Scottish Information Commissioner

Monitoring Model Publication Schemes 2016/17

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1 INTRODUCTION

Background

1.1 This report sets out key findings from the second audit exercise commissioned by the Scottish Information Commissioner (SIC) to monitor Scottish public authorities' implementation of the model publication scheme.

1.2 SIC is a public official responsible for enforcing and promoting Scotland's freedom of information (FOI) laws. This includes promotion of FOI laws to the public and other users, and supporting best practice amongst Scottish public authorities. A key aspect of SIC's work with public authorities has been the production of a model publication scheme to support authorities' in meeting their statutory obligations under the Freedom of Information (Scotland) Act 2002 (FOISA). The 'publication scheme' duty in FOISA requires Scottish public authorities to publish information proactively. Correct application of the SIC's Model Publication Scheme by an authority ensures that these statutory obligations are met.

1.3 The study assessed how well whether authorities are meeting their statutory publication duties by examining whether and what they are publishing through their Guide to Information, a central element of the model publication scheme. The audit built on a similar exercise undertaken in 2015/16.

Approach and sampling

1.4 The core elements of the study were conducted from mid-December 2016 to February 2017, and comprised:

    i. A web-based audit of publication scheme compliance by 70 public authorities. This exercise assessed the accessibility of each authority's Guide to Information, and publication of three specific types of information (decision making, open data, and re-use of information); and

    ii. Follow-up telephone or email contact with 36 of these 70 authorities. This exercise assessed authorities' provision of advice or assistance to members of the public seeking information made available through the publication scheme.

1.5 Together, these two strands of the study sought to provide a rounded picture of public authorities' implementation of the model publication scheme.

1.6   The selection of public authorities for inclusion in the study was a key element in ensuring this rounded picture. A total of 70 authorities were selected from the c250 public authorities and publicly-owned companies which contribute data to the SIC's statistics portal. This selection sought to broadly reflect the profile of public authorities which includes several distinct sectors, but also ensured that each sector was adequately represented to provide an indication of any variation in performance across sectors. Selection of authorities was random within sectors, consistent with the approach to the 2015/16 audit. This meant that all authorities within each sector had an equal chance of inclusion, irrespective of whether the authority was included in the previous audit.

1.7   Figure 1 below provides an overview of the authorities included in the study.

Figure 1: Profile of authorities included in the audit

Sector	Main web audit	Additional email & telephone contact
ALL AUTHORITIES	**70**	**36**
Central Government	4	3
Culture and Leisure Trusts	6	3
Educational Institutions	10	6
Local Government	18	10
National Health Service	10	6
NDPBs	15	7
Police Service of Scotland	1	
Publicly owned companies	5	1
Scottish Parliament	1	

2   THE PUBLICATION SCHEME AND GUIDE TO INFORMATION

2.1   The first section of the audit looked at access to authorities' Guide to Information. This included an assessment of the availability of the Guide to Information, experience of accessing the Guide, availability of the Guide in alternative formats, and provision of contact details to handle queries regarding the Guide to Information.

Key Findings: Guide to Information

The Guide to Information was easy to access from a large majority of authorities (58 of 70), similar to the results of the 2015/16 audit. The small number of authorities where the Guide was rated as difficult to access included 3 local government authorities, an educational institution, an NDPB and an NHS authority.

The great majority of the authorities included in the audit make their Guide to Information available online (66 of 70). Most of these authorities provide a link to the Guide from their homepage (56 of 66) and this is a slight improvement on 2015/16, although results were somewhat less positive than in 2015/16 on the effort required to access the Guide (67% within 3 clicks, compared to 80% in 2015/16).

Nearly all authorities providing the Guide to Information online offer information in alternative formats (64 of 66).

Availability online

2.2   The great majority of the authorities included in the audit make their Guide to Information available online; 66 of 70 authorities did this (94%), identical to findings from the 2015/16 audit. As shown at Figure 2 over the page, the four authorities for whom the Guide to Information was not available online at the time of the audit included two culture and leisure trusts, an NDPB, and a publicly owned company.

2.3   The majority of Guides to Information are made available as downloadable documents, with the remainder presented as webpage(s) to browse. As noted later in this report, in relation to specific classes of information, most Guides to Information include direct links to available information. This includes those presented as a document or a webpage.

Figure 2: Guide to Information available online?

Sector	Yes	No	ALL
ALL AUTHORITIES	**66**	**4**	**70**
	94%	**6%**	**100%**
2015/16 benchmark	**66 (94%)**	**4 (6%)**	**70**
Central Government	4		4
Culture and Leisure Trusts	4	2	6
Educational Institutions	10		10
Local Government	18		18
National Health Service	10		10
NDPBs	14	1	15
Police Service of Scotland	1		1
Publicly owned companies	4	1	5
Scottish Parliament	1		1

Accessing the Guide

2.4   The audit sought to gauge the experience that members of the public are likely to have in accessing the Guide to Information for each authority. This included a focus on potential "barriers" to access, such as whether there is a clear link to the Publication Scheme or Guide from the authority's homepage.[1] The audit also considered how many clicks are required from the homepage to get to the Guide, as an indicator of the perseverance required.

2.5   A large majority of authorities include a link to the Publication Scheme and/or Guide to Information on their homepage (56 of 70, 80%)). This is similar to, if slightly stronger than, findings of the 2015/16 audit which identified 52 (74%) authorities as including a link on their homepage.

2.6   The audit found some variation across sectors. In particular, websites for local government, National Health Service and central government authorities least likely to provide a link to the Guide to Information. However, it is notable that across all sectors, the majority of authorities included a link to their Guide to Information.

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[1] The audit identified that authorities can use the terms "Publication Scheme" and "Guide to Information" interchangeably to some extent, such that the Guide to Information document is sometimes labels as "Publication Scheme".

2.7   For the large majority of authorities, it is possible to click through from the homepage to access details of the Publication Scheme. This suggests that members of the public are likely to be able to access the Guide to Information with relative ease. However, as was found in the 2015/16 audit, variations in terminology and website structure still have the potential to create barriers for those navigating websites. A number of websites include a prominent link which is likely to be associated with the Guide to Information, for example 'Access to Information' or 'Freedom of Information'. However, other sites require users to click through links which are less obviously linked to access to information such as 'about us', 'contact us', 'A-Z services', and 'policies'. There is also significant variation in placement of these links, including some within a drop-down menu which is not apparent until the user hovers over the relevant subheading.

2.8   The remaining 14 authorities without a link to the Publication Scheme or Guide includes 4 who do not provide a copy of the Guide to Information online, and 10 for whom the website's search function is required to access the Guide to Information. In terms of ease of navigating the search function, it is notable that the Guide appears on the first page of search results for the great majority of these 10 authorities. However, this is dependent on members of the public searching for "Publication Scheme" or "Guide to Information". For example, the audit suggests that individuals' experience may be more challenging where they are searching for specific classes of information.

Figure 3: Guide to Information linked from homepage?

Sector	Linked	Search required	N/A	ALL
ALL AUTHORITIES	**56**	**10**	**4**	**70**
	80%	**14%**	**6%**	**100%**
2015/16 benchmark	**52 (74%)**	**14 (20%)**	**4 (6%)**	**70**
Central Government	3	1		4
Culture and Leisure Trusts	4		2	6
Educational Institutions	10			10
Local Government	13	5		18
National Health Service	8	2		10
NDPBs	13	1	1	15
Police Service of Scotland	1			1
Publicly owned companies	3	1	1	5
Scottish Parliament	1			1

2.9 Audit findings on the effort required by members of the public to access the Guide to Information also provide a broadly positive picture. The Guide can be accessed within 3 clicks for the majority of authorities (47 of 70, 67%), and in most cases can be accessed with 1 or 2 clicks. However, this is somewhat less positive than the 2015/16 audit which found that the Guide could be accessed within 3 clicks for 56 of 70 authorities (80%). There remain 19 of the 70 authorities where more significant effort is required to access the Guide to Information (4 clicks or more). This includes six local government, four NHS, three education institutions, and three publicly owned companies.

Figure 4: Number of clicks from homepage to access Guide to Information

Sector	1/2	3	4+	N/A	ALL
ALL AUTHORITIES	32	15	19	4	70
	46%	21%	27%	6%	100%
2015/16 benchmark	39 (56%)	17 (24%)	10 (14%)	4 (6%)	70
Central Government		2	2		4
Culture and Leisure Trusts	3	1		2	6
Educational Institutions	5	2	3		10
Local Government	10	2	6		18
National Health Service	2	4	4		10
NDPBs	10	3	1	1	15
Police Service of Scotland	1				1
Publicly owned companies	1		3	1	5
Scottish Parliament		1			1

2.10 The audit also sought to provide an overall measure of the extent to which members of the public would find it easy to access the Guide to Information. While this necessarily involved a qualitative judgement by the auditors, the ratings summarised at Figure 5 over the page also specifically take account of indicators discussed above in terms of whether the Guide to Information was linked from the homepage, the extent to which this link used clear terminology, and the number of clicks required to access the Guide to Information.

2.11 Overall, the Guide to Information is rated as easy to access for a large majority of authorities (58 of 70, 83%). This is similar to the results of the 2015/16 audit, with the majority authorities across all sectors rated positively. The small number of authorities where the Guide to Information was rated as difficult to access included three local government authorities, an educational institution, an NDPB and a National Health Service authority.

Figure 5: Ease of accessing Guide to Information

Sector	Very/Fairly easy	Neither/ Nor	Very/Fairly difficult	N/A	ALL
ALL AUTHORITIES	**58**	**2**	**6**	**4**	**70**
	83%	**3%**	**9%**	**6%**	**100%**
2015/16 benchmark	**56 (80%)**	**3 (4%)**	**7 (10%)**	**4 (6%)**	**70**
Central Government	3	1			4
Culture and Leisure Trusts	4			2	6
Educational Institutions	9		1		10
Local Government	14	1	3		18
National Health Service	9		1		10
NDPBs	13		1	1	15
Police Service of Scotland	1				1
Publicly owned companies	4			1	5
Scottish Parliament	1				1

Alternative formats, contact details for enquiries

2.12 Finally in relation to the Guide to Information, the audit sought to assess the likely experience of members of the public seeking to access the Guide in alternative formats, and raising other enquiries regarding the Guide.

2.13 Nearly all authorities who provide the Guide to Information online include an offer of information in alternative formats (64 of 66) – very similar to the 2015/16 audit. The Guides of one NDPB and one publicly owned company did not specifically include an offer of information in alternative formats.

2.14 The great majority of Guides (around 4 in 5) include a general statement adapted from the Scottish Information Commissioner's Model Publication Scheme, offering information via multiple routes. These typically included information via website or email, by post and in person.

Figure 6: Guide to information offers alternative formats?

Sector	Yes	No	N/A	ALL
ALL AUTHORITIES	**64**	**2**	**4**	**70**
	91%	**3%**	**6%**	**100%**
2015/16 benchmark	**65 (93%)**	**1 (1%)**	**4 (6%)**	**70**
Central Government	4			4
Culture and Leisure Trusts	4		2	6
Educational Institutions	10			10
Local Government	18			18
National Health Service	10			10
NDPBs	13	1	1	15
Police Service of Scotland	1			1
Publicly owned companies	3	1	1	5
Scottish Parliament	1			1

2.15 Again, nearly all of those providing the Guide to Information online include contact details for enquiries regarding the Publication Scheme, Guide to Information, and/or specific classes of information (65 of 66).   This is very similar to the 2015/16 audit. Only one publicly owned company does not include clearly marked contact details for enquiries.

2.16 The great majority of those providing contact details (63 of 65) include multiple options for members of the public wishing to make further enquiries, with 60 authorities including all three options listed in the Model Publication Scheme (postal address, telephone number and email). It is also notable that around a quarter of authorities also include a named contact for enquiries.

Figure 7: Contact details provided for queries?

Sector	Yes	No	N/A	ALL
ALL AUTHORITIES	**65**	**1**	**4**	**70**
	93%	**1%**	**6%**	**100%**
2015/16 benchmark	**65 (93%)**	**2 (3%)**	**3 (4%)**	**70**
Central Government	4			4
Culture and Leisure Trusts	4		2	6
Educational Institutions	10			10
Local Government	18			18
National Health Service	10			10
NDPBs	14		1	15
Police Service of Scotland	1			1
Publicly owned companies	3	1	1	5
Scottish Parliament	1			1

3   CLASSES OF INFORMATION: DECISION MAKING

3.1   This section presents findings in relation to the first of three specific aspects of the Publication Scheme included in the audit: information on decision making. This included an assessment of the availability of information on decisions, the ease of accessing this information, and the timeliness of available information.

3.2   The publication scheme duty in FOISA stresses authorities must have regard to the public interest in allowing access to the publication of reasons for decisions they have taken, and the facts and analysis that informed decisions of importance to the public. The SIC's Guide to the MPS lists decisions as a type of information authorities are expected to publish.

Key Findings: Decision Making

The great majority of authorities included reference to information on decision making in their Guide to Information (63 of 70). The remaining seven authorities include central government, an educational institution and an NDPB authority.

The great majority of respondents provided meeting minutes, agendas/reports and/or strategies/plans online (64 of 70), and more than half provide all three.

Information on decision making was rated as easy to access for most authorities (53 of 70). These include all NDPBs, Police Service and Scottish Parliament, and a large majority of National Health Service, local government and central government.

Availability online

3.3   The audit assessed the availability of information on authorities' decision making – including whether the Guide to information referred to this specific class of information (Figure 8 over the page) and the specific types of information available online (Figure 9).

3.4   The great majority of authorities include reference to information on decisions in their Guide to Information (63 of 70, 90%). Of the remaining seven authorities, four do not provide a copy of the guide to information online, and three do so but do not include specific reference to information on decisions. These authorities include central government, educational institution and an NDPB.

Figure 8: Guide to information includes Class 3: Decisions?

Sector	Yes	No	N/A	ALL
ALL AUTHORITIES	**63**	**3**	**4**	**70**
	90%	**4%**	**6%**	**100%**
Central Government	3	1		4
Culture and Leisure Trusts	4		2	6
Educational Institutions	9	1		10
Local Government	18			18
National Health Service	10			10
NDPBs	13	1	1	15
Police Service of Scotland	1			1
Publicly owned companies	4		1	5
Scottish Parliament	1			1

3.1 In terms of specific types of information on decisions, the audit focused on (i) minutes of meetings, (ii) meeting agendas and associated reports, and (iii) strategies, plans and other documents that set out how the authority will operate. The great majority of authorities provide at least one of these forms of information; 64 of 70 authorities provide one or more of these online, and more than half provide all three (39 of 70). Authorities providing all three forms of information on decision making include the majority of local government, National health Service and educational institutions. The six authorities for whom this information is not available online include three publicly owned companies, two culture and leisure trusts, and an NDPB.

3.2 In terms of specific types of information on decisions, the main points of note are:

- The great majority of authorities provide minutes of meetings online; 59 of 70 (84%). This includes all educational institutions and National Health Service authorities included in the study, and nearly all local government and NPDBs.

- More than half of authorities provide access to meeting agendas and associated documents online; 42 of 70 (60%). This is the case for all National Health Service authorities, and most local government and educational institutions.

- The great majority of authorities provide strategies, plans and other documents associated with how the authority operates; 59 of 70 (84%). Again this includes all National Health Service authorities, and the great majority of educational institutions, local government and NDPBs.

Figure 9: Information on decision making online?

Minutes of meetings	Yes	No	TOTAL
ALL AUTHORITIES	**59**	**11**	**70**
	84%	**16%**	**100%**
Central Government	3	1	4
Culture and Leisure Trusts	3	3	6
Educational Institutions	10		10
Local Government	17	1	18
National Health Service	10		10
NDPBs	13	2	15
Police Service of Scotland	1		1
Publicly owned companies	1	4	5
Scottish Parliament	1		1
Agendas and/or associated documents	**Yes**	**No**	**TOTAL**
ALL AUTHORITIES	**42**	**28**	**70**
	60%	**40%**	**100%**
Central Government	2	2	4
Culture and Leisure Trusts		6	6
Educational Institutions	6	4	10
Local Government	15	3	18
National Health Service	10		10
NDPBs	8	7	15
Police Service of Scotland		1	1
Publicly owned companies		5	5
Scottish Parliament	1		1
Strategies and plans	**Yes**	**No**	**TOTAL**
ALL AUTHORITIES	**59**	**11**	**70**
	84%	**16%**	**100%**
Central Government	4		4
Culture and Leisure Trusts	4	2	6
Educational Institutions	9	1	10
Local Government	15	3	18
National Health Service	10		10
NDPBs	14	1	15
Police Service of Scotland	1		1
Publicly owned companies	1	4	5
Scottish Parliament	1		1

Accessing information on decision making

3.3   As was the case in relation to the Guide to Information, the audit focused on a number of potential 'barriers' to members of the public accessing information on authorities' decision making. These focused primarily on whether there is a web link from the Guide to Information, and how many clicks are required to get to information on decisions from the homepage.

3.4   Around three quarters of authorities include a link to information on decision making from their Guide to Information (52 of 70, 74%). This is a positive finding in terms of the ease with which members of the public are likely to be able to access information on authorities' decision making. However, in a number of cases the weblink directs users to the authority's home page, where members of the public are likely to require additional effort to access the required information.

3.5   There was some variation across sectors in the extent to which authorities provide direct links to this information. The majority of National Health Service, NDPBs, local government, educational institutions, the Police Service, and Scottish Parliament provide direct links to information on decisions. Culture and leisure trusts were less likely to do so.

Figure 10: Information on decisions – web link from Guide to Information?

Sector	Yes	No	N/A	ALL
ALL AUTHORITIES	**52**	**11**	**7**	**70**
	74%	**16%**	**10%**	**100%**
Central Government	2	1	1	4
Culture and Leisure Trusts	2	2	2	6
Educational Institutions	7	2	1	10
Local Government	15	3		18
National Health Service	9	1		10
NDPBs	13		2	15
Police Service of Scotland	1			1
Publicly owned companies	2	2	1	5
Scottish Parliament	1			1

3.6   Experience in relation to the number of clicks required to access information on decision making was somewhat mixed. For half of all authorities, this can be accessed within 3 clicks (35 of 70). However, there remained 27 authorities, across a range of sectors, which require more time and effort of members of the public. This included a small number of cases where information on decision making requires relatively significant time to access, including more time-consuming browsing of webpages.

Figure 11: Information on decisions – number of clicks from homepage

Sector	1/2	3	4+	N/A	ALL
ALL AUTHORITIES	**13**	**22**	**27**	**8**	**70**
	19%	**31%**	**39%**	**11%**	**100%**
Central Government	1	1	2		4
Culture and Leisure Trusts	1	1	2	2	6
Educational Institutions	3	2	4	1	10
Local Government	2	5	9	2	18
National Health Service	2	5	3		10
NDPBs	4	6	4	1	15
Police Service of Scotland		1			1
Publicly owned companies		1	2	2	5
Scottish Parliament			1		1

3.7 Overall, information on decision making is rated as easy to access for around three quarters of all authorities (53 of 70, 76%). These include all NDPBs, Police Service and Scottish Parliament, and a large majority of National Health Service, local government and central government authorities. Only 7 authorities are rated as making it difficult for members of the public to access decision-making information. This profile of experience is broadly similar across specific types of information on decision making.

3.8 Figure 12 below provides further information.

Figure 12: Ease of accessing information on decision making

Overall	Very/Fairly easy	Neither/ Nor	Very/Fairly difficult	N/A	TOTAL
ALL AUTHORITIES	**53**	**6**	**7**	**4**	**70**
	76%	**9%**	**10%**	**6%**	**100%**
Central Government	3	1			4
Culture and Leisure Trusts	2	2	1	1	6
Educational Institutions	7	1	2		10
Local Government	14	2	2		18
National Health Service	9		1		10
NDPBs	15				15
Police Service of Scotland	1				1
Publicly owned companies	1		1	3	5
Scottish Parliament	1				1

Minutes of committee, board etc meetings	Very/Fairly easy	Neither/ Nor	Very/Fairly difficult	N/A	TOTAL
ALL AUTHORITIES	**51**	**1**	**7**	**11**	**70**
	73%	**1%**	**10%**	**16%**	**100%**
Central Government	2	1		1	4
Culture and Leisure Trusts	3			3	6
Educational Institutions	8		2		10
Local Government	13		4	1	18
National Health Service	9		1		10
NDPBs	13			2	15
Police Service of Scotland	1				1
Publicly owned companies	1			4	5
Scottish Parliament	1				1
Agendas and/or associated documents	Very/Fairly easy	Neither/ Nor	Very/Fairly difficult	N/A	TOTAL
ALL AUTHORITIES	**34**	**1**	**7**	**28**	**70**
	49%	**1%**	**10%**	**40%**	**100%**
Central Government	1	1		2	4
Culture and Leisure Trusts				6	6
Educational Institutions	4		2	4	10
Local Government	11		4	3	18
National Health Service	9		1		10
NDPBs	8			7	15
Police Service of Scotland				1	1
Publicly owned companies				5	5
Scottish Parliament	1				1
Strategies and plans	Very/Fairly easy	Neither/ Nor	Very/Fairly difficult	N/A	TOTAL
ALL AUTHORITIES	**52**	**-**	**7**	**11**	**70**
	74%	**-**	**10%**	**16%**	**100%**
Central Government	4				4
Culture and Leisure Trusts	4			2	6
Educational Institutions	7		2	1	10
Local Government	12		3	3	18
National Health Service	8		2		10
NDPBs	14			1	15
Police Service of Scotland	1				1
Publicly owned companies	1			4	5
Scottish Parliament	1				1

Timeliness, alternative formats

3.9   Finally in relation to information on decision making, the audit assessed the timeliness of the information available and the extent to which information is offered in alternative formats. The timeliness of information on decision making relates primary to minutes of meetings and agendas/associated documents – while the majority of authorities provide plans and strategies online, fewer of these documents have clear information on the most recent date of revision.

3.10   Audit findings are very positive on timeliness of decision making information. The great majority of the authorities providing meeting minutes and agendas/documents online included information for the most recent 2016/17 financial year (53 of 59).

3.11   The websites of relatively few authorities include specific reference to information on decision making being available in other formats. However, nearly all (61 of the 64 providing this information) include statements within their Guide to Information on access to information in alternative formats.

4   OPEN DATA

4.1   This section presents findings in relation to the second specific class of information included in the audit: authorities' approach to open data. This was a new class of information added to the Model Publication Scheme in 2016, and the Commissioner's guidance makes clear that authorities are expected to set out their approach to open data, and signpost to the open data that the authority publishes (authorities are expected to ensure this is part of their Publication Scheme by the end of 2017).

4.2   The audit assessed the extent to which authorities' Guide to Information includes reference to this new class of information, the quality of information provided on authorities' approach to open data, and whether authorities make their open data available online.

> ### Key Findings: Open Data
>
> A minority of authorities provided information online on their approach to open data (15 of 70). This included central government, educational institutions, local government, National Health Service, NDPBs and Scottish Parliament.
>
> For these authorities, the audit indicates a positive experience for members of the public. This information was relatively easy to access, whether this is included as a class of information within the Guide or accessed via the website's search function.

Availability online

4.3   The audit assessed the availability of information on authorities' approach to open data – whether this is specifically referenced in the Guide to information and/or provided via the authority's website (Figure 13 over the page).

4.4   A minority of authorities provide information online on their approach to open data. A little less than a quarter of authorities included in the audit provide this information (15 of 70, 21%). This includes authorities across a range of sectors; central government, educational institutions, local government, National Health Service, NDPBs and Scottish Parliament. Most authorities provide this information by including "Class 9: Open Data" in their Guide to Information, and a small number do not include the class of information within the Guide but include reference to open data on their website. Most of the 15 authorities providing information on their approach to open data also included specific reference to the Scottish Government's Open Data Resource Pack.

Figure 13: Guide to information/website includes reference to approach to open data

Sector	Guide to Information	Website	No	ALL
ALL AUTHORITIES	**12**	**3**	**55**	**70**
	17%	**4%**	**79%**	**100%**
Central Government	1	1	2	4
Culture and Leisure Trusts			6	6
Educational Institutions	2		8	10
Local Government	4	1	13	18
National Health Service	1		9	10
NDPBs	3	1	11	15
Police Service of Scotland			1	1
Publicly owned companies			5	5
Scottish Parliament	1			1

4.5   A small number of authorities provide links to their open data online; 7 of the 16 authorities who provide information on their approach to open data also make their open data available online. This includes four local authorities, a central government authority, the Scottish Parliament, and an NDPB authority.

4.6   For the minority of authorities providing information on their approach to open data and/or providing access to their open data, the audit indicates a positive experience for members of the public. This information was relatively easy to access, whether this is included as a class of information within the Guide or accessed via the website's search function. Moreover, most of these authorities provided good quality information on their approach including for example reference to national policy/guidance and the Scottish Government's Open Data Resource Pack.

5   RE-USE REGULATIONS

5.1   This section presents findings in relation to the third specific class of information included in the audit: re-use regulations. The Re-use of Public Sector Information Regulations 2015 are intended to encourage re-use of public sector information, by individuals or other organisations. The Commissioner's Model Publication Scheme guidance states that authorities are expected to include a statement of copyright and re-use of information within the Guide to Information.

5.2   The audit assessed the extent to which authorities include a statement on copyright and re-use within their Guide to Information and/or their website. This included providing an indication of the likely experience of members' of the public seeking to re-use published information - for example the effort required to find a statement on re-use, and information provided on how to make a request to re-use information.

Key Findings: Re-Use Regulations

32 of these 33 authorities subject to re-use regulations provided their Guide to Information online, and all included reference to copyright and/or re-use.

The majority of these authorities used standard text adapted from the Model Publication Scheme, and a minority also make specific reference to Re-Use Regulations.

The audit indicates that members of the public are unlikely to experience significant barriers to accessing information on copyright and re-use of data.

5.3   The Re-Use Regulations do not apply to all public authorities; 33 of the 70 authorities included in the audit are subject to the regulations and the reference to re-use of information was assessed for these authorities only.

5.4   32 of these 33 authorities provide their Guide to Information online, and all of these include reference to copyright and/or re-use within the Guide. The authority which does not provide the Guide to Information online does not include reference to copyright or re-use on their website.

5.5   The majority of the 32 authorities including reference to copyright and/or re-use within the Guide to Information use standard text adapted from the Model Publication Scheme. This indicates the circumstances where published information can be copied or reproduced without formal permission. A minority of these authorities also make specific reference to the Re-Use Regulations, including a small number where reference is made to the authority having developed a specific policy to re-use of information.

5.6   Reflecting the positive experience of accessing authorities' Guide to Information (see Section 2), the audit indicates that members of the public are unlikely to experience significant barriers to accessing information on copyright and re-use of data:

- For the majority of the 32 authorities providing their Guide to Information online, information on copyright and re-use could be accessed within 3 clicks from the homepage. Only three authorities required significant time or effort to access this information.

- All 32 authorities also include contact details for enquiries regarding the Guide to Information, including a small number who provide information on how re-use requests will be handled and a specific contact to deal with re-use requests.

6 ADVICE AND ASSISTANCE

6.1 This final section presents findings in relation to authorities' response to requests for assistance in relation to information made available under their Publication Scheme.

6.2 As is set out in section 1 of this report, the study incorporated an additional "mystery shopper" element to gauge the quality of assistance provided by authorities. This involved email and telephone requests for information being issued to a total of 36 authorities, a subset of the 70 authorities included in the main audit work. The selection of authorities was informed by audit findings in relation to the Guide to Information and availability of specific classes of information – this included a mix of authorities where issues were identified, and others which met required standards. The selection of authorities also sought to ensure a cross section of authority types.

6.3 The email and telephone requests focused on a mix of decision making, open data and re-use requests information, including:

- 14 enquiries requesting information on decision making processes;
- 13 enquiries asking what information authorities provide as open data; and
- 11 enquiries asking how to make a re-use request.

6.4 Our assessment of authorities' response to these enquiries is provided over the following pages.

Key Findings: Advice and Assistance

Email and telephone requests for information were issued to 36 of the 70 authorities included in the audit.

A response was received to 16 of the 20 email enquiries, all well within the 4 week time period allowed for responses. The four cases where no response was received were all enquiries related to open data and included NHS, local government and NDPBs.

Of the 16 telephone queries made, 15 were answered. The enquiry was answered in 10 of these cases, around two thirds of all calls. The 5 answered calls where the enquiry was not resolved included 3 relating to open data, and reflected wider experience that authorities had more difficulty answering queries on open data.

Response to email queries

6.5   A total of 20 email enquiries were made to authorities, including a mix of requests for decision making, open data and re-use requests information.

6.6   A response was received in relation to 16 of the 20 email enquiries. The four emails where no response was received were all enquiries related to open data and included National Health Service, local government and NDPB authorities.

6.7   In terms of the timeliness and quality of email responses, audit findings were positive:

- 13 of the 16 responses were received within a week of the initial email enquiry – including 10 received within 1 day. The remaining three responses were all received within 3 weeks of the initial enquiry.

- All 16 responses answered the enquiry fully. Nearly all responses provided the information requested and/or provided a link to the information. It should be noted that this included a number of organisations where the response stated that for example all published data can be re-used, or that the authority does not publish any information as open data. The remaining response advised that the requested information is available online, but did not provide more specific directions.

Response to telephone enquiries

6.8   A total of 16 telephone enquiries were made to authorities. This included a range of authority types and a mix of requests for information on decision making, open data and re-use.

6.9   Of the 16 telephone queries made, 15 were answered. The one call which was not answered was to a culture and leisure trust which went to voicemail.

6.10   Of the 15 answered calls, the member of staff answering was able to provide a response to the query in 8 cases. In the remaining 7 cases the experience was somewhat mixed; in two cases the call was passed to a member of staff who was able to provide a response, in three cases the person answering the call took a message or a message was left on a voicemail system, in two cases we were asked to email the request to a specific contact, and in one case the query could not be resolved.

6.11   In terms of the quality of response, the enquiry was answered in 10 cases – equivalent to around two thirds of all calls. The five answered calls where the enquiry was not resolved included three enquiries regarding open data, and reflected our wider experience that authorities had more difficulty answering queries on open data. This included two calls where we were asked to email the enquiry, two where a promised return call was not received, and one where the member of staff indicated that the authority was not subject to Open Data guidance.

6.12   The 10 enquiries which received a response included eight cases where our mystery shopper was advised of where to find or how to request the required information, one where the question (on re-use of information) was answered over the phone, and one where a copy of the requested information was sent directly to the caller.

6.13   Across all answered calls, staff manner was rated positively. However, the exercise did identify some variation in the quality and depth of information provided, including one call where it appeared that the member of staff provided incorrect information. To some extent this appeared to reflect variation in awareness of the Publication Scheme and the specific classes of information requested – this appeared to be a particular issue in relation to Open Data. For example, relatively few queries were resolved without the member of staff having to check procedures. These were clearly positive experiences in terms of service quality, but illustrate the time and effort that may be required of members of the public in resolving these queries.