

4 No secrets? Freedom of information

Aims

- Students will study scenarios taken from the **ICO** caseload.
- They will work in groups to explore real-life dilemmas around accessing public information.
- They will consider how to balance personal interest and public benefit against the financial implications.

Learning objectives

By the end of the session students will:

- understand their right to know under the Freedom of Information Act;
- understand how to make a freedom of information (FOI) request; and
- appreciate the impact some past FOI requests have had on individuals and society.

Teacher note: This lesson gives an introduction to the Freedom of Information Act or, in Scotland the Freedom of Information (Scotland) Act 2002, and focuses mainly on our rights to seek information from public bodies. There are some exemptions from the Act and some limitations as to the information organisations can be required to provide. You may find it valuable to read a summary of the legislation and how to make an information request on the **ICO** website (ico.org.uk/for-the-public/official-information/).

Starter activity (10 mins)

1. Begin by recapping on the work completed last lesson. Students explored circumstances when they

might want to make a **subject access request** to find out about personal data an organisation holds about us. Today's lesson looks at a different aspect of our 'right to know'.

2. Show PowerPoint 4, slide 3.



- Q. What do these people or things have in common? Allow some discussion and take suggestions.
- A. They all have been the subject of members of the public seeking facts and information.

3. The **Freedom of Information Act** is a law that entitles us all as citizens to request information from public authorities. It gives us a 'right to know' how public authorities carry out their duties, how they make their decisions and how they spend public money.

4. Requests made under the **Freedom of Information Act** in 2012–2013 told people who enquired that:

- there were 900 police officers with criminal records;
- there were 43,586,400 fake pound coins in circulation;
- the Foreign Office spent £10,000 to carry out 'essential maintenance' on Albert, a stuffed snake; and
- 496,000 calls to the new police non-emergency 101 number went unanswered between January and October 2012.

5. So, while the Data Protection Act gives us the right to know what information is held about us and to correct information that is wrong, the Freedom of Information Act entitles us to find out information held by public authorities such as government departments, local councils, hospitals or state schools.



Main activity

(40 mins)

To explain the **Freedom of Information Act** show the **ICO**-produced DVD 'Tick tock' (ico.org.uk/for-organisations/improve-your-practices/training-videos/ run time 13 mins). The DVD gives an entertaining introduction to the Act, illustrating the types of information that can be requested and the need for organisations to keep information accessible and respond in a timely way.

- 1.** The DVD touches on the fact that FOI can be time consuming and quite expensive. One estimate puts the cost to the NHS of replying to FOI requests at £30 million a year. You could ask again if FOI is a good thing. How many nurse salaries might £30 million be equivalent to? What if the information uncovered is about poor treatment, unnecessary deaths? Another estimate puts the cost to local councils at £31.7 million a year. How many services for libraries, sport or the elderly might that be equivalent to?

Suggest that, since it is potentially expensive and time-consuming, an important element of FOI needs to be using it well.

2. Distribute the cards for Student handout 1, which describe real-life FOI requests submitted to a range of organisations. Ask students to work in pairs or small groups to look at the requests one at a time and sort them into either:
 - worthwhile – useful information that the public has a right to know; or
 - waste of money – information that is not useful or practical.
3. Take feedback. All of these requests are genuine FOI requests.
 - Which have the students identified as uncovering useful or valuable information on behalf of the public? Why?
 - Which have they identified as wasting money? Why?

4. Use a student line-up to take feedback. Describe an imaginary line running from one side of the room to the other, where one end is 'Worthwhile' and the other is 'Waste of money'. Read one statement in turn and ask students to stand somewhere along the line according to what they think about the statement. Ask students to explain why they have chosen their place on the line.

Plenary

(10 mins)

On a show of hands, decide the following:

- Should the public have the right to ask anything they want? Yes or no? They need to give at least one reason to support their stance.
- Should public organisations have the right to refuse some requests? Yes or no? They need to give at least one reason to support their stance. What sort of information should be withheld? (National security? Financially sensitive? Embarrassing? Frivolous?)
- Ask students to indicate if they think that FOI is a good thing. Yes or no? They need to give at least one reason to support their stance.

4 Discussion cards

What is the value of money or gifts given to the Metropolitan Police force by businesses?

What is the number of police officers who made no arrests in the year April 2011 to March 2012? (Northumbria)

What was the number of crimes that went unsolved? (Devon)

How many hospital beds are available? (Wales)

What is the number of schools that still contain asbestos? (Northern Ireland)

How much is owed to councils in unpaid parking fines? (Suffolk)

What plans are in place to deal with an alien invasion? (Merseyside Fire and Rescue Service)

Which school has the highest exclusion rate?

4 Discussion cards

What is the cost of maintaining empty council buildings? (Worcestershire)

How many drawing pins are in the building and what percentage are currently stuck in a pin board? (Hampshire County Council)

What preparations has the council made for a zombie attack? (Bristol City Council and Leicester City Council)

What is the amount that NHS Wales has paid out due to medical negligence?

What preparations has the council made for an emergency landing of Santa's sleigh this Christmas? Who would be responsible for rescuing Santa? Who would be responsible for rounding up the reindeer, and who would have to tidy the crash site? (Cheltenham Borough Council)

What is the total number of cheques issued by the council in the past year, and how many did it receive? (Scarborough Borough Council)