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Title Managing Freedom of Information in Scottish Public Bodies: Administrative Imperatives and Political Settings.

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Abstract

The Freedom of Information [Scotland] Act 2002 [FOISA] offers new opportunities to Scotland's public bodies to generate strategic and operational level organisational change centred upon the management and flow of information. Our research findings show, however, that whilst FOISA is perceived as contributing to change within these bodies, it is not proving to be a catalyst for radical strategic transformation. Instead, the tendency is towards its absorption within the existing administrative-political culture embedded within Scotland's public bodies.

Key words

Freedom of information, information management, organisational change, public sector.

Introduction

This paper draws from research completed in September 2007 which examined whether [and in what ways] the Freedom of Information [Scotland] Act 2002 [FOISA] has acted as a catalyst for organisational change within Scotland's public bodies [Burt and Taylor, 2007]. This paper sets out our findings in relation to the four groups of public bodies that we examined in the course of the research, local governments, NHS boards, police forces, and Scottish Government departments and agencies. There is as yet a dearth of scholarly research into the organisational experiences of public bodies as they implement

and deliver FOI within the UK as well as internationally [for exceptions to this see Glover et al, 2006; Gill and Hughes, 2005; Piotrowski and Rosenbloom, 2002]ⁱ. Thus, our study presents learning opportunities for public bodies located within these sub-sectors within the UK, as well as more widely. Secondly, and more broadly, it provides learning opportunities, too, for public policy makers whose FOI-related decisions bear upon public bodies. Thirdly, it also lays foundations for the generation of further research into FOI-related organisational change and the management of information and its communication within public bodies.

With 'information' at its core, FOISA offered opportunities to Scottish public bodies to generate strategic and operational level organisational change centred upon the management and flow of information. This is so, because the Act places imperatives upon public bodies to manage information effectively and transparently, in ways that enhance access to information on the part of citizens and other stakeholders. Furthermore, for these requirements to be met, information needs to be managed as a 'corporate resource' supported by organisational arrangements that aim to enhance the flow of information on an institution-wide basis, thereby breaking down the silo structure and culture that has remained deeply embedded within Scotland's public institutions that itself has led to information 'capture' within discrete 'information domains' [Bellamy and Taylor, 1998]. Thus FOISA can be seen as having the potential to destabilise or 'punctuate' this existing equilibrium embedded within public bodies [Baumgartner and Jones, 1993]. Our research findings show, however, that whilst FOISA is perceived as contributing to administrative-level changes it has not been employed as a catalyst for bringing through strategic change in the ways that information is managed as a corporate resource. Instead, and in similar vein to Gill and Hughes's findings on the implementation of Mexico's 'access to information law'[2005], the tendency is towards its absorption within

existing administrative culture and organisational arrangements embedded within Scotland's public bodies. As we show below, these embedded 'ways of doing' through which the FOISA is being implemented also include political sensitivities and judgements about the release of information.

This failure to embrace FOISA as a catalyst for change can be seen to some extent as a consequence of the lack of a democratic vision underlying both its enactment and its delivery, with emphasis being given instead to the more pragmatic concerns set out below. Here, our findings reflect those of Piotrowski and Rosenbloom whose study of public administration within the United States [2002] found that "*Freedom of Information illustrates the problem of protecting non mission-based, democratic-constitutional values in results-oriented public management*" [p.643]. This failure, we will argue also derives from a lack of strategic understanding of information as a corporate resource on the part of Scotland's public bodies, and of the opportunity for change that is presented by legislation that is intrinsically about information and its management. Thus, while our research shows that the majority of public bodies responding to our survey had an information policy in place, a number of these were narrowly focused upon Data Protection and/or FOI [Burt and Taylor, 2007], and in some cases the our respondent was unaware if an information policy existed at all.

The enactment and implementation of Scotland's freedom of information [FOI] legislation takes place against a wider backcloth in which the concept and principle of FOI is being recognised increasingly in international law. At the same time, the adoption of some form of FOI by national governments is becoming 'the norm' on the part of both developed and developing nations [Banisar, 2006; Blanton, 2006] as governments seek to enhance their standing, legitimacy, and trust within

the international community, with business, citizens, and other stakeholders including other governments and governmental institutions [Michael, 2006; Ackerman and Sandoval-Ballesteros, 2006; Blanton, 2002]. More specifically, within the UK and Scotland, FOI conveys opportunities to re-establish public trust in the institutions of government in the context of growing disengagement on the part of citizens in the formal democratic process [The Power Inquiry, 2006; Whiteley, 2003]. Thus, it brings new opportunities to strengthen the transparency and accountability of public institutions and to support the active engagement of citizens within the public policy and decision-making process. By making information more accessible and transparent within public bodies FOI also generates opportunities to manage information strategically in the interests of efficient and effective delivery of citizen-centric public services and public administration [Varney, 2006]. Viewed from a more overarching level FOI is pragmatically grounded, then, as one component aspect of the UK and Scottish Governments' ambitious modernisation programme for Government and public service and administration.

In the next sections of this paper we set out the research methods that underpinned our study together with our research findings as they relate to FOI's embeddedness within the administrative-political setting of Scottish public bodies. We conclude with a discussion of these findings and their implications for those charged with the delivery of FOI.

Research methods

The research methods underpinning our study involved a review of relevant literatures, a telephone survey of Scottish public bodies, and in-depth interviews presented in the form of 'case studies'.

The literature reviews, on-going throughout the research, engaged with academic papers, publicly available reports and commentaries, government papers, and the freedom of information legislation.

The telephone survey, conducted between 22 February and 9 May 2007, comprised the first fieldwork stage of the study. Its purpose was to map the extent and nature of new organisational arrangements being put in place by Scotland's public bodies to support the delivery of FOISA. The survey also examined whether [and in what ways] FOISA was perceived by respondents to have beneficial or problematic consequences for these bodies. The questionnaire employed in the survey invited responses to both semi-structured and open questions, with the latter providing opportunities for deeper explanatory and illustrative responses. To ensure high consistency throughout this research stage, with the exception of the Scottish Government agencies, the survey was undertaken by one member of the research team.

Four key institutional sub-sectors coming within the scope of FOISA formed the sample population for the telephone survey. The sub-sectors comprised Scottish Executive departments and agencies, local government, NHS boards, and the police forces. The intention was to undertake a census of each sub-sector, enabling 100% coverage of the sample population. In practice, high response

rates were achieved in all but one of the sub-sectors. 100% [N = 8] of police forces responded to our survey; 78.1% [N=32] of local government; 73.3% [N = 15] of NHS boards; and 34.6% [N=26] of Scottish Executive bodies. The overall response rate across the four sub-sectors was 65.4%.

The series of in-depth interviews that formed discrete institutional 'case studies' was undertaken between 22nd May and 24th July. These institutions were drawn from each of the sub-sectors sampled during the survey stage and comprised one police force, two local government, one NHS Board, and a Scottish Executive department and agency. Institutions participating in this stage of the research were selected for their considered assessments of the impact of FOISA upon their institutions, including their evaluation of the extent to which they perceived and employed the Act as a catalyst for organisational change. In the interests of consistency throughout this stage of the research each interview was attended by both lead researchers.

Administrative Imperatives and Political Settings in the Delivery of FOI

Our research examined whether (and in what ways) FOISA has acted as a catalyst for organisational change within Scotland's public bodies, with particular reference to the 'ownership' and management of information. It looked too at the benefits and problems generated by the Act, as perceived by research participants. In this section we set out our findings in respect of the four sub-sectors of public bodies that we examined.

Our findings are broadly comparable across the sub-sectors with local governments, health boards, police forces, and Scottish Government departments and agencies, with FOI clearly envisioned as an inherently administrative task [albeit with political judgments attaching] rather than as a

mechanism through which to generate strategic organisational change and/or fundamental change in both the spirit and practice of democracy.

Whilst the delivery of FOI was being managed differently across these bodies, of the 53 institutions responding to the telephone survey only 8 were operating wholly decentralised and relatively ad hoc arrangements for the receipt and processing of FOI requests. Of the more structured arrangements established to manage FOI the predominant model, operated by 38 public bodies, was in the form of a 'hub and spokes' arrangement. Broadly, this meant that FOI was supported by a dedicated Unit or Officer with responsibility for, and expertise, in FOI. The centralised FOI Unit or Officer would liaise with and provide support to designated 'FOI Lead Officers' situated within administrative and frontline departments. The FOI Lead Officers would also have relevant knowledge and expertise that they would bring to bear as the first port of call for colleagues receiving and responding to FOI requests within the departmental setting. More than half of the public bodies responding to the telephone survey reported that FOI had been absorbed into the existing staffing complement, with no new staff appointed. All of the remainder had appointed some new staff with 17 appointing 1 new full time or part-time equivalent staff member, though one body had appointed more than 5 new staff. Absorbing FOI within existing resources reportedly placed staff under particular pressure where complex time-consuming requests were perceived by staff to be drawing them away from the task that they had originally been employed to deliver.

There was a perception amongst respondents that FOI was one contributory factor amongst many generating a growing awareness of the importance of information as a corporate resource, and thereby lending new importance to the development of formal records management and information management policies, systems, processes, and procedures within Scottish public bodies.

Despite this recognition, however, evidence of strategic organisation-wide change in the way that information was managed was mixed, and such change as was introduced tended to be in the nature of administrative step-change that was of partial impact and effectiveness. Thus, for example, in one local government case study organisation software developed in-house to facilitate effective management and handling of FOI requests was not compatible with other software systems employed throughout the institution, thereby restricting the usefulness of the dedicated FOI software beyond the authority's centralised FOI Unit. Our second local government case study was attempting to channel FOI requests through a centralised contact centre, also with a view to more effective management and handling of requests and responses. Here too, though, legacy software systems limiting staff access to the institution's Information and Communications Technology [ICT] infrastructure, also resulted in limited administrative change. More than half of the local government respondents to the survey, for example, reported that existing ICT systems had either been adapted to support FOI or that they were attempting to work with existing ICT infrastructures. This suggests that the legacy ICT issues outlined here in respect of the two case study organisations will be pervasive throughout Scottish local government. Our evidence suggests that the police and health board case studies understood the significance of information as a corporate resource, but faced particular problems associated with their size and geographical fragmentation. These problems were exacerbated within the health board as a result of strongly embedded clinical and geographical autonomies. Within the police force, the situation was made more manageable due to the 'command and control' hierarchy and culture institutionalised within this setting. Clearly, ICT infrastructure development is one facet of information management. However, as an underpinning component of both the UK and Scottish Governments' modernisation programmes, failures to optimise capabilities in this respect inevitably impact upon the nature and effectiveness of information

and records management processes and practices in all their wider aspects within public bodies. FOI is especially vulnerable to such failures as it requires that the member of staff in receipt of an information request be able to locate and bring together information that may be disaggregated throughout the public body. Without a well managed and effective information and records management system in place, supported by an organisation-wide ICT infrastructure, responding to complex information requests that span more than one department is made difficult. Despite these issues 33 of the public bodies sampled reported their organisation as being more *internally* transparent as a result of FOISA, while 47 perceived their organisation to be more *publicly* transparent.

Under FOISA, any written request for information is an FOI request. However, the six case studies that we examined [drawn from the Health sector, the Police Forces, Local Government, and Scottish Government] displayed an isomorphic approach that distinguished 'FOI' or 'non-routine' requests from 'Business-as-Usual' [BAU] or 'routine' requests, and subjected requests categorised in these ways to different handling procedures and processes. Requests categorised as FOI tended to be complex to deal with, perhaps cutting across one or more 'information domains', or they were judged to be politically sensitive. Typically, BAU requests were straightforward, quick to deal with, and without political implications. These routine requests would be dealt with by the member of staff in receipt of the information request, without recourse to FOI Lead Officers, senior management, press officers or politicians. FOI requests would normally involve some or all of these actors. Whilst we found no evidence of the type of formalised, systematic, and sustained 'traffic lighting' system described by Alasdair Roberts [1998, 2005, 2006] in his study of the Canadian Government's processing of FOI requests, *prima facie* this separation of FOI and BAU requests permitted a considered and 'managed' response to some requests. Thus, press

offices might be informed of the impending release of information into the public domain, and in some circumstances would be actively involved in shaping the precise response given. Politicians might be similarly informed of the impending release of information, or they might be actively engaged in decisions on whether to release information, including the substance, timing, and nature of the release. This active involvement of politicians in decisions on release was unusual across our case studies, the exception being Scottish Government. The classification of media requests as FOI requests and the longer processing time this can imply, as reported by some case study organisations, can also lend itself to interpretation as a form of 'managed response'. 'Managed' release in the ways described does not necessarily imply actions against the spirit or the letter of FOISA, however. FOI is embedded within a political context and there are sound and legitimate reasons for active engagement on the part of press offices and politicians, not least in complex cases by providing the requestor with a more readily understood response that might otherwise be the case. This segmentation of requests suggests the need for a level of transparency regarding the reasons for, and nature of, that involvement in specific cases, however.

These, and other related issues were reflected in the case studies that supplemented the telephone survey. As it is beyond the scope of the paper to set out the six case studies in depth, we draw upon two contrasting studies to set out these issues, illustratively, below. The first case study is a large local government organisation, delivering FOI through decentralised ad hoc arrangements. The second is a geographically dispersed police force, delivering FOI through an increasingly centralised and formalised set of arrangements. To protect their anonymity, the names of the case study organisations concerned have been withheld.

Case A

Introduction

Case A is one of Scotland's larger local governments. Its approach to the implementation and delivery of FOI was predominantly informal and ad hoc.

Defining and counting FOISA requests

A large local government institution, Case A displayed considerable variation in the way that information requests defined and logged. According to one interviewee all written requests, including routine requests about services, were logged as FOI requests. Another interviewee indicated that while every request was understood to be an FOI request these were only logged as such if they were non-routine, or if the requestor had designated the request an FOI enquiry. We heard from another interviewee that some staff considered any request to be an FOI request, including those received by telephone. We were also informed that *"requests can sit on desks, as some staff don't realise that they are FOI requests [and must be responded to]"* [Interviewee, 2007]. Another interviewee told us that *"it's not always clear if it is a Business-as-Usual inquiry or a FOISA request. Business-as-Usual enquiries tend to be dealt with quickly. FOI requests are slower [to process]"* [Interviewee, 2007].

As with Case B [following] and all of our other case studies distinctions were being made here between types of requests, with those designated FOI subject to different logging and processing systems and protocols than those designated business as usual.

Organisational arrangements and information management

FOI is managed within Case A on a decentralised basis, with no officer or unit having overall responsibility for its implementation and delivery either at strategic or operational level. *"There is general support for FOI in principle, but*

organisational messiness and the silo culture are in the way. There needs to be senior management buy-in throughout departments and also at the highest corporate level, and an information policy for the Council” [Interviewee, 2007]. The process by which requests are handled by Case A is predominantly “*ad hoc and emerges out of the request, as there is no central department for FOISA. Cases are decided on a case by case basis” [Interviewee, 2007].*

‘Lead Officers’ who have been given FOI training, provide advice and support to other colleagues, often in addition to completing their substantive departmental tasks and responsibilities. These officers also have access to the authority’s central contact database and are responsible for logging requests received into their departments, unless the officer receiving the request also has access to the central database. However, where officers had no or limited access to the authority’s ICT infrastructure requests might be processed manually, without being passed to officers with online access, and thereby remaining outside the central logging and tracking system.

Initially, the authority was able to draw upon the expertise of an in-house lawyer whose interest in FOISA extended beyond his formal remit in overseeing FOI reviews. At the time of the research this employee had left the authority. There were no plans to appoint a replacement with FOISA expertise. The authority is seeking to implement a more systematic approach to its information and records management however, and its first Records Manager has been appointed at senior level.

Training was delivered to all of the authority’s staff in preparation for the implementation and delivery of FOISA. Guidance notes and information updates remain available on the authority’s intranet and are supplemented by relevant departmental reports and briefings. However, and as we have shown above,

"Staff are not as aware as they should be of what is a FOISA request and what to do procedurally. There is a need for on-going training to be prioritised. The guidance also needs to be reviewed two years on" [Interviewee, 2007]. 'There is also concern about lack of uniformity and consistency in interpretation and understanding of exemptions and what is releasable" [Interviewee, 2007].

The authority has significantly adapted its online customer relations management system to accommodate FOI, to the extent that it is *"considered a new system"* [Interviewee, 2007]. The 'contact centre' is the official logging point for requests, whether these are received directly from the public or forwarded by departmental receiving officers. *"We try to encourage people to go through the contact centre, so that the request can be captured on the system. This ensures there is an audit trail and that the request doesn't get lost. This is the preferred route"* [Interviewee, 2007]. It is accepted that the multiplicity of routes through which FOI requests are received into the authority mean that this is not a failsafe system, and that some requests will not be logged through the central contact centre database therefore. Requests come into the contact centre from members of the public in various ways, including completion of a hard copy FOI form, by letter, or through the web-based FOI form. *"The authority has an online request form that requestors can use if they wish. It's an attempt to be helpful. People like forms. The online form is well used and clearly encourages people to submit requests"* [Interviewee, 2007]. The central online database tracks the number of days that a request has been on-going, but does not provide automatic indication if the twenty day response time limit permitted under FOISA is over-run. The database also provides information about the request, including whether it has received a full or partial response and which exemptions have been applied. Request statistics are also generated through the database.

The lack of a formalised, systematic, and strategic approach to information management with Case A gives rise to considerable problems. Email presents a particular problem in relation to information and records management, for example. Officers tend to store emails on an *ad hoc* basis on their own PCs, rather than transferring them to a central folder structure within the organisation. This can lead to failure to provide information requested under FOI as the existence of these emails and the information therein is not known to other officers within the authority. A second issue for the authority is being able to demonstrate that they do not have requested information. Demonstrating to the Scottish Information Commissioner [SIC] that they do not hold relevant information can be onerous and time-consuming for staff. *"You would not lightly say that information is not held as the SIC asking for an audit trail is more hassle than providing the information in the first place...One audit trail involved thousands of pieces of paper"* [Interviewee, 2007].

Requests from politicians or journalists are dealt with in the same way as those received from members of the public. However, *"it may actually take longer to process requests from politicians now, if they ask for information under FOISA. If it's for their ordinary business and not for public consumption they are better not making it FOISA"* [Interviewee, 2007]. *"Media inquiries tend to be dealt with quickly. FOIs are slower. Sometimes journalists indicate if it is an FOI request. With FOIs more information and documentation is supplied. Also there is no analysis or interpretation offered with FOI responses. These are purely factual, with raw data provided"* [Interviewee, 2007]. Sensitive requests may require consultation with staff in the legal team or the press team, and senior managers and politicians may be kept informed. *"The press office needs to know what has gone out, so that they can alert politicians that a story may come out and can prepare to handle this. If it's judged that there may be a problem it will be*

alerted upwards. This is not with a view to stopping the response going out. It is for information" [Interviewee, 2007].

The impact of FOISA

FOISA is reinforcing the need for improved management of information and records within Case A. *"It has also provided an opportunity to reinforce existing openness. We have always been pretty open, but the employer/staff angle is marginally more open under FOISA. Externally, the authority makes information available now that would not have been available previously"* [Interviewee, 2007]. FOISA is not the only factor influencing change, though, and there is growing understanding within Case A of information as a corporate resource, requiring effective management irrespective of FOISA.

At the operational level, FOI has influenced the way that people communicate and record information within the authority. *"One thing people don't do now is record personal opinion. This is probably good as it removes potential for prejudicial view"* [Interviewee, 2007]. There has also been occasion when *"an FOI request changed internal policy on language use between staff"* [Interviewee, 2007]. Colleagues are perceived to be becoming more professional and objective in their communications as a result of FOISA.

Comment

Within this organisation FOI is clearly understood and performed as an administrative task, rather than perceived as a potential lever with which to bring about authority- wide strategic change. Furthermore, the ad hoc approach that this authority has taken to FOI and information management more broadly has made it difficult to manage these effectively.

Case B

Introduction

Case B is a large, highly geographically dispersed police force. Responsibility for FOI is clearly located at senior level within this organisation. Its approach to the implementation and delivery of FOI is highly formalised.

Defining and counting FOISA requests

Case B receives thousands of requests for information in any year on matters ranging from assaults on persons, to traffic incidents, road conditions, and lost property. The majority are 'routine' requests, considered 'business-as-usual' [BAU]. Complex, sensitive, or time-consuming requests, considered 'non-routine' and classified as 'FOI' requests, number around 1000 per annum. The classification of media requests as FOI requests meant that *"There has been a subtle change on the media side. This is slowed down by FOI. In the past we'd have answered right away. Now it goes into the FOI process"* [Interviewee, 2007]. As with the other case studies that we examined, Case B was clear that under FOISA all written information requests are to be understood as FOI requests.

Organisational arrangements and information management

With a view to streamlining the receipt and processing of requests, contact details for the FOI officer are clearly displayed on the public-facing website. [In the longer-term and with a view to more effective use of resources the intention is to make more information available through the public-facing website.] Requests are also received into Case B through other routes, including local police stations. On receipt of an FOI request, the contents are itemised by the

receiving officer. The request should then be notified to the FOI officer, centrally located within the organisation's headquarters. In practice some requests remain unknown to the FOI officer, with requests sent directly to the media department or to local stations being typical examples. The FOI officer records received requests on an Excel spreadsheet, using a colour-coded system for monitoring purposes.. The spreadsheet is checked daily. Hard copy files for each request are also maintained.

Requests that cut across operational domains are disaggregated by the FOI officer upon receipt, and questions are then forwarded to relevant officers for their response. Once completed, responses are collated by the FOI officer, and forwarded to the requestor. Where the nature of the information request is unclear the responding officer contacts the requestor with a view to clarifying the nature of the enquiry. If the request is difficult to answer, the officer will try to speak with the requestor so that the difficulty can be explained and where possible resolved. *"If you can phone the requestor, you can explain the problem and explain what you can supply. So, you avoid a negative tone that can be the case if you simply send a formal letter citing exemptions. Contact with the requestor, discussion..is vital"* [Interviewee, 2007]. One example was a request by a journalist that would have required officers to search 2,500 incident reports manually in order to identify the number of instances that a particular item ['xxxx'] was used as a weapon in assaults. In this instance it was explained to the journalist that, *"We do not record the instrument used in assaults as a search category on our database. Therefore, an electronic word search will throw up all instances of the word 'xxxx', not only its use in assaults. However, we could supply the information for one area covered by the force, as a local officer had actually researched this already"* [Interviewee, 2007].

Case B is setting-up a new information unit with the aim of managing information more effectively throughout this large, geographically spread organisation. In particular, the information unit is to enable a single corporate response to be made in situations where requestors are employing a 'round-robin' approach to asking the same question of different officers. The information unit should also assist in managing issues that cut across potentially conflicting legislation including data protection and FOISA. A key development that the information unit is keen to bring through within the next few years is an electronic database that will assist the management of FOI requests. The database will also enable the organisation's business units to identify [potentially] 'vexatious' requestors.

Managing FOI requests within the organisation is essentially an administrative process. However, as in other public bodies that we have looked at, it is also infused by judgements regarding the degree of political sensitivity attaching to requests and information. These judgements range from whether the request is a business-as-usual-inquiry, to whether and to what extent exemptions are to be applied, to the newsworthiness and sensitivity of released information, for example. In Case B, the administrative and judgemental processes sit within a clear command hierarchy in which designated responsibilities and upward accountabilities are well understood. The FOI officer discusses sensitive requests with his counterpart Data Protection officer who also has experience and expertise in FOI. Where appropriate, requests are also discussed with senior management. Depending upon the focus of the request additional support and advice is available from several sources including FOI-trained Special Branch Officers and Professional Standards Officers or through a specialist Central Referral Unit based in Hampshire.

It may be necessary to consult the Scottish Executive and the Home Office in some circumstances. Copies of sensitive responses are forwarded to the media department before release. The media department may decide upon a press release in advance of the response going out, *"to kill the story"* [Interviewee, 2007], or they may seek to *"put a positive perspective on release"* [Interviewee, 2007].

The centrally located FOI officer is supported by an FOI monitoring group, chaired by a senior member of staff. The group is charged with looking at how to improve the organisation's handling of, and performance on, FOI, given that operational policing is Case B's overall and clear priority. As preparation for FOISA every member of staff within Case B received training. Staff appointed post-FOISA receive training in data protection, security information, and FOI, delivered through Scotland's police training college.

The impact of FOISA

Case B is seeking to develop a more integrated, organisation-wide approach to managing information, supported by new ICT systems and a dedicated information management unit. While FOISA is one of the factors lending new significance within Case B to information and its management other important factors include the recommendations of the Soham murder inquiry chaired by Sir Michael Bichard [2004] and the development of a new police force-wide Scottish Intelligence Database that will require more standardised approaches to information management if it is to operate effectively.

Concluding comments

Being inherently about information, FOISA conveys especial opportunities within the broad programme of modernisation being taken forward by the UK and Scottish Governments to make public administration more economic and effective, and to improve the provision and delivery of public services [Varney, 2006]. If they are to be optimised, these modernisation aims require a new approach from public bodies to the management of information: one in which information is no longer 'captured' and 'owned' within discrete 'information domains' [Bellamy and Taylor, 1998] in ways reflective of the silo structures embedded within these organisations, but is managed as a 'corporate resource' based upon its 'shared ownership'. The level of integration necessary to support the effective delivery of FOISA within public bodies aligns with these modernisation imperatives to manage information transparently and effectively, as an organisation-wide, shared 'corporate resource', positioning FOISA, therefore, as a mechanism potentially with which to leverage strategic change. More broadly, in the manner of new initiatives in general, FOISA can be harnessed by senior management as a means to 'punctuate' and de-stabilise embedded organisational arrangements, so preparing the ground for change to be brought through [Baumgartner and Jones, 1993]. From each of these perspectives FOISA clearly presents opportunities for senior managers seeking to drive through strategic change within their organisations. Taken together, they present clear and strong opportunities to leverage and deliver change.

It is still relatively early days since the enactment of FOISA and it is to be expected that organisational arrangements put in place to support the

implementation and delivery of FOI will continue to be developed and refined in the longer-term. However, it is in the first moments of enactment [of any initiative] that the opportunity to de-stabilise or 'punctuate' the existing equilibrium exists. Moreover, the conceptualisation and embedding of FOI as predominantly an administrative task and function [albeit also infused with political imperatives] within the four sub-sectors of Scotland's public bodies that we have examined here, further weakens the opportunity to employ it strategically as a lever with which to bring about organisational change, including the erosion of established 'information domains'. Within Scotland's local government FOI sits subsumed within the Weberian 'iron cage' of bureaucratic-administrative rationality, contributing to incremental change in organisational arrangements, its strategic [and democratic] potential largely unacknowledged and untapped.

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ⁱ For critical discussion regarding the effectiveness of FOI in practice together with related questions about the nature and practice of 'open government', 'transparency', and democracy, see R.A. Chapman and M. Hunt [eds] [2006] *Open Government in a Theoretical and Practical Context*, Ashgate, Aldershot; and C. Hood and D. Heald [eds] [2006] *Transparency: The Key to Better Governance?*, Oxford University Press, Oxford.

*** Biographies**

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