

Report to:	MSMTM
Report by:	Paul Mutch, Deputy Head of Policy and Information (DHOPI)
Meeting Date:	12 July 2024
Subject/ Title: (and VC no)	2023-24 Communication and Engagement Framework Performance Report (VC210230)
Attached Papers (title and VC no)	Scottish Information Commissioner's Communication and Engagement Framework (VC176660)

Purpose of report

1. To provide the annual report of performance in 2023-2024 against the measures in the Scottish Information Commissioner's ('the Commissioner') Communication and Engagement Framework 2020-2024, in line with the Commissioner's governance reporting arrangements.

Recommendation and actions

2. It is recommended that:
 - The Senior Management Team (SMT) notes the contents of this report
 - This report is published in full as set out in the publication section of this report.
 - The lifespan of the Communications and Engagement Framework 2023-24 is extended by a further year to 31 March 2025, to support the development of an effective framework for the next phase of the Commissioner's activity.
 - The 'FOI Understanding' measure of public awareness is removed from the Communications and Engagement Framework measures for 2024-25.

Executive summary

3. This document reports on the Commissioner's progress during 2023-24 in relation to communication activity, measured against the performance measures contained in the Commissioner's Communication and Engagement Framework 2020-2024.
4. The Commissioner has statutory duties to promote Freedom of Information law, contributing to openness and transparency in Scottish public authorities, including assessing, promoting and monitoring practice, alongside giving advice and assistance about access to information under FOI legislation.
5. The Commissioner's Communication and Engagement Framework 2020-2024 was developed to support the Commissioner's Strategic Plan 2020-2024, setting out a communication and engagement strategy to support the delivery of the objectives set out in the Strategic Plan.
6. While the Communication and Engagement Framework was designed to cover the period between 2020-2024 a number of factors, including the impact of the Covid-19 pandemic and subsequent resource challenges contributed to delays in the approval and implementation of the Framework. The Framework was approved in May 2022.

7. The Communication and Engagement Framework has nine current indicators to support the evaluation of the Framework (measurement against a tenth - relating to the implementation of inclusive communication solutions - was discontinued in 2022-23. The discontinuation of this measure arose from the absence of a tangible, measurable outcome, although inclusive communication solutions continue to be implemented as part of 'business-as-usual' activity).
8. Our current live indicators set out that the following should be achieved / maintained by 31 March 2024:
 - FOI awareness at 90% and above and FOI understanding at 75% or above, as measured by omnibus polling
 - At least one successful campaign or initiatives per year from 2022-23 onwards, increasing FOI awareness amongst those known to have lower levels awareness/understanding, such as young people
 - FOI practitioners reporting confidence in their FOI skills increases by 10% (from baseline to be captured in 2021 with survey)
 - Increase subscribers to newsletter (from 360 to 800)
 - 80% or more of participants/attendees in training, events or presentations given across each year report main learning goal set for the session achieved (such as increase understanding of FOI, increase confidence in dealing with FOI requests)
 - 90% or more of proactive news media engagement across each year results in top two key messages appearing in target publications
 - Increased unique visits and page views on website by 20% from 2020-21 baseline
 - Average engagement rates of 1.5% and above for posts on Twitter (and equivalent for any other social media channels utilised)
 - Average of 85% or more of targets set for views, engagement with or downloads of resources, reports and campaigns are met across each year
9. Progress against each of the above measures over 2023-24 is summarised below.

2023-24 Performance against 2020-2024 Communication and Engagement Framework Measures

Measure (to be achieved / maintained by 31 March 2024)	Status	2023-24 performance
(i) FOI awareness at 90% and above and FOI understanding at 75% or above, as measured by omnibus polling	Not achieved	FOI awareness: 88% FOI understanding not captured in 2023-24 polling
(ii) At least one successful campaign or initiative per year from 2022-23 onwards, increasing FOI awareness amongst those known to have	Achieved	<ul style="list-style-type: none"> • A number of awareness-raising initiatives were undertaken across the year

lower levels awareness/understanding, such as young people		
(iii) FOI practitioners reporting confidence in their FOI skills increases by 10% (from baseline to be captured in 2021 with survey)	Not achieved	<ul style="list-style-type: none"> • Baseline captured in 2021 with 67% of practitioners reporting they are 'confident' or 'very confident' • 2024 follow up survey found that the proportion of respondents reporting 'confident' or 'very confident' remained static at 67%.
(iv) Increase subscribers to newsletter from 360 to 800)	Achieved	873 active subscribers at 31 March 2024
(v) 80% or more of participants/attendees in training, events or presentations given across each year report main learning goal set for the session achieved (such as increase understanding of FOI, increase confidence in dealing with FOI requests)	Achieved	Centre for FOI Conference 2023: <i>The Conference gave me a better understanding of FOI issues: 94%</i> <i>I learned something to help me in my job: 97%</i>
(vi) 90% or more of proactive news media engagement across each year results in top two key messages appearing in target publications	Not achieved	Proactive engagement undertaken in relation to: <ul style="list-style-type: none"> • SG assessment report • Status of 'non-corporate' messaging tools • SG intervention on 'informal communications' Targets achieved for only the latter two engagements, so 66% rate achieved.
(vii) Increased unique visits and page views on website by 20% from May 2022 baseline	Achieved	March 2024 saw a 67% increase in users from May 2022 and a 35% increase in pageviews.
(viii) Average engagement rates of 1.5% and above for posts on Twitter (and equivalent for any other social media channels utilised)	Achieved	March 2024 saw a 3% engagement rate. Engagement across 2023-24 averaged at 3.7%
(ix) Average of 85% or more of targets set for views, engagement with or downloads of resources, reports and campaigns are met across each year	Achieved	Four resources tracked: <ul style="list-style-type: none"> • SG intervention assessment report: 73% of target achieved • 2022-23 Annual Report: 41% of target achieved • Holyrood Conference workshop report: 162% of target achieved

		<ul style="list-style-type: none"> • New approach to FOI appeals guidance: 110% of target achieved. <p>Total average of target achieved: 97%</p>
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10. Progress against each of these measures over 2023-24 is discussed in more detail below. Proposals for amendment to measures and / or further work required by the Policy and Information Team are also detailed below, where relevant.

11. Areas proposed for amendment or action include:

- **It is recommended that the lifespan of the Communications and Engagement Framework 2020-24 be extended by a further year to 31 March 2025, to support the development of an effective framework for the next phase of the Commissioner's activity.**
- **It is recommended that the 'FOI Understanding' measure of public awareness is removed from the Communications and Engagement Framework measures for 2024-25 (see Measure (i) below).**
- **The Policy and Information Team will ensure that appropriate learning goals are set for relevant training and events where the Commissioner has an active role in setting goals, and that associated evaluation is carried out (see Measure (v)).**
- **It is recommended that the current target of 90% or more of proactive news media engagement across each year resulting in top two key messages appearing in target publications is amended for 2024-25 to a target of 75% (see Measure (vi)).**
- **The Policy and Information Team must to consider whether proactive media engagement is appropriate in relation to relevant project work and organisational outputs.**
- **Policy and Information Team to develop a template to support recording of engagements and impact (see Measure (vi)).**
- **Policy and Information Team to develop template resources to support the effective setting, reporting and recording of engagement with resources (see Measure (ix)).**

Performance in detail

Measure (i): FOI awareness at 90% and above and FOI understanding at 75% or above, as measured by omnibus polling

Performance against this measure

12. Measure was **not achieved**.

- **FOI awareness was reported at 88%**

Our most recent omnibus polling, which surveyed 1,279 members of the public between 11 and 15 March 2024, found that 88% of respondents reported they had heard of Scotland's FOI Act. This represents a slight fall in recent years, with awareness reported at 89% in 2022 and 91% in 2019.

Awareness data is drawn from those respondents indicating that they have either 'definitely' heard of the FOI Act, or those who indicate they 'think so'. It is worth noting that the proportion of respondents who reported they had 'definitely' heard of FOI has remained constant between 2022 and 2024, at 65%. This figure also represents a sustained increase from the 59% level of 'definite' awareness reported in 2019.

However, at 88%, levels of overall awareness fall slightly below our target of 90%.

- **FOI 'understanding' was not captured in 2023-24**

The question which had previously been designed to capture FOI 'understanding' was not asked during our 2024 polling.

This question was dropped as a result of concern over whether the question which had previously been asked was an accurate measure of FOI 'understanding'. This question asked respondents to rate their awareness of their "rights to ask for information from public bodies". It was felt, however, that this question was an unreliable measure of FOI 'understanding' in that it would, for example be as likely to capture awareness and understanding of data protection rights, without any measure of the extent to which understanding of data protection rights were separate and distinct from the rights provided under FOI law.

While efforts were made to draft alternative questions which more accurately and distinctly measured 'FOI understanding', there was a concern that similar issues would persist, so the decision was made to drop this question from the 2023-24 research.

Further consideration will be given to an appropriate measure of FOI understanding (or equivalent) as the next iteration of the Commissioner's Communications and Engagement Framework is prepared.

In the meantime, it is recommended that 'FOI Understanding' is removed as a measure for the 2024-25 Communications and Engagement Framework.

Relevant communications and engagement activity planned for 2024-25:

13. Work planned for 2024-25 includes:

- 20th anniversary of FOI events to promote awareness and use of FOI rights, including case study development.
- Activity to promote FOI awareness to children and young people - including potential co-production of resources
- Review of Your Right to Know and related resources, text and approach
- Delivery of events to promote the effective use of FOI rights
- Refreshed and renewed activity on social media, including twitter / x and LinkedIn

- Rebranding and relaunch of website, including launch of interactive FOI statistics portal.

Measure (ii): At least one successful campaign or initiative per year from 2022-23 onwards, increasing FOI awareness amongst those known to have lower levels of awareness/understanding, such as young people

Performance against this measure

14. Measure was **achieved**.
15. A number of activities were carried out to raise FOI awareness, or support the effective access and use of FOI rights, among relevant groups. These included:
 - A December 2023 online FOI awareness-raising and consultation session with Members of the Scottish Youth Parliament, as part of the Scottish Youth Parliament's December sitting (see VC210168 (session outline), VC199139 (presentation slides), VC 210169 (summary report))
 - A 'video interview' session with the Scottish Information Commissioner, promoting FOI and FOI rights to the gypsy-traveller community.
 - An online awareness-raising workshop, promoting FOI rights to the tenants of housing associations, in partnership with the Tenant Participation Advisory Service (TPAS) Scotland (VC199205 (presentation slides))
 - A workshop with FOI practitioners at the Centre for FOI 2023 Conference, focussed on ensuring that practitioners think about communications with requesters, and how they can ensure that FOI 'entry-points' and subsequent correspondence is as open, clear and helpful as possible to support the exercise of rights by under-served groups (VC192750 (presentation slides))

Relevant communications and engagement activity planned for 2023-24:

16. Work planned includes:
 - 20th anniversary of FOI events to promote awareness and use of FOI rights, including case study development.
 - Activity to promote FOI awareness to children and young people - including potential co-production of resources
 - Review of Your Right to Know and related resources, text and approach
 - Easy-read version of Your Right to Know
 - Refreshed and renewed activity on social media, including twitter / x and LinkedIn

Measure (iii): FOI practitioners reporting confidence in their FOI skills increases by 10% (from baseline to be captured in 2021 with survey)

Performance against this measure

17. Measure was **not achieved**.
18. The baseline measure captured in February 2022 found that 67% of respondents reported that they were 'confident' or 'very confident' that they had the skills and knowledge to be an effective FOI practitioner. This survey gathered data from 195 practitioners across various sectors.
19. This question was asked again during a follow-up survey of FOI practitioners in March 2024. This survey attracted 99 responses, again from various sectors.
20. Comparative data is shown in the table below:

To what degree do you feel confident you have the skills and knowledge required to be an effective FOI practitioner?

Confidence Level	2022	2024
Very confident	23%	18%
Confident	44%	49%
Somewhat confident	27%	27%
Not at all confident	4%	5%

21. The aim of increasing confidence levels by 10% has therefore not been achieved, with 67% of respondents across both surveys reporting that they were confident or very confident. There was also a fall in the proportion of respondents reporting they were 'very' confident in response to the 2024 survey.

Relevant communications and engagement activity planned for 2023-24:

22. Work planned for 2023-24 to support FOI practitioners and build confidence levels includes:
 - Programme of events for FOI practitioners, including Centre for FOI, Holyrood, eCase FOI Awards and Conference
 - Development and delivery of a new programme of online FOI 'webinars'
 - Continued support of FOI network groups, alongside support for development of new groups
 - Increased sharing of good practice content, including through articles, videos and publication of presentations
 - Ongoing interventions activity and sharing of lessons learned
 - Review of self-assessment toolkits
 - Improved presentation and accessibility of website content
 - Refreshed and renewed activity on social media, including twitter / x and LinkedIn.

Measure (iv): Increase subscribers to newsletter from 360 to 800

Performance against this measure

23. This measure was **achieved**. There were 1,051 total subscribers at 31 March 2024, for whom **873** successful sends were achieved during our newsletter mail out on 22 March 2024 (successful sends will exclude 'inactive' recipients and contacts who have unsubscribed).
24. Recent subscriber growth is shown in the following table:

Date sent	Apr 23	May 23	Jul 23	Aug 23	Sep 23	Oct 23	Nov 23	Dec 23	Mar 24
Total sends	808	842	882	899	933	957	973	994	1,051
Successful sends	733	752	760	767	792	810	813	828	873

Relevant communications and engagement activity planned for 2023-24:

25. Work planned for 2023-24 includes:
- Continued preparation, circulation and promotion of Open Update email newsletter.

Measure (v): 80% or more of participants/attendees in training, events or presentations given across each year report main learning goal set for the session achieved (such as increase understanding of FOI, increase confidence in dealing with FOI requests)

Performance against this measure

26. This measure was **achieved**.
27. The August 2023 Centre for FOI Practitioners' Conference, which was planned in partnership with the University of Dundee Law School, was the key event in 2023 where the SIC had a role in setting the learning goals and reviewing the evaluation of the event.
28. Learning goal evaluation for the event was as follows:

	Strongly agree	Agree	Total agree
The conference gave me a better understanding of issues related to FOI in Scotland	60%	34%	94%
I learned something during the conference which would help me do my job	74%	23%	97%

29. No respondents disagreed with the above questions. Responses were also significantly more positive than those achieved for the 2022 conference, where the 'total agree' figures for the above two questions were 76% and 74% respectively. It should be noted, however, that the 2022 event was held online, with the event featured a number of technical problems, which impacted on the event evaluation.
30. The full Centre for FOI 2023 conference evaluation report is available in VC195188.
31. **The Policy and Information Team will ensure that appropriate learning goals are set for relevant training and events where the Commissioner has an active role in setting goals, and that associated evaluation is carried out, where relevant.**

Relevant communications and engagement activity planned for 2024-25:

32. A range of events are planned for 2024-25, including:
- Pilot a series of online lunchtime webinars for FOI practitioners and other stakeholders
 - Good practice resources, guidance and case studies for authorities – maintain develop and promote
 - Interventions to improve performance and promotion of good practice
 - Commissioner meetings with senior management
 - Self-assessment toolkit review.

Measure (vi): 90% or more of proactive news media engagement across each year results in top two key messages appearing in target publications

Performance against this measure

33. This measure was **not achieved**.
34. Proactive news media engagement was undertaken in relation to three pieces of work. These were:
- *October 2023* – publication of Scottish Government intervention assessment report
 - *November 2023* – issue of statement on the status of ‘non-corporate’ messaging tools under FOI
 - **February 2024** – launch of intervention to improve Scottish Government approach to informal communications under FOI law.
35. For each of the above engagements, our target was to have our key messages reported in the Herald, Scotsman, and BBC online.
36. This target was achieved for our latter two engagements but not for our October 2023 engagement. As a result, a 66% rate was achieved.
37. There are a number of factors which will have impacted on the failure to meet the target in relation to our October 2023 engagement. These include:
- Resource challenges faced at the launch of the report – including a departing Commissioner, significant annual leave within the team and a number of competing priorities, which led to a limited amount of resource available to promote our news release and key messages.
 - The ‘mixed’ messaging within the report, with the report highlighting both a period of poor performance, and a more recent period of substantial and significant improvement. While this was good news for the progression of the intervention, this messaging consequently will have had a lower ‘news value’ in the eyes of editorial staff.
 - Significant external news events – the report was launched at a time when there were a number of significant events taking place which dominated the news agenda at that time. This included the October 7 attacks which took place in Israel, and the subsequent response.

Relevant communications and engagement activity planned for 2024-25:

38. Activity planned for 2023-24, includes:

- Continued appropriate, targeted media engagement
- Training and engagement with media organisations, including content delivery from journalists at the May 2024 Part 7 Network meeting and presentations at the Local Democracy Reporting Service annual training event.
- Media training to be sourced and delivered to P&I Team

Additional actions for 2024-25

39. Policy and Information Team to consider whether proactive media engagement is appropriate in relation to relevant project work and organisational outputs. Where proactive media engagement is carried out, Policy and Information Team to record details of that engagement, including details of:

- Scope of engagement (who was approached)
- Key messages communicated
- Impact of engagement (what was reported)

40. Policy and Information Team will develop a template form to support this activity.

Recommendation for 2024-25 Reporting

41. Given the external variables which are beyond the Commissioner's control - including the external news agenda and the perception of the news 'value' of our communications within newsrooms, **it is recommended that our ambitious target of 90% or more of proactive news media engagement across each year results in top two key messages appearing in target publications is amended for 2024-25 to:**

75% or more of proactive news media engagement across each year results in top two key messages appearing in target publications

42. The amendment of this target will both enable a more realistic target to be set which recognises the external factors that can impact on successful coverage, while also reducing any associated risk of activity not being actively promoted where this a concern we may not achieve our target in relation to that activity.

43. **It is also proposed that the appropriate measure for this element of our framework is further considered and reviewed for future iterations of the framework, to ensure the measure is appropriate and effective.**

44. **The Policy and Information Team should also consider whether proactive media engagement is appropriate in relation to relevant project work and organisational outputs. Policy and Information Team also to develop a template to support recording of engagements and impact.**

Measure (vii): Increase unique visits and pageviews on website by 20% from May 2022 baseline

Performance against this measure

45. This measure was **achieved**.
46. This measure was amended in 2022-23 to enable progress to be measured from May 2022, to coincide with the launch of our new website. This change was required partly as a result of the reliability of user data available in relation to the previous version of our website.
47. Data on unique visits and pageviews on our website is shown against the May 2022 baseline in the table below. This data is shown with both a comparison against a single month (March 2024) and over a 6-month period (Oct-23 to Mar-24) to ensure that a comparison against a single month does not disproportionately skew measurement against the success criteria:

	May 2022 baseline	March 2024	% change	6-month average (Oct-23-Mar-24)	% change
Users	2,860	4,786	+67%	4,603	+61%
Pageviews	16,906	22,847	+35%	21,570	+28%

48. While this data represents a significant increase from the May 2022 baseline, it should be noted that this increase was supported by a range of high-profile activity. This included the appointment of a new Commissioner, the launch of a new intervention to drive improvement in Scottish Government performance in a topical area, and the issuing of a significant ruling by the Court of Session.
49. It is likely to remain challenging for this level of engagement to be sustained into the future. I therefore recommend that the current measure be retained across 2024-25, with a view to reviewing appropriate measures in the next iteration of the Framework.

Relevant communications and engagement activity planned for 2024-25:

50. Activity planned for 2024-25, includes:

- New domain and branding across the website
- Launch of interactive statistics portal
- Ongoing management and promotion of content on the website
- Ongoing activity on social media (directing users to website content)
- Ongoing issue of email newsletter (directing recipients to website content).
- Development of good practice resources, guidance and case studies
- Delivery of programme of events (with appropriate links to website)
- Promotion of 20th anniversary case studies, events and resources.

Measure (viii): Average engagement rates of 1.5% and above for posts on Twitter / X (and equivalent for any other social media channels utilised)

Performance against this measure

51. This measure was **achieved**.
52. Over the year we issued 177 posts to our followers, with posts focussed on a range of content, including newsletter promotion, promotion of the EIRs and the proactive publication duty,

highlighting of key messages from reports and publications and the promotion and live tweeting from events.

53. Our performance over 2023-2024 was as follows:

	2023-24 Q1	2023-24 Q2	2023-24 Q3	2023-24 Q4	2022-23 Total
Tweets	28	45	55	37	177
Average Engagement Rate	4.1%	3.6%	3.7%	2.7%	3.7%

54. **Our goal of an average engagement rate of 1.5% and above was therefore achieved.**

55. Our 2023-24 engagement rate also represents an increase on our average engagement rate of 3.4% in 2022-23, and 1.9% in 2021-22.

Relevant communications and engagement activity planned for 2023-24:

56. Activity planned for 2023-24, includes:

- Increased activity on social media, including increased activity on LinkedIn
- Active monitoring of engagement with LinkedIn content
- Ongoing management and promotion of content on the website
- Ongoing issue of email newsletter (directing recipients to website content).
- Promotion of good practice resources, guidance and case studies
- Promotion of programme of events

Measure (ix): Average of 85% or more of targets set for views, engagement with or downloads of resources, reports and campaigns are met across each year

Performance against this measure

57. This measure was **achieved**.

58. Active targets which were set for resources, reports and campaigns across the year are shown in the table below (targets set were derived from analysis of pageviews achieved for similar content in previous years):

Resource	Target	Actual	% Achieved
Scottish Government Intervention Assessment Report	300 pageviews over 1 st month following publication	219 pageviews	73%
2022-23 Annual Report	200 pageviews over 1 st month following publication	82 pageviews	41%
Holyrood Conference Workshop report	100 pageviews over 1 st month following publication	162 pageviews	162%
New approach to FOI appeals launched	200 pageviews over 1 st month following publication	220 pageviews	110%

59. The average of targets achieved was therefore 97%, exceeded the 85% target.
60. **The Policy and Information Team will develop template resources to support the effective setting, reporting and recording of engagement with resources.**

Relevant activity planned for 2023-24:

61. Further work in this area will be undertaken in 2023-24. This will include:
- Further analysis of views, engagements and downloads of resources across 2023-24 to inform the setting of targets for engagement activity in 2024-25.
 - Template resources to be developed to support the effective setting, recording and reporting of performance in this area.

Risk impact

62. The risks associated with non-delivery of a communication strategy or framework are recognised in existing risk management frameworks, and relevant mitigations set out.

Equalities impact

63. No new specific equalities impact identified by this report. The 2021-2024 Communications & Engagement Framework considered any relevant equalities impacts.

Privacy impact

64. No new privacy impacts are identified or arising from this report.

Resources impact

65. The resources for delivering the Communication Strategy are met through planned resources. There are no new impacts highlighted in this report which will not be addressed elsewhere.

Operational/ strategic plan impact

66. The 2021-2024 Communications & Engagement Framework addresses how communications and engagement work supports and compliments our strategic and operational priorities.

Records management impact (including any key documents actions)

67. Some revisions to the Communications and Engagement Framework suggested as a result of this report. Usual Key Document procedures to be followed.

Consultation and Communication

68. This report has been prepared in consultation with the relevant members of the Policy and Information Team, and communications performance data contained within it is considered each month in Policy and Information Team meetings.

69. This report will be published on the Commissioner's website.

Publication

70. I recommend that this committee report is published in full.