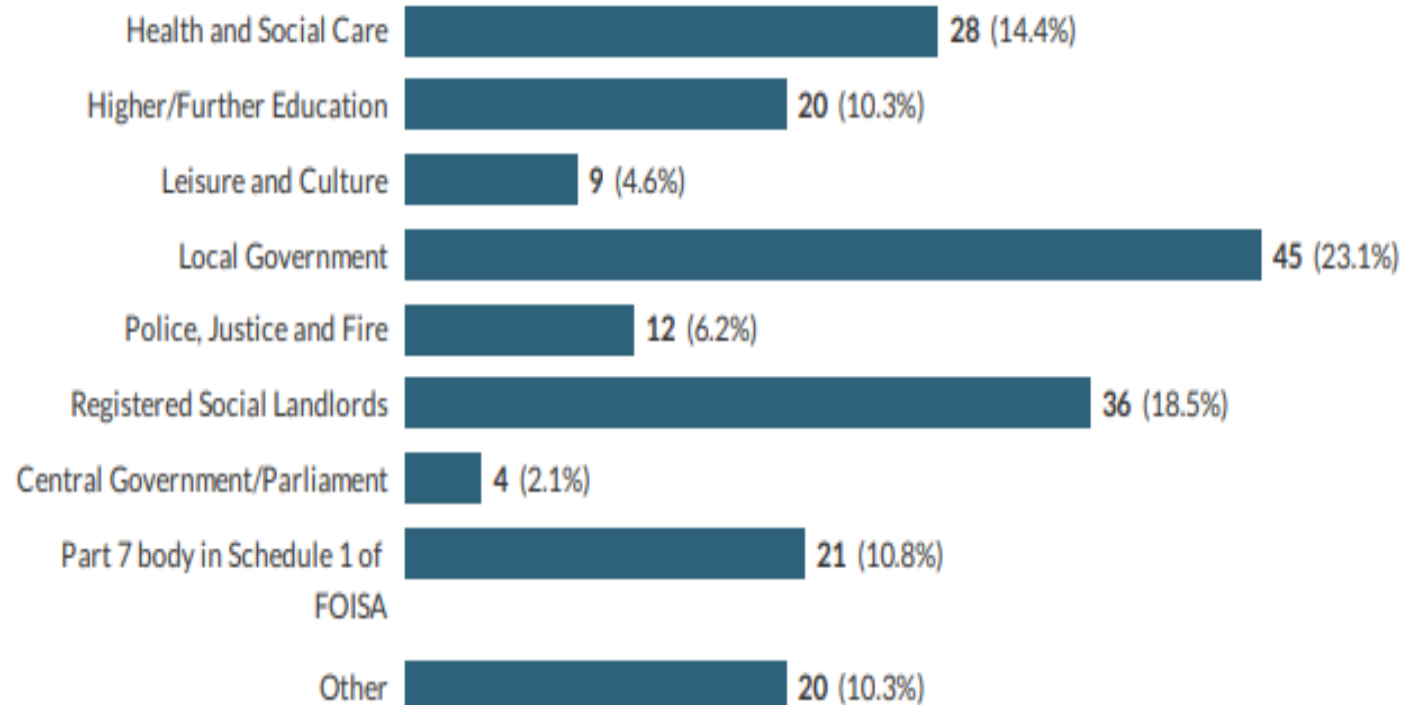


Rate of Participation

- Survey completed by 195 FOI Practitioners across various sectors in Scotland.
- A positive response rate reflecting similar number of participants at the annual FOI Practitioners Conference.
- The highest response rate was from the Local Government sector at 23%, with 45 responses from this group.
- Registered Social Landlords (RSLs) had an 18% response rate, with 36 responses from this group.
- The response rate for each sector is shown in the next slide.



Which of the following sectors best describes your organisation? Select one:



In case you were wondering...



"NO YOU CAN'T ASK A QUESTION."

Value of FOI – what practitioners think



□ Good points

- 82% of respondents say FOI is an important public right.
- 75% of respondents disagreed with the view that FOI does not increase transparency and accountability in public life.
- A selection of comments:
 - FOI is working very well in Scotland.
 - I firmly believe that FOISA is necessary and beneficial and aids in the openness and transparency of organisations.

Value of FOI – what practitioners think



□ Areas for improvement/concerns

- Resource-intensive.
- Can be abused – vexatious and time-consuming requests.
- Not sufficiently high profile within organisations.



Support for Practitioners

Suggested improvements to legislative elements of support

- ❑ **Raise the profile of the FOI function within organisations.**
 - Introduce an FOI officer role, statutory or otherwise, within organisations. Repeatedly mentioned as a way of raising the profile of FOI.

- ❑ **Replace outdated publication scheme requirement.**
 - Accessibility and content are key drivers of dissatisfaction.
 - Our recent public awareness research shows people search for information about a public body in different ways, e.g. search engines, authority website, social media etc.
 - Introduce modern and responsive pro-active publication/transparency requirements.



Support for Practitioners

Suggested improvements to OSIC elements of support

- ❑ **User-friendly website with improved search functionality**
 - Improve functionality of decisions-database.

- ❑ **Regular bespoke training sessions**
 - Responding to complex/challenging requests;
 - Applying exemptions/exceptions; and
 - Handling appeal investigations.

- ❑ **Regular discussions with OSIC staff on learning points from decisions and settled cases**

- ❑ **Update briefings/guidance series**
 - Accessibility and current case law examples

- ❑ **Nationally recognised qualification for practitioners**

Nearly there...





We are listening

What we've done so far...

New website

Modern looking with improved navigation. Easier to access elements of support.

Decisions database

Improved search functionality with more filter options.

Briefings/guidance series

Updates to improve accessibility and content ongoing. Updated guidance on handling vexatious requests recently published. More updates in the coming months.



We are listening

What we've done so far...

Proactive publication code of practice

- Commissioner has called for replacing outdated publication scheme duty with a statutory duty to publish information; and
- A new legally enforceable Code of Practice on Publication.

Details in Commissioner's submissions to post-legislative scrutiny committee.

<https://www.itspublicknowledge.info/scottish-public-information-forum-explores-changes-to-foi-law>

FOI Officer role

- Commissioner has consistently acknowledged the vital role FOI Officers play in FOI compliance and practice.
- Commissioner is exploring ways to increase the recognition, status and influence of the FOI Officer within organisations.



Still listening

What we are planning to do...

Webinars

- Regular bitesize sessions.
- Will cover FOI-practice related concerns including, but not limited to, the following areas:
 - Handling challenging requests;
 - Applying certain exemptions; and
 - Learning points from decisions and settled cases.

Trouble-shooting workshops

- Periodic – driven by practitioner appetite.
- Opportunity to raise specific FOI-practice concerns with OSIC staff.
- Virtual, to maximise attendance.
- Subject to availability of resources.
- Commissioner has no plans to call for a national qualification for FOI officers.
- Exploring ways to increase the recognition, status and influence of the FOI Officer.

The end

