

FOI Upstream Evaluation

August 2025



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Executive Summary

Background to FOI upstream project, purpose of the evaluation and overview of approach

The FOI upstream project has been running since October 2022, providing support to public authorities to perform in line with their statutory duties and prevent breaches of access to information legislation from occurring.

This report presents the findings from our evaluation of the project between October 2022 and March 2025. The evaluation approach is informed by the ICO's [Ex-Post Impact Framework](#) (EPIF) and draws on best practice principles from HM Treasury's Magenta Book. The report follows, and should be read in conjunction with, an [interim evaluation delivered in July 2024](#). The interim and final evaluation were undertaken by the ICO's economists. Whilst we recognise that this makes it an internally delivered evaluation, care was taken to ensure impartiality and the team were not directly involved in the design or implementation of the project itself, which helped provide objectivity.

The FOI upstream project's design was well-informed, aligned well with policy objectives and remained appropriate despite contextual changes

The project was designed around a theory of change which presents a clear route to impact responding to a well-defined problem (underinvestment and a growing backlog of cases) with a clear rationale for intervention (statutory obligations). The project's theory of change remained robust in light of changes in context (positive and negative) such as a reduction in Covid-19 pandemic-related pressures, recruitment freezes, and changes in political leadership.

A successfully implemented project driven by dedicated resource and informed by robust monitoring and feedback mechanisms

The project had an ambitious remit covering a variety of activities that spanned the ICO's regulatory toolbox including publications, tools, events, practice recommendations and enforcement notices. Having a dedicated team who were solely focused on FOI upstream activities helped to ensure successful implementation with an impressive number of activities and outputs delivered consistently throughout the evaluation period. A focus on gathering feedback at all stages through a dedicated user feedback group as well as other ad hoc measures has allowed the team to continuously improve the quality of their products and activities. The

team were also consistent in their monitoring which enabled them to adapt with agility where necessary as well as evidence successes.

Combined regulatory impacts are greater than the sum of their parts

We can't be certain of what would have happened if the project did not deliver the wide range of activities that it did. However, all of the evidence points towards the combination of regulatory tools delivering enhanced outcomes for all parties. This includes changes observed through administrative data, survey evidence and interviews with stakeholders. Delivering guidance and support alongside more downstream regulatory activities such as enforcement notices and practice recommendations was recognised by multiple stakeholders as a key driver of the project's successes.

Dissuasive effects are important in driving change

Across the project's activities there is evidence of change. The most immediate changes were seen where downstream proscriptive activities, such as enforcement notices were combined with upstream activities (eg guidance and engagement). The dissuasive effects of more proscriptive activities were noted early on in the project in the interim evaluation and in the more recent evidence collected for this full evaluation report. The evidence has shown positive indicators of outcomes, such as requesters gaining access to relevant information and authorities changing their processes, linked to the development of resources and the publication of practice recommendations and enforcement notices. This gives confidence that the project is delivering the intended outcomes and impacts such as enabling people to exercise their rights, reducing FOI-related harms, and effectiveness and efficiency improvements for public authorities.

FOI upstream has progressed from innovation to best practice

What began as an innovative approach, requiring scoping research to provide direction has now become a mainstay for the ICO's regulation of the FOI Act. Clear evidence of positive outcomes and good indications of a positive return on investment have provided senior leaders with the reassurance to continue funding the project into its fourth year of delivery.

1. Introduction

This report presents the findings from our evaluation of the FOI upstream project. The project provides support to public authorities to perform in line with their statutory duties and prevent breaches of access to information legislation from occurring. The evaluation approach is informed by the ICO's [Ex-Post Impact Framework](#) (EPIF) and draws on best practice principles from HM Treasury's Magenta Book.¹ This report follows, and should be read in conjunction with, an [interim evaluation delivered in July 2024](#).

The interim and final evaluation were undertaken by the ICO's economists.² Whilst we recognise that this makes it an internally delivered evaluation, care was taken to ensure impartiality and the economists were not directly involved in the design or implementation of the project itself, which helps provide objectivity.

1.1. Background to the FOI upstream project

The ICO's strategic plan, [ICO25](#), set out the objective to promote openness, transparency and accountability. This also supports the Commissioner's duty under section 47 of the Freedom of Information Act 2000 (FOIA)³ to 'promote the following of good practice by public authorities' in relation to FOIA and its Codes of Practice.⁴

A scoping research project was commissioned to learn more about public authorities' experiences of dealing with FOI requests, and what support they would like from the ICO going forward. This then fed into the design of the FOI upstream project improving confidence for project deliverers. The [FOI Upstream Regulation Research Report](#) was published in 2023 to raise awareness of the findings of the scoping research project.

¹ HM Treasury (2020) *The Magenta Book*. Available at: <https://www.gov.uk/government/publications/the-magenta-book> (Accessed: 4 July 2025).

² Elsewhere in this report, this team is referred to as 'Economic Analysis'.

³ *Freedom of Information Act 2000*. Available at: <https://www.legislation.gov.uk/ukpga/2000/36/contents> (Accessed 4 July 2025).

⁴ Although the report focuses on FOI as this is the main focus of the project, the findings and activities are also relevant to other access to information legislation that the ICO regulates such as [EIR](#), [RPSI](#) and [INSPIRE](#).

1.1.1. FOI Transformation Programme

To respond to the objectives set out in the ICO's strategic plan, the ICO set up the FOI Transformation Programme, which included the FOI upstream project (the focus of this evaluation). The programme's ambition was to deliver on the commitments in ICO25, clear a backlog of complaints driven by Covid-19 pandemic-related pressures and deliver a sustained improvement in the ICO's performance in managing FOI complaints against a backdrop of rising intake.

As part of the 2021 Comprehensive Spending Review (CSR) the ICO bid for additional funding for its transformation programme and upstream work. The bid sought funding of £1.027m to be provided through the three year CSR,⁵ spanning April 2022 to March 2025.⁶ However, after initially approving the bid, the then government subsequently indicated that the additional funding was only to be provided for Year 1 of the CSR, with the ICO having to find the funding from its wider grant-in-aid (GiA) pot over the latter two years of the CSR. The £320,000 funding from government funded the year one salaries of the new upstream team, as well as the scoping research project that helped define the work programme. Staff salary costs of the new team over the remainder of the period, came from the ICO's existing wider GiA pot.

The majority of the wider FOI Transformation Programme was brought to a close in early 2024 upon completion of its work. The FOI upstream project continued as an individual project.

1.1.2. FOI Upstream

The term upstream is used to categorise activities or regulatory tools that are thought of as enabling and lighter-touch approaches to regulation, such as education, engagement, influence, advice and guidance. We categorise other activities as downstream which should be understood as proscriptive interventions ranging from corrections, such as warnings or practice recommendations, to enforcement notices.

Although, as the name suggests, FOI upstream is intended to deliver upstream activities, it also delivers a number of downstream activities to

⁵ Comprehensive Spending Reviews (CSR) set out the government's long-term plan for some of its expenditure over a set period (CSR Period). They usually take place every two to four years. For more information see this [article from the House of Lords Library](#).

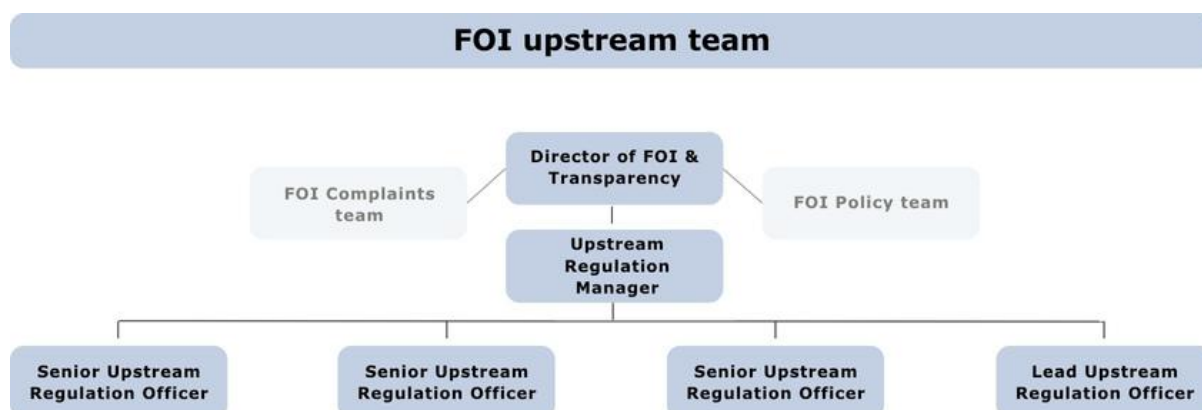
⁶ HM Treasury (2021) *Autumn Budget and Spending Review 2021*. Available at: <https://www.gov.uk/government/publications/autumn-budget-and-spending-review-2021-documents> (Accessed 4 July 2025).

complement the upstream activities. These activities are described more comprehensively in Section 4. As noted in the literature review (Annex E), this combination of upstream and downstream activities has been seen to drive greater impacts.

Team structure

The team began its set up phase in April 2022, with staged recruitment to meet the needs of different phases of the project. As illustrated in Figure 1, the fully-formed team is made up of one upstream regulation manager, three senior upstream regulation officers, and a lead upstream regulation officer, representing 4.4 FTE (full-time equivalent) staff members (a breakdown of the FTE staff members at different roles is provided in section 4. Table 1, as well as an overview of the other teams supporting the project). The FOI upstream project team reports directly to the Director of FOI & Transparency.

Figure 1: FOI upstream team overview



Source: ICO analysis.

The project is also supported by an FOI user group of around 110 FOI practitioners from public authorities,⁷ which has been established and is managed by the FOI upstream team. This user feedback group is used to test resources prior to launch. The team also seeks and receives input and feedback from civil society groups.

Objectives

The project was established to support public authorities to perform in line with their statutory duties and prevent breaches of access to

⁷ This was a newly established user feedback group consisting of staff members that work on FOI-related issues within a public authority.

information legislation from occurring in the first place. The team's stated aims are to:

- better understand how public authorities are performing in line with their statutory duties and how we can support them to maintain and build upon the understanding gained from the scoping research;
- work with key organisations to produce and pilot tools, guidance and training for the regulated community to improve request handling;
- increase our engagement with the FOI community, listening, sharing learning, and promoting best practice to improve transparency;
- support compliance with proactive disclosure and build an evidence base of the benefits of proactive transparency, while making requesters more aware of how they can access information already available removing the need for making a request;
- promote ease of access, by supporting those seeking information to make an FOI request so requests are easier to handle for public authorities while giving people the best chance of getting the information they want; and
- support the use of regulatory action, particularly the use of practice recommendations and enforcement notices, where this is needed to help drive quicker improvements in performance by public bodies than the team's usual approach.

1.2. Report structure

The remainder of this document is structured as follows:

- **Section 2. Approach to the evaluation:** the approach that was taken and the evidence base.
- **Section 3. Route to impact:** an overview of our application of the theory-based approach and summary visual;
- **Section 4. Delivering the project:** a summary of our findings on the inputs, activities and outputs from the theory of change;
- **Section 5. Delivering change:** a summary of our findings on the outcomes and impacts from the theory of change;

- **Section 6. Value for money:** an assessment of the project's value for money in light of the resources invested to deliver outcomes;
- **Section 7. Findings and lessons learnt:** the findings of this evaluation, conclusions and lessons that can be learnt; and
- **Annexes A – G:** covers an overview of the evaluation time period; the evaluation questions; the evidence base; a theory of change narrative; review of relevant literature; summary of the survey evidence; and an estimate of the number of public authorities.

2. Approach to the evaluation

In this section, we set out the evaluation approach, focus, and the main evidence sources we draw on.

2.1. Theory-based approach and best practice principles

Our approach to evaluation at the ICO is guided by our [Ex-post Impact Framework \(EPIF\)](#). The framework outlines the ways in which we will review the ex-post impact of our interventions, as part of our commitment to regulatory good practice.

This evaluation applies a theory-based approach. A theory of change sets out all the steps of an intervention, and outlines how these contribute to achieving the desired outcomes and impact in a particular context.⁸ It serves as a roadmap, setting out the causal relationships between inputs, activities, outputs, and outcomes.⁹

The approach is informed by the best practice standards set out in [HM Treasury's Magenta Book](#). As per Magenta Book principles, the approach was designed with a view to proportionality given the resources, evidence available, and timescales.

The evaluation is intended to inform future funding and delivery decisions for the project, as well as learn lessons for the delivery of other streams of activity. It has been carried out in two phases with an interim evaluation report ([published in July 2024](#)) and a final evaluation report (this report). The **evaluation timeframe covers the period spanning October 2022 to the end of March 2025** and is set out in more detail in Annex A.

2.2. Impact-focused evaluation

The evaluation predominantly focuses on understanding impacts (what difference has the project made?) rather than process (what can be learned from how the project was delivered?), although where we have picked up useful process lessons, these are fed in where appropriate. Some process points were also covered in the interim evaluation and were fed back to the delivery team.

⁸ This is set out in the context of the FOI upstream project in Section 3.

⁹ See our [Ex-Post Impact Framework](#) for more detail on how we use theory of change and Annex B of the framework for a glossary of terms.

Impact is often the most difficult aspect of the theory of change to measure since it will occur over a longer period of time and be influenced by other factors. Impact occurs at the end of the chain of causality meaning the ICO first needs to achieve the intended outputs and outcomes. This is described in more detail in the theory of change in Section 3. For this reason, where it is not possible to measure actual impacts because enough time has not passed since the activities were delivered, we gather evidence on outputs and outcomes. These then provide insights that allow us to provide views on the FOI upstream project's impact. The evaluation questions used are set out in Annex B.

2.3. Evaluation evidence

Here we present the key evidence streams that the evaluation draws on. A full list of sources used is provided in Annex C.

Longitudinal evaluation survey: A survey of FOI practitioners was conducted between 25 April and 16 May 2024 (wave 1) and then again between 30 January and 3 March 2025 (wave 2). These received 58 and 74 responses, respectively. An overview of the characteristics of respondents is provided in Annex F. As noted in the annex, the number of responses is unlikely to be representative of all public authorities but still provides useful insights.



Monitoring data captured via a bespoke dashboard:

The FOI upstream team, with support from Economic Analysis, have maintained a spreadsheet tracker that feeds into a monitoring dashboard to report on key statistics for the project. This includes publications, engagement with products, event attendance and resources committed.



Light touch interviews with key team members:

Building on the interviews carried out for the interim evaluation, we conducted a series of interviews with FOI upstream team members and colleagues in other teams that have supported the project to test our findings and gather their views on process and impact.



Interviews and ad-hoc feedback from key stakeholders: We also interviewed a selection of key stakeholders including public authorities, civil society bodies and journalists as well as reviewing feedback collected by



the FOI upstream team on the various products, events and other activities gathered through feedback surveys or via email. This gave us more in-depth understanding of routes to impact as well as allowing us to test the findings from our other evidence streams.

3. Route to impact for FOI upstream

The theory of change framework provides the structure for our evaluation and allows us to demonstrate the multiple routes to impact that the project is designed to achieve, as well as some of the interdependencies between different elements of the causal chain.

This section sets out and reviews the appropriateness and accuracy of the theory of change for the FOI upstream project and anything we can learn from this in the design of future projects and programmes. This includes reviewing the theory of change as and when it was designed but also whether the appropriateness of the theory of change differs in hindsight given any observed changes in the context or environment in which the project operates.

The review within this section focuses on the problem definition, the appropriateness of the rationale for intervention, the design of the project, and any changes in the context in which it was designed. We also set out the counterfactual for the project as far as is possible, to enable a better understanding of attribution for the sections that follow.

Other elements of the theory of change, such as the activities, outputs and impacts are reviewed in the relevant subsequent sections. Within these sections, we have highlighted in blue boxes some areas where we have particularly strong evidence that illustrates movement along the routes to impact.

3.1. Problem definition and rationale for intervention

The problem for the project is framed around the ICO's statutory responsibilities to provide regulatory oversight, assurance and expert advice for the FOIA. While existing funding allowed the ICO to deliver the statutory minimum in this area, backlogs emerged both for public authorities and for the ICO over the pandemic and demand for these functions increased.

When the project was initiated, the ICO's FOI activities had faced underinvestment for a number of years, limiting the ICO's ability to drive improvements both in its own performance and amongst the regulated community, with little to no wider monitoring and enforcement work beyond that associated with individual complaints.

Conclusion: the lack of investment and inability to provide core functions

which are statutory responsibilities for the ICO was a well-evidenced problem.

The rationale for intervention is tied to the ICO's role in regulating the FOIA. In particular focussing more resource on upstream regulation in line with the s.47 statutory functions to promote good practice to ensure the current legislation is working as effectively as possible. This is reflected in the [ICO25 strategic plan](#) (covering the period up until Q4 2025/26) within the broader objective of promoting openness, transparency and accountability.

The Act's role in enabling access to information from public authorities provides a number of public benefits including:

- enabling the public to make more informed decisions for themselves such as voting decisions or choices around public service use; and
- enabling scrutiny and accountability of the decisions of public authorities to improve their decision-making which can in turn lead to more effective and efficient public services.

This helps to mitigate against market failures resulting from information asymmetry and ineffective delivery of public goods.

On top of adversely affecting rights and freedoms of individuals, restricting access to information held by public authorities could lead to societal harms. These include people disengaging from the democratic process, inefficient decision-making and an inability to hold public authorities to account.

Conclusion: a strong rationale for intervention was provided by: alignment with the ICO's statutory duties and stated policy aims in this area; the public benefits tied to the FOIA's role; and the ability to reduce harms stemming from information failure.

3.2. Theory of change and project design

The visual summary for the theory of change for the project is set out in Figure 2 at the end of this section with a more detailed and accessible supporting narrative in Annex D.

To inform the design of the project and provide confidence in the theory of change, the FOI upstream team drew on the following resources:

- delivery team members who had a number of years of **experience in FOI**;
- support from the economic analysis function to help **visualise and describe the theory of change**;
- a **scoping research** project and the resulting [FOI Upstream Regulation Research Report](#) which informed the design of the FOI upstream project;
- an **FOI user group** of around 110 FOI practitioners to test ideas and draft products; and
- input and feedback received from **civil society groups**.

The theory of change for the project was continually reviewed and communicated to relevant stakeholders. The resources above were drawn on throughout both the design and delivery of the project. External stakeholders were positive about the design of the project and the dedicated resource assigned to it. Reflecting on the literature review (Annex E), there is also a good theoretical basis for designing in upstream and downstream activities.

It should be noted that monitoring processes were also put in place to be able to identify areas where delivery was or wasn't achieving the expected outputs and outcomes and adaptations could be made.

Conclusion: the processes and resources drawn on for the design of the project provided a good basis for ensuring the theory of change was appropriate and decisions were well-informed.

3.3. Changes in context

As with any intervention that spans a number of years, the context upon which the problem, rationale for intervention and project were defined has undergone some changes. The major changes relevant to the project are:

- alleviated **Covid-19 pandemic-related pressures** including reduced absences and the lifting of pay and recruitment freezes amongst many public authorities; and
- **political changes** including leadership changes within the ruling party and a general election resulting in a change in the ruling party;

Reduced absences and recruitment freezes

Despite the alleviated pressure from the pandemic, around a quarter of FOI practitioners that responded to the second wave of the evaluation survey (23%), reported that the number of requests they received was not manageable. This evidences that the problem of limited capacity is still ongoing for FOI within public authorities and there continues to be a need for more upstream support.

For the ICO, the wider FOI transformation programme that was initiated alongside the FOI upstream project resulted in a reduction in the backlog of cases which alleviated pressures internally. However, this has only meant that ICO's FOI function can be brought back to a position where statutory obligations can be met within appropriate deadlines and case levels change fairly regularly. This means it has not resulted in an increase in capacity that would adequately resource the activities of the FOI upstream team without the additional funding that has been required thus far.

Policy shifts and changes in leadership

Although there have been changes in government, this has not led to any major changes in the policies relevant to the FOIA. The most relevant policy shifts for the ICO have been the [Data \(Use and Access\) Act 2025](#) and a [shift in the ICO's sponsoring government department](#) from Department for Digital, Culture, Media and Sport to the Department for Science Innovation and Technology.¹⁰ However, these have not had a direct impact on FOI legislation and therefore impacts on the FOI upstream project's context have not been significant.

Changes to public sentiment in certain sectors, such as the regulated water companies, and public interest topics, such as government clearing houses, Covid-19 and policing have resulted in shifts of focus for the project but shifts such as these would be expected with the passage of time and have not affected the overall aims and objectives of the project.

Conclusion: although there have been some major political and societal changes since the design of the project, these have not fundamentally changed the context and have not affected the appropriateness of the

¹⁰ See the following link for more information: [Department for Digital, Culture, Media & Sport](#).

rationale for intervention or the problem definition.

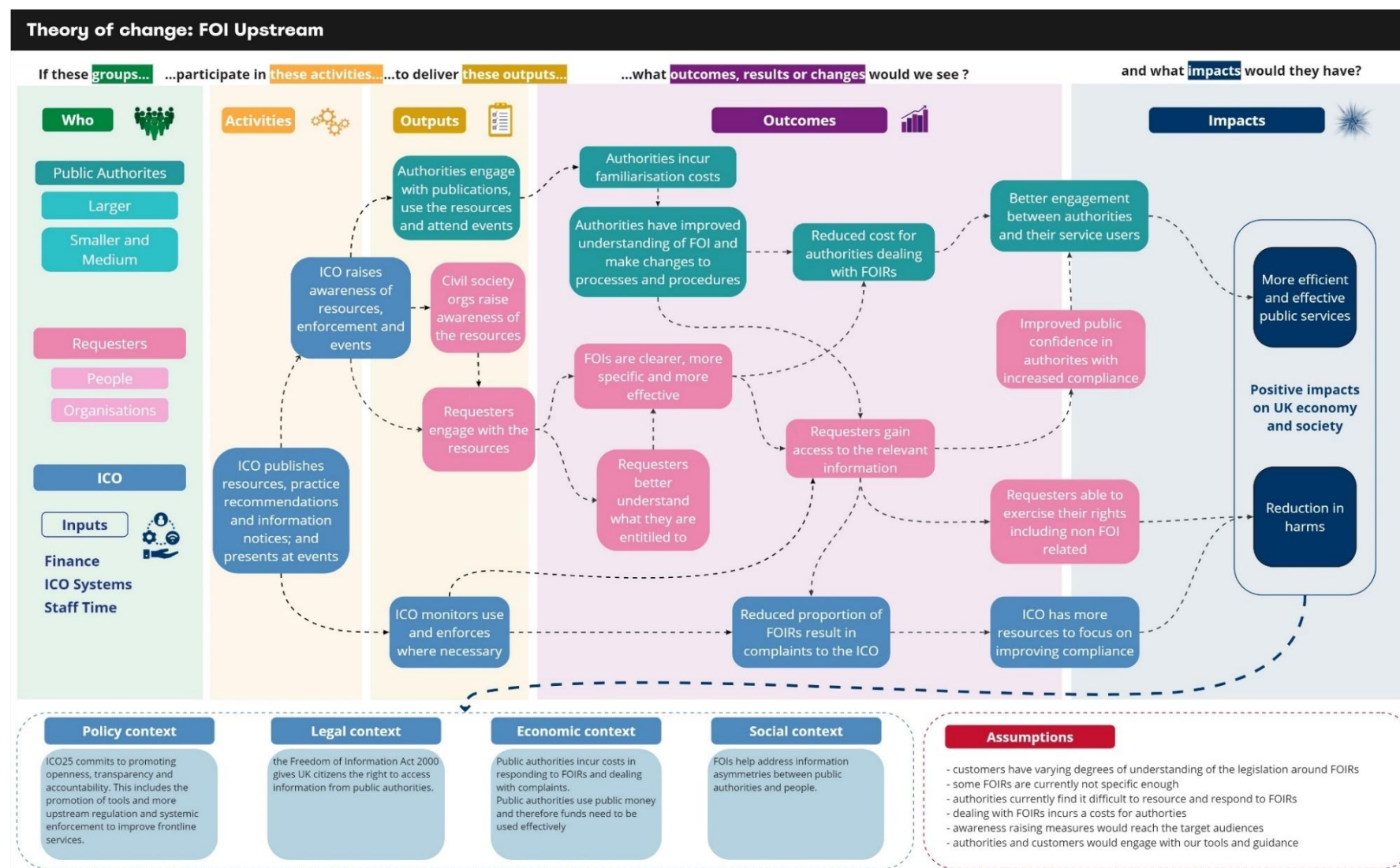
3.4. The Counterfactual

The counterfactual describes the state in which the project does not exist and provides a useful baseline against which to measure outcomes and impacts. For this project, it is fairly simple to identify the counterfactual as the project team did not exist prior to the evaluation period and many of its activities are new.

Identifying which impacts or outcomes may have happened without the project is more challenging as they are often influenced by multiple factors. The sections that follow further explore attribution of change related to the project relative to the counterfactual.

Where possible we have tried to draw in evidence of attribution to the project. This mainly relies on survey evidence but we have also ensured that the case study evidence is tied closely to the routes to impact in the theory of change to provide further confidence that impacts can be attributed.

Figure 2: FOI upstream theory of change

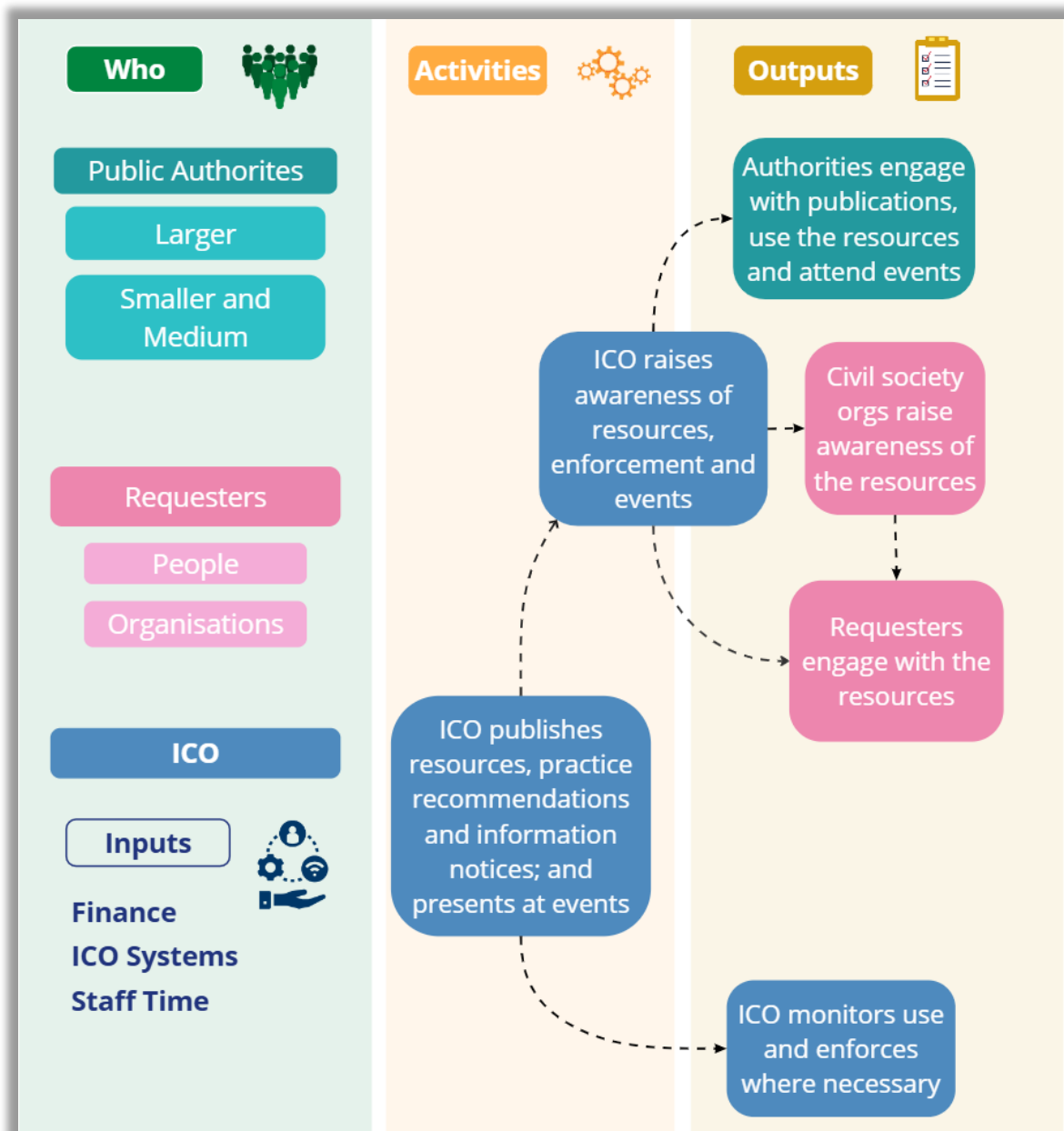


Source: ICO analysis.

4. Delivering the project (inputs, activities and outputs)

In this section, we summarise and review the inputs and resources used to deliver the project, the activities that were carried out and the outputs that were delivered against these activities. These are summarised in Figure 3 in an extract from the theory of change.

Figure 3: FOI upstream theory of change, activities and outputs



Source: ICO analysis.

4.1. What resources were used to deliver the project? (Inputs)

FOI upstream was a new stream of activity for the ICO in 2022. This meant drawing on additional resources to deliver the expected outcomes. These resources include:

- finance;
- staff time; and
- systems.

Following a recommendation in the interim evaluation for enhanced tracking of resources, project inputs (where possible) have been collated, costed and assigned to different strands of activities. In Section 6. we use these costings to provide insights into the project's value for money in light of the resources invested.

4.1.1. Finance

Total recorded expenditure, outside of staff time and systems, was **£50,000** (including VAT). This cost was paid to an external supplier for a piece of scoping research to provide a baseline and inform the direction and scope of the project. Invoices were paid in line with expected timescales and the full amount was paid upon completion in Q4 2022/23.

Commentary on level of resource: As reported in the interim evaluation, the scoping research supported the FOI upstream team to set a direction for the project and to establish a group of FOI practitioners for future engagement activity (the user feedback group).

The team conveyed that they felt scoping research with stakeholders should be a natural step for any new initiative. The ICO should consider this approach when setting up similar projects in future.

4.1.2. Staff time

Staff time was the largest resource for the project. This was made up of a core FOI upstream team and colleagues supporting the project from other teams. The core FOI upstream team consisted of approximately **4.4 FTE staff members**.¹¹

¹¹ The core team are detailed in Figure 1 in Section 1.1.2.

The core team was supported by regular input from:

- a director who allocated roughly 5% of their time across the project period;
- two economists who committed 5% of their time across the project period to support with evaluation and monitoring.

The level of input and costs are provided in Table 1 below.

Table 1: Employment costs October 2022 to 31 March 2025

Role	Average FTEs	Average Annual staff costs*	Total staff costs for period
Core FOI upstream team members	4.4	£291,408	£728,521
Supporting team members	0.15	£14,174	£35,435
Total	4.55	£305,582	£763,956

Source: ICO monitoring data * Figures may not sum due to rounding. Note: Assumes mid-point of salary scale for all roles and a 40% uplift to account for non-salary costs.¹²

A number of other teams provided support on an ad-hoc basis. These included:

- FOI casework, FOI policy and Information Access team members to sense check the products;
- communications team members to support publication and dissemination of products, engagement statistics and editorial review;
- procurement colleagues to support with sourcing and onboarding the external research partner to undertake the scoping research; and
- researchers to support the delivery of the scoping research.

Interviews with FOI upstream team members and the supporting staff themselves confirmed that these were low level inputs in terms of staff

¹² This is the standard uplift applied by the ICO for planning purposes.

time. As such, it was considered disproportionate to monitor costs for this ad hoc support.

Feedback from FOI upstream team on the adequacy of staffing resource

FOI upstream team members were very positive about having a dedicated team set up to deliver the project. They fed back that setting it up in this way rather than using existing team structures and resources was essential to the project's success. It allowed the team to be agile, independent and to focus on the project's objectives.¹³

The team identified the approach as representing a more mature approach to governance, moving from a rigid structure to a responsive model with a strong culture of collaboration, learning and continuous improvement.

All internal stakeholders agreed that the FOI upstream team has delivered more than they expected to with the limited resources available. While current resourcing was seen as adequate, there was a clear appetite and justification for additional resources to expand impact and meet growing demand. The team felt that while they could continue to deliver positive outcomes with the current level of resource, future growth would be dependent on increased staff time.

Commentary on level of resource: The FOI upstream project received dedicated funding each year for its activities. This meant it did not need to request additional funding or draw resources from elsewhere each time it wanted to carry out activities. This predictability of resources was seen as a strength in terms of delivering results. While the team felt the project had delivered the majority of expected outcomes with the limited resource available, additional outcomes would be heavily dependent on increased staff time.

4.1.3. Systems

The draw on systems was limited given the project didn't require development of any new systems or the procurement of additional solutions. The main requirement was website amendments and the use of standard systems available to all staff members, such as word processing and communications software. One exception was the dashboard that was

¹³ Interviews with team members, December 2024 to January 2025.

set up to monitor key inputs, activities and outputs for the project. This required some additional staff time from outside of the FOI upstream team. Conversations with FOI upstream team members suggest that the dashboard had been useful in planning, prioritising and demonstrating progress, as well as feeding into the evaluation.

Costs of systems have not been analysed separately but are assumed to be captured by the 40% uplift to salary costs accounted for under staff time (Section 4.1.2). Minor issues were raised with regards to limitations in the website's functionality and the onerous process of gathering website usage statistics but the systems and tools did not cause any major barriers to the project's progress.

Commentary on level of resource: Given the limited draw on systems, there are no concerns around the appropriateness of this modest commitment of resource.

4.2. What did the project do? (Activities)

The project's main activities, informed by the scoping research,¹⁴ were to:

- develop and raise awareness of resources to support requestors and practitioners;
- present and appear on panels at relevant events; and
- oversee and publish enforcement notices and practice recommendations.

Approach to activity design and implementation

The team implemented an innovative, feedback-informed approach that embedded user feedback into the early stages of product development and delivery. Having the user feedback group ready to provide timely comment meant resources could be iteratively adapted whilst remaining agile. This meant the project was able to better meet user needs as well as delivery timescales. The feedback group was not only useful for the FOI upstream team, members of the group also saw this as particularly

¹⁴ IFF research (2023), *FOI upstream regulation research report*. Available at: <https://ico.org.uk/about-the-ico/research-reports-impact-and-evaluation/research-and-reports/freedom-of-information/foi-upstream-regulation-report/> (Accessed 16 June 2025).

valuable for them to be able to have their voices heard and received regular updates.

“The group is a good opportunity for us to work constructively with ICO... when we speak to other civil society orgs we share that there are people in the ICO trying to make a difference. From our point of view we are seeing engagement and the fruits of this.”

Source: Civil society representative.

This feedback-informed approach was further enhanced by the project team regularly collecting and receiving ad hoc feedback on the resources delivered and from their participation at events. Although the feedback was ad hoc in nature and ranged from feedback surveys from events to social media commentary, the project team collated it methodically and were able to draw on this when designing future activities and for reporting on the successes of the project.

Team members highlighted the importance this feedback, as well as input from specialist ICO teams, as a key strength of the project. This allowed them to avoid having to choose between quality and efficiency.

Summary of activities

Figure 4 lists the activities delivered by project between November 2022 and March 2025, with further detail provided under the activity strand headings that follow.

Figure 4: Summary of activities



Source: ICO analysis.

The scoping research made other recommendations for activities, including:

- providing an open-source database platform for FOI request management;
- developing a dashboard of aggregate performance data to allow organisations to compare themselves against a benchmark;
- developing and facilitating training for practitioners.

Budget constraints have meant that it has not been possible to undertake these activities. Thus, they remain an aspiration for potential future phases of the work, for example by developing a portal for FOI resources following the model of the Scottish Information Commissioner.¹⁵

¹⁵ Scottish Information Commissioner, *FOI events and training*. Available at: <https://www.foi.scot/foi-events-and-training> (Accessed 4 July 2025).

4.2.1. Develop and raise awareness of resources to support requestors and practitioners

The project has delivered a range of resources between November 2022 and March 2025 including:

- 17 [case studies](#);
- 9 [learning resources and training videos](#);
- 11 [blogs](#);
- 4 [response templates](#);
- 14 [tribunal reviews](#);
- 18 [decisions published](#); and
- 59 [newsletter articles](#).

All the resources were published on the ICO's public website.

The team delivered a steady stream of resources with only the occasional period of up to a month where no products were published. The 59 FOI upstream articles were published across 16 of the ICO's newsletters on data protection and FOI between October 2022 and March 2025. The team described securing this regular slot in the ICO newsletter as a key channel for reaching public authorities.

Most of the resources were supported with social media posts and mailouts. Additional routes through which awareness of the resources was raised included:

- regular participation in external events such as the Data Protection Practitioner's Conference and the eCase 'FOI Practitioner of the Year' awards;
- partnerships with civil society groups such as mySociety who helped amplify the work and reach new audiences; and
- dissemination through the user feedback group.

4.2.2. Present and appear on panels at relevant events

The FOI upstream team appeared at 34 events between September 2022 and March 2025. The team chose events with greatest relevance to FOI and the most potential to reach a diverse range of FOI practitioners. Of the events, 23 were hosted by others and 11 were hosted by the ICO. At

the events the team delivered keynote speeches, presentations, ran workshops and participated in panel discussions.

Most of the events were virtual (29 out of the 34) driven partly by a trend towards virtual events during and after the Covid-19 pandemic. The interim evaluation found that some respondents would have liked to see more in-person workshops and events. The team has since attended 2 in-person events, although the greater reach and cost effectiveness of virtual events meant these made up the majority of events the team attended.

4.2.3. Publish enforcement notices and practice recommendations

Over the evaluation period, the team delivered 25 practice recommendations¹⁶ and 18 enforcement notices.¹⁷ As per the theory of change, this included [publishing](#) and [raising awareness](#) of them. To put this into context, in the 17 years between the FOI Act being implemented in 2005, and the start of the FOI upstream project, the ICO had [issued just 3 enforcement notices](#). This is a six-fold increase in a sixth of the time.

The main themes of these notices and recommendations delivered by the team were:

- failure to meet statutory deadlines for responding to FOI requests;
- poor engagement with requesters including poor record-keeping and internal review processes;
- lack of staff training; and
- poor governance including assigning responsibility for FOI compliance.

¹⁶ Section 48 of the Freedom of Information Act (FOIA) empowers the Information Commissioner (the Commissioner) to issue a **practice recommendation** where it appears to him that a public authority has failed to conform, specifically, to the FOIA Codes of Practice. A practice recommendation cannot be directly enforced by the Commissioner. However, failure to comply with a practice recommendation may lead to a failure to comply with FOIA, which in turn may result in the issuing of an enforcement notice. Further, a failure to take account of a practice recommendation may lead in some circumstances to an adverse comment in a report to Parliament by the Commissioner.

¹⁷ Section 52 of the FOIA states the Commissioner may serve an authority with an **enforcement notice** requiring the authority to take steps to comply to come into line with the FOIA.

In interviews, the project team emphasised how publishing enforcement notices and practice recommendations acted as a bridge between upstream engagement and enforcement, allowing organisations to learn and the ICO to reinforce regulatory expectations ahead of formal regulatory action. Communications colleagues noted they also acted as a springboard for raising awareness of other resources.

4.2.4. Sector specific activities

Given the wide range of public authorities that fall within scope of the ICO's regulatory remit with respect to FOI, it is necessary to focus resources where they will have the greatest impact. For this reason, the delivery team identified sectors with persistent compliance issues and developed a strategy for engaging, supporting and enforcing where necessary. This has included targeted work with police forces and water companies (covered in more detail in Section 5.3).

This sector-based approach allowed them to deliver a more intensive multi-pronged intervention package, to force through change in particularly sticky areas. Delivery team members said that this had the side benefit of providing more impactful communications material that allowed them to reach a much wider audience than would otherwise have been possible. A similar approach is now being taken forward by the team for other sectors such as the health sector.

Colleagues in the communications team were also very keen on this approach and would like to see it being used more in this area as well as across other areas of the ICO's work. They suggested that the most successful campaigns are those where a clear aim or objective is set at the start so that they can sequence the campaign and adapt it to ensure it is achieved. They suggested using metrics such as the number of organisations that have made a pursued change or a reduction in complaints of a certain nature.

4.3. What was delivered? (Outputs)

The key outputs that link activities to outcomes within the theory of change were public authorities:

- engaging with publications;
- attending events; and
- using FOI upstream resources.

4.3.1. Engagement with publications

The key evidence strands we have on engagement are:

- the number of visitors to relevant webpages on the ICO website;
- the number of readers of the ICO's newsletters that contained FOI upstream resources; and
- feedback from the communications team on the efficacy of the communications strategy.

Visitors to resources on the ICO website

Across all FOI upstream resources published on the ICO's website, there were **72,300 visitors** between March 2023¹⁸ and March 2025.¹⁹ This is a significant number in the context of the analysis in Annex E which estimates there are at least 47,000 public authorities. As shown in Figure 5, the number of visitors increased from none in March 2023 to an average of around 4,000 per month in the first three months of 2025. Several months (November 2023, March 2024 and July 2024) saw nearly 6,000 visitors accessed the resources.

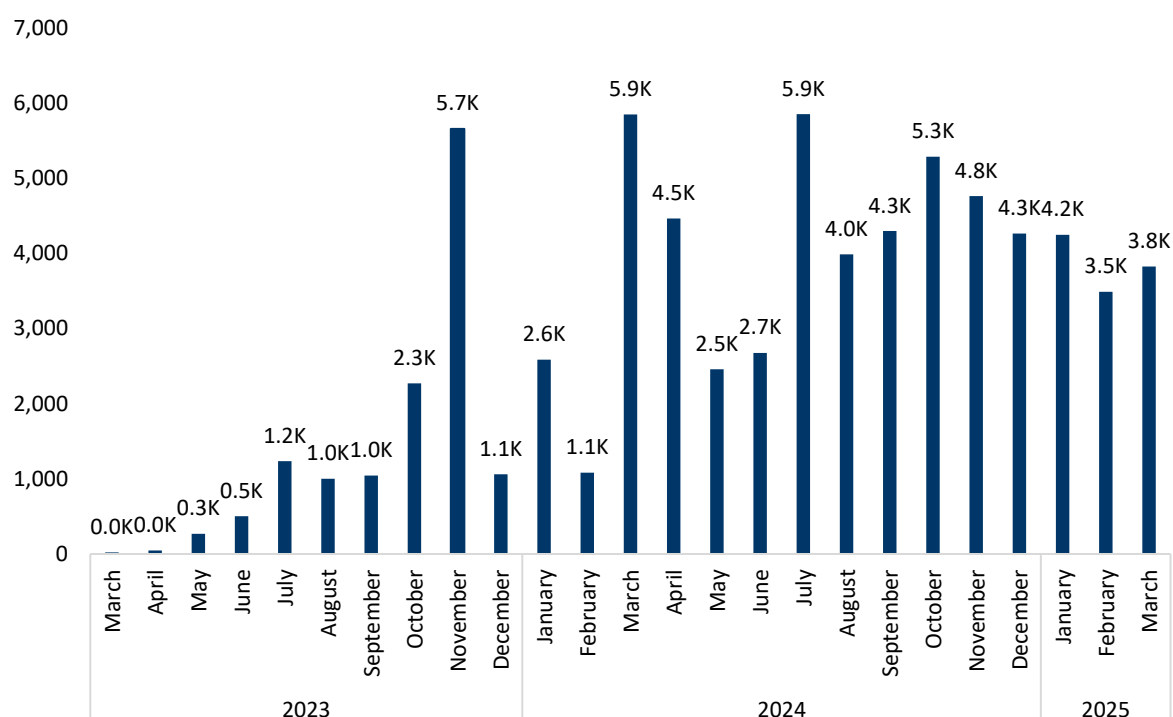
Analysis from the communications team suggests that these peaks correlate with periods of more intense communications activity. This includes publishing blogs that summarise recent activities and point to resources that practitioners can use. Peaks also correlate with times when new ways to reach public authorities have been trialled such as using public affairs colleagues to share quarterly updates with their networks.

This demonstrates that enhanced collaboration between communications and delivery teams leads to better engagement. It also suggests that using communications that summarise multiple resources can lead to greater engagement than promoting one resource at a time.

¹⁸ We use March 2023 as the earliest date for which visitor stats are available as the ICO changed its website analytics platform in early 2023. This does not impact significantly on stats as most of the publication activity came after this date.

¹⁹ Some of these are likely to be the same people viewing multiple resources.

Figure 5: Visitors to FOI upstream resources, March 2023 to March 2025



Source: ICO analysis of Silk Tide website analytics data.

Table 2 demonstrates that visitors visited pages across a range of resource types. The most popular resource²⁰ drew in 23,200 visitors between its publication in March 2024 and March 2025. When compared to other resources recently published by the ICO (highlighted in grey in the table below),²¹ the FOI upstream resources have performed relatively well.

Table 2: Visitors to top 10 FOI upstream resources, ranked by average visitors per month with comparators (highlighted in grey), March 2023 to March 2025

Name	Type	Published	Total visitors	Average per month

²⁰ ICO (2024), *How to access information from a public authority*. Available at: <https://ico.org.uk/for-the-public/official-information/> (Accessed 25 June 2025).

²¹ To select suitable comparators, we identified content that was of a similar type to the FOI upstream content, and had involved some form of comms activity to raise awareness of the content.

How to access information from a public authority	Guidance	04/03/2024	23,162	1,782
Guidance on AI and data protection	Guidance	01/05/2023	26,900	1,034
Learnings from ICO decision notices	Decisions published	18/02/2024*	9,181	706
Review into use of children's data by financial services	Blog	01/04/2025	1,100	550
What to consider when using online forms to receive information requests	Blog	15/11/2023	4,994	294
ICO internal training	Video	30/11/2022	6,223	271
Conducting searches for information checklist	Guidance	25/09/2024	1,685	241
Advice to local authorities facing financial restrictions	Blog	28/11/2024	1,041	208
Supporting public authorities to be open and transparent	Blog	31/07/2024	1,663	185
Learnings from ICO decision notices tribunal decisions	Tribunal reviews	18/02/2024*	2,323	179
Information Commissioner calls for water companies to be crystal clear with public over sewage pollution	Other	15/07/2024	1,595	177
Understanding what information people commonly request from public authorities	Blog	03/06/2024	2,461	176
Content moderation and data protection guidance	Guidance	01/11/2024	730	121

Source: Analysis of Silk Tide website analytics data by ICO analysts

*publication date for Decision notices/tribunal reviews is from the first one published – subsequent decisions/reviews were added as they become available.

ICO's newsletter

FOI upstream articles were published in the ICO's newsletter. On average, there were 31,000 views for newsletters that contained FOI upstream articles totalling 465,000 views across all newsletters. As FOI related articles only made up part of the newsletter, this number of views should be considered an upper limit for the number of individuals to have engaged with resources through this channel.

Efficacy of the communications strategy

The ICO's communications team led a light touch review of the performance of a social media campaign on LinkedIn and X (previously known as Twitter) for selected resources produced by the FOI upstream team. This found that engagement reached a wider audience and was more positively received (more likes and reshares with positive commentary) on LinkedIn than on X.

The review found that targeted content, for example activity that focused on water firms,²² performed relatively well compared to other ICO enforcement content. The communications team reported that targeted activities allow more effective comms narratives to be constructed, which in turn lead to more effective awareness raising. Constructing campaigns and resources around specific sectors or issues should be considered in future to maximise the impact of communications activities. Communication team members also noted that this could be further enhanced by having specific objectives in mind such as influencing a particular change in a sector.

²² See section 5.3.2 for further discussion.

Figure 6: Positive reshare example from LinkedIn

Yesterday, the regulator published a blog post which explicitly rejects the approach of having an online form as the main / only way to send an **#FOI** request to a public authority.

I can't really find fault with it: <https://lnkd.in/e5frnypU>



Source: LinkedIn.

4.3.2. Attendance at events

The total number of attendees across all events was over 6,200 people.²³ Examples of the events include:

- Data Protection Practitioners Conference 2023 (online) with 823 attendees;
- Local Government Liaison event 2022 and 2023 (both online) with 250 attendees each;
- NHSE webinar 2024 (online) with 246 attendees; and
- eCase FOI conference and awards 2024 (in person and online) with 320 attendees.

While the team noted that the interim evaluation highlighted a demand for more in-person events, the reach for this type of event was much smaller seeing an average of 111 attendees compared with 213 for virtual events. The team therefore concluded that continuing to host and attend virtual events was important to continue to reach the target audience.

4.3.3. Use of FOI upstream resources

Evidence on use of the FOI upstream resources came from the longitudinal evaluation survey.²⁴ The second wave of the survey, conducted between 30 January and 3 March 2025 received 74 responses,

²³ Some of these are likely to be the same people attending multiple events.

²⁴ See Section 2.3 for further information of evidence used to inform this evaluation.

the majority of whom were from central or local government (62%, 46 respondents), the remainder were police force or fire authorities, health bodies or publicly owned companies.

As shown in Figure 7, a large majority of respondents (86%, 64 respondents) reported that they had used, or were aware of the FOI upstream resources. Though it should be noted that in the first wave of the survey from April and May 2024, it was found that 98% of respondents were aware of the resources. This decrease in awareness is likely due to wider dissemination of the second wave to include organisations that had not been part of the user feedback group.²⁵ As such we do not provide direct comparisons between wave one and two of the survey in this evaluation.

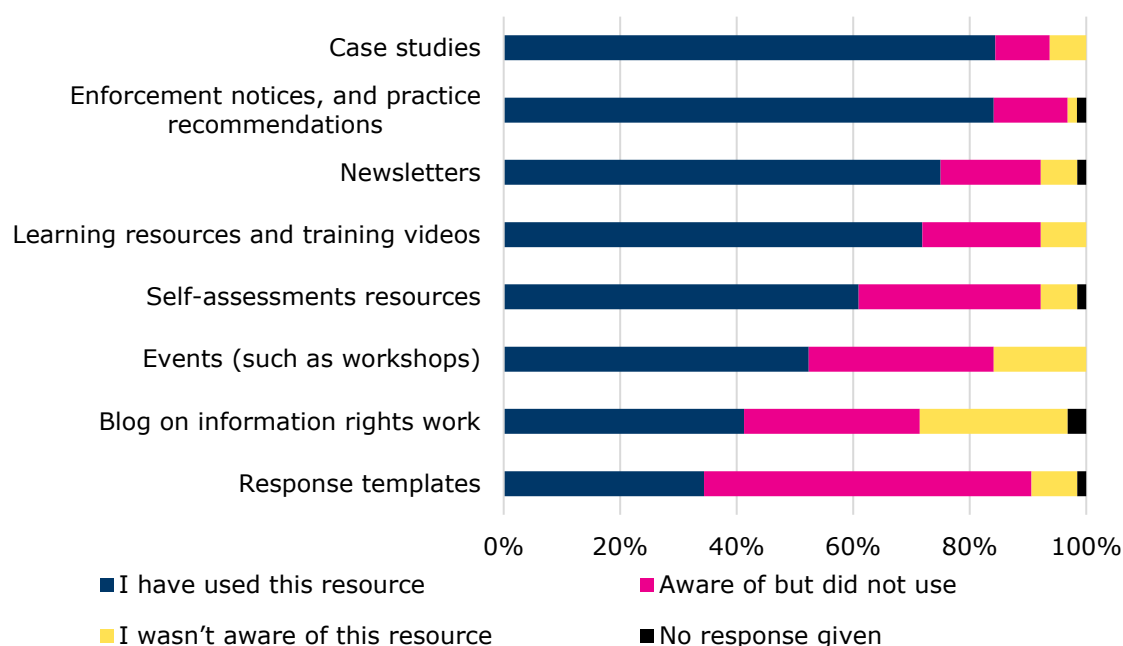
Among the respondents who were aware of the FOI upstream resources, awareness of the different types of resource was generally high (90% or more of respondents). Only the blog (70% of respondents) and events (82% of respondents) had lower levels of awareness. This potentially indicates these two resources might benefit from improved visibility or promotion.

The most commonly used resources were case studies (84%), enforcement notices and practice recommendations (83%), followed by newsletters (75%), and learning resources and training videos (72%).

Response templates stood out as a resource where there were a large proportion of respondents that were aware of this resource (91%) but many had decided not to use them (56%). This finding was anticipated by the project team as templates were aimed at less experienced FOI practitioners who the team felt would be less likely to respond to the survey.

²⁵ For example the survey was disseminated by the ICO regional and sectoral teams, through an FOI journal and via the ICO's newsletter.

Figure 7: Which of the following statements best describes your awareness and use of the different FOI resources provided?



Source: ICO analysis. Evaluation survey wave 2, 74 responses.

4.4. Progress against theory of change

As is often the case, inputs, activities and outputs is where we have the strongest evidence of progress against the project's theory of change. The evidence provides confidence that resources have been published, enforcement has taken place and that awareness was raised effectively.

On the requester focused elements of the theory of change there is less evidence. FOI upstream team members confirmed that mySociety and other civil society partners were drawn in to raise the profile of the resources but we do not have robust evidence to conclude that requesters engaged with the resources. With the ICO's current website monitoring tools, it would be difficult to confirm this. Fortunately, this element of the theory of change is not necessarily critical to the project's success as public authorities are the main target audience for resources.

Conclusion: The evidence supports strong progress against the relevant elements of theory of change.

4.5. Summary

The key messages around inputs, activities and outputs are summarised below.

Resources used to deliver the project (inputs): The resources (finance, staff time and systems) have been used effectively and efficiently and met original expectations with the majority of resource coming from staff time. Current resource levels would continue to deliver similar levels of positive outcomes but future growth would be dependent on increased staff time commitments.

Project delivery (activities): The project, over the interim evaluation period, has delivered:

- 17 [case studies](#), 11 [blogs](#), 4 [response templates](#) and 59 [newsletter articles](#);
- 9 [learning resources and training videos](#);
- 34 FOI related event appearances; and
- 25 [practice recommendations](#) and 18 [enforcement notices](#).

Key drivers of success included the ability to gather timely feedback and input from stakeholders, a dedicated project team, and a persistent publication timeline.

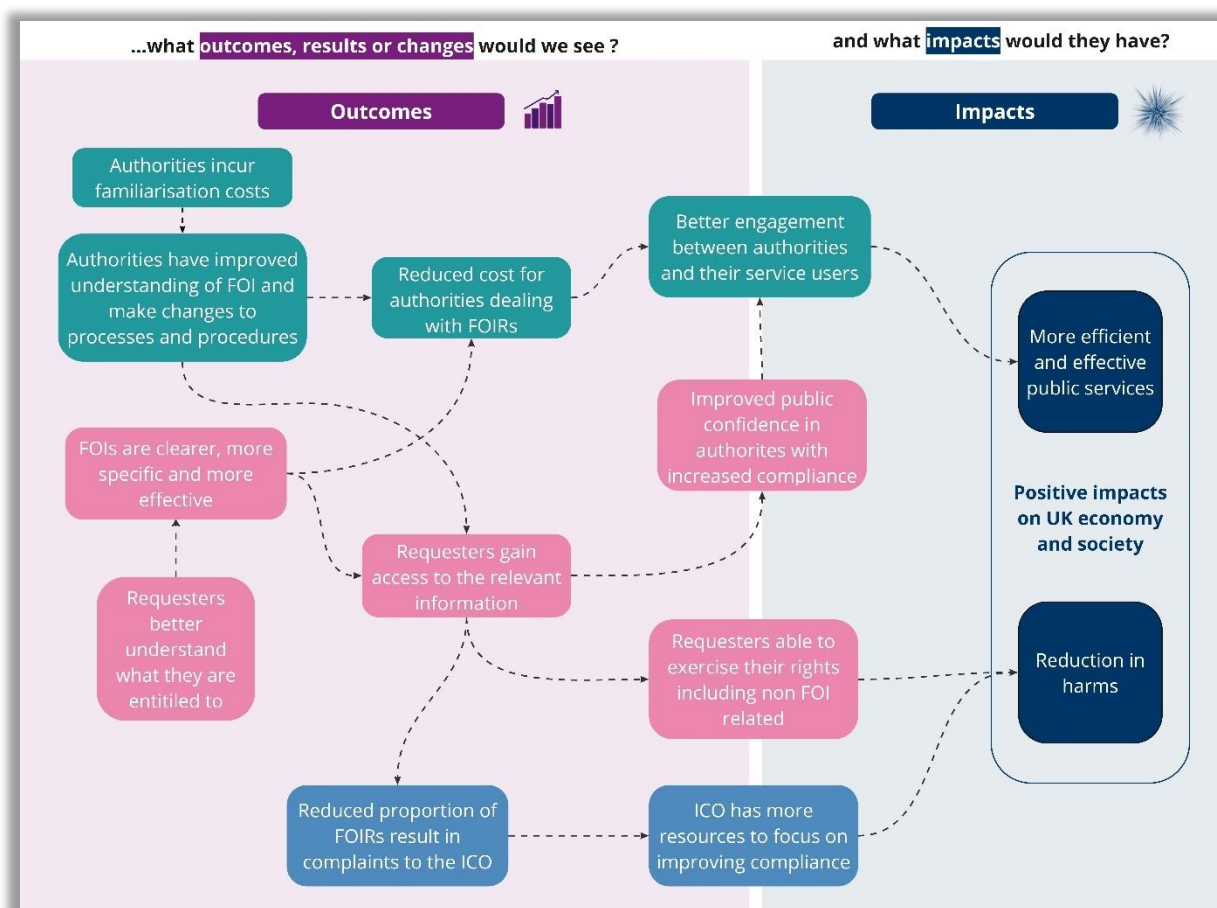
Awareness and use of FOI upstream products and resources (outputs): The website monitoring tool recorded 72,300 visitors to the resources and the majority of respondents to the second wave of the evaluation survey had used or were aware of our FOI resources. The most commonly used resources were case studies, enforcement notices and practice recommendations and newsletters. Engagement was highest when content was targeted and involved a combination of upstream and downstream activity.

Progress against the theory of change: The evidence supports strong progress against almost all inputs, activities and outputs in the theory of change.

5. Delivering change (outcomes and impacts)

In this section, we summarise and review the outcomes and impacts for the project, as illustrated in Figure 8 extracted from the theory of change. Most of the changes the project expects to deliver are external to the ICO and, as such, can be challenging to measure. To address this, we have taken a proportionate and practical approach and have widened the variety of evidence sources we draw on to inform the evaluation. The evidence collected covers a range of outcomes and allows us to be reasonably confident that the project has delivered the expected movement along the route to impact in the theory of change.

Figure 8: FOI upstream theory of change, outcomes and impacts



Source: ICO analysis.

5.1. Indicators of behaviour changes

Whilst it is difficult to observe a change in behaviour and even more difficult to attribute this to the project, the evaluation survey provides useful indicators that the outputs have influenced practitioners.

5.1.1. Perception of resources

An indicator of potential behaviour change is whether respondents that have used the resources found them useful. Respondents are more likely to make attributable changes to their behaviours if they find the resources useful in the first place.

The majority of respondents who had used the resource (89%) agreed that they were clear and easy to use. One respondent noted:

“As someone who has been dealing with FOI for many years, I find that the current FOI resources are really helpful and easy to use covering all the aspects you need to process requests and to learn from others.”

Source: Evaluation survey response.

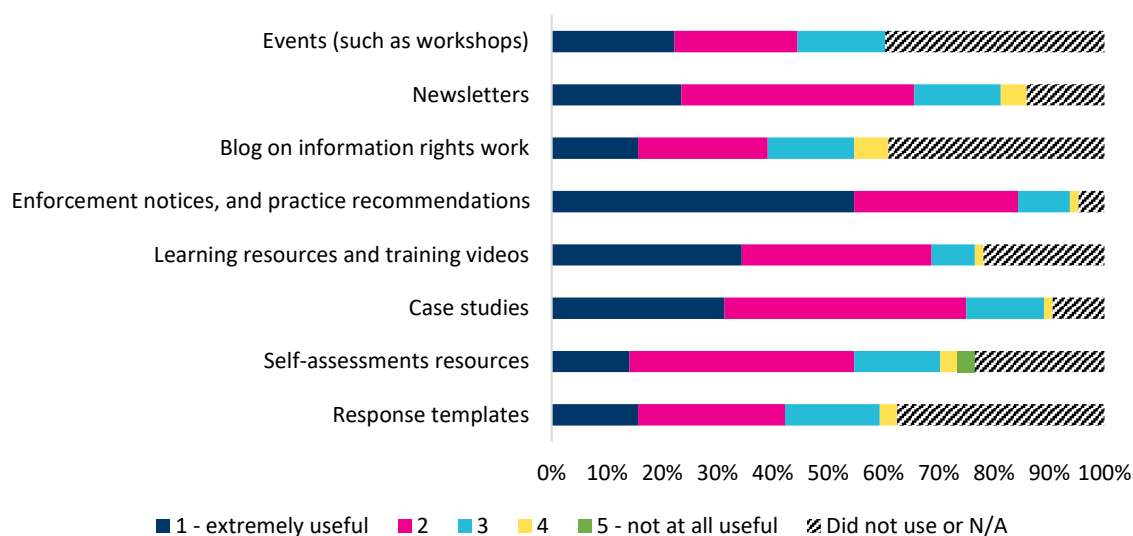
Six of the respondents (9%) neither agreed or disagreed that resources were clear and easy to use, while just one respondent (2%) disagreed. Where respondents noted issues with the resources, these ranged from resources being too complex to not being detailed enough, which is to be expected with such a wide audience. It also highlights the challenges the team has tried to navigate in producing material useable by as wide a range of the sector as possible.

To further understand respondents’ interactions with and perception of the resources, we asked how useful they found each type of resource individually. This is illustrated in Figure 9 below.

For all resource types, of the respondents that had used the resources, the majority found them useful.²⁶ The enforcement notices and practice recommendations had the highest number (54) and proportion of positive responses (84%). This aligns with anecdotal feedback given to FOI upstream team members.

²⁶ By useful we mean that they scored it 1 or 2 in responses to the question: *Based on your experiences of the FOI resources available, how useful have you found them? (where 1 is extremely useful and 5 is not at all useful).*

Figure 9: Based on your experiences of the FOI resources available, how useful have you found them?



Source: ICO analysis. Evaluation survey wave 2, 64 responses.

Respondents noted that the variety of resources available were useful in keeping them up to date, with the newsletter being noted as a helpful tool for information on changes and latest decision notices.

Several respondents stated they found the workshops useful and would like to see more available in the future. Where feedback was collected by event hosts, it was overwhelmingly positive.

“[The event gave me] a better understanding of processes, tests to be done and record keeping. I shall feed this information up to management so we can continue to improve.”

Source: FOI event attendee.

When asked whether the FOI resources provided adequately covered their role in meeting FOI requirements; the majority (84%, 54 respondents) either agreed or strongly agreed that they did, while two respondents (4%) disagreed. Comments from respondents included:

“I value the fact that there is high level easy to consume guidance which is supported by more detailed guidance which can be invaluable.”

Source: Evaluation survey response.

“Much better resources available to working FOI practitioners as a go to resource for help and guidance, much improved since a couple of years

ago. The resources save hunting around the ICO website, especially when you need to find an answer quickly, due to the time limitation. Helpful for those Practitioners working in smaller local authorities who may not be part of a large team.”

Source: Evaluation survey response.

One respondents that disagreed questioned the relevance of the resources for their specific sector (town and parish councils). Given the limited resources of the team, it is not possible to provide bespoke guidance for every sectors but this does further bolsters the case for more sector focused and targeted activity.

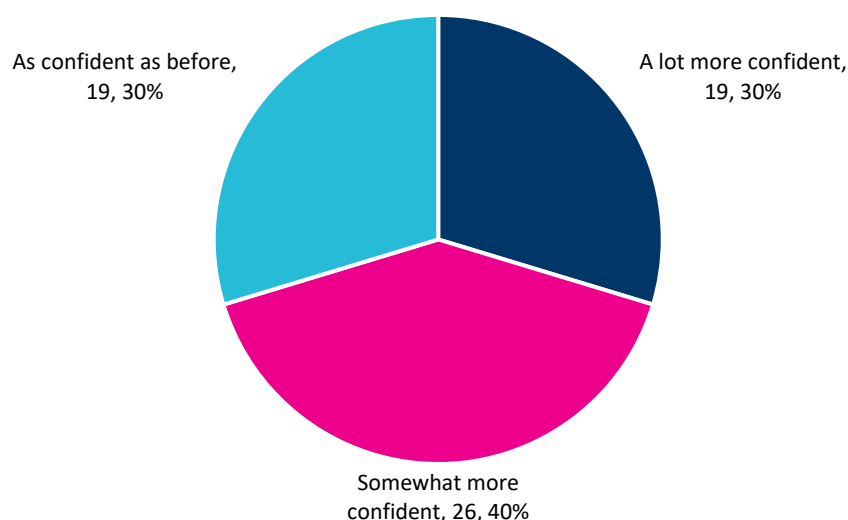
5.2. Indicators of potential changes to process

A key link within the route to impact assumed within the theory of change is organisations having an improved understanding of FOI requirements leading to changes in their processes and behaviour which drive increased compliance and decreased likelihood of FOI harms.

5.2.1. Improved understanding of FOI

Over two thirds of respondents (70%) reported increased confidence since engaging with the resources. This is important feedback given the positive correlation between increased confidence and improved understanding of FOI, which is a key link in the route to impact.

Figure 10: Since using the resources provided, how confident do you feel in dealing with FOI issues?



Source: ICO analysis. Evaluation survey wave 2, 64 respondents.

5.2.2. Implementing changes

The evaluation survey asked whether respondents had or are planning to make any changes to processes and procedures:

- 38% (24 respondents) have already made changes to processes and procedures since engaging with FOI resources;
- a further 16% (10 respondents) are planning to make changes soon; and
- 31% (20 respondents) have no immediate plans to make changes but will revisit this in future.

Changes respondents report making or planning to make include updates to internal procedures, templates, and publication schemes, better performance reporting, enhanced website content, and staff training.

Route to impact: ICO's published resources lead to a reduction in harms for requesters

The limitations in gathering output evidence from requesters noted in Section 4.4 also limit our ability to evidence outcomes linked to requesters. However, the evaluation survey tells us that one of the key changes public authorities are making is to improve their external content for requesters. This provides evidence to support that route to impact where requesters better understand what they are entitled to and make clearer, more specific, and more effective Freedom of Information Requests (FOIRs) as a result.

There is also anecdotal evidence that practice recommendations are driving changes to processes. In response to a practice recommendation, one council reported:

"Over the past 12 months, [the issue] has begun to be addressed with all departments improving how data is being collated and shared. I'm confident the new processes and training being put in place will enable the Council to more than meet the standards of the Freedom of Information Act, and demonstrate we are an open and transparent organisation."

Source: PDP Journals (2024) Freedom of information Journal Volume 20 Issue 1.

Attribution of changes

To assess whether the changes were attributable to the resources or if they would have happened even without the resources, respondents were asked to what extent they would attribute their changes to the resources provided.

Of the respondents that made or plan to make changes soon, 9% (3 respondents) attributed these changes to the ICO completely, 35% (12 respondents) to a large extent, 38% (13 respondents) to a moderate extent and 18% (6 respondents) to a small extent. Several respondents highlighted the value of ICO guidance, self-assessments, and best practice examples in shaping these improvements.

This is a positive result as it provides evidence that **the resources are driving actual changes rather than just being correlated with them** (an important link in the project's theory of change).

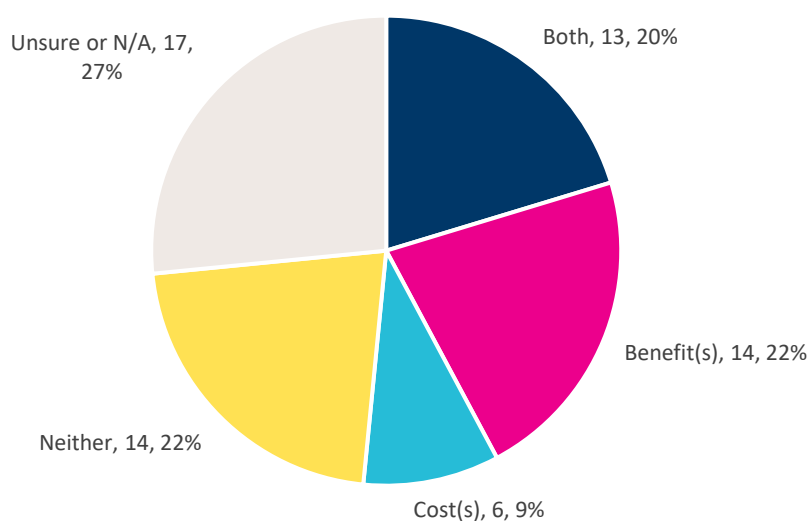
5.2.3. Perceived costs and benefits

It was assumed within the theory of change that organisations may incur familiarisation costs²⁷ in the short term but then a longer-term reduction in costs. This is through improved understanding of the requirements, embedding of FOI training and processes, and greater clarity and specificity in the FOIRs themselves.

When asked if the use and implementation of FOI resources resulted in additional benefits or cost, 42% (27 respondents) reported benefits, 29% (19 respondents) reported costs, and 22% (14 respondents) reported neither benefits or costs (see Figure 11).

²⁷ These are the costs organisations can incur from the time and resources taken to read and familiarise themselves with any resources. More detail on familiarisation costs is provided here: [Business Impact Target: appraisal of guidance - assessments for regulator-issued guidance \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/614441/BIT-Appraisal-of-guidance-assessments-for-regulator-issued-guidance.pdf).

Figure 11: Has the use and implementation of the FOI resources resulted in additional benefits or costs to your organisation?



Source: ICO analysis. Evaluation survey wave 2, 64 respondents.

Some of the benefits highlighted by respondents included:

- saved costs;
- reduction in staff time to handle requests;
- giving staff confidence in how to interpret legislation and on the application of exemptions;
- not needing to employ legal professionals;
- saving money on internal training costs; and
- streamlining of processes.

The costs highlighted included:

- staff time to review existing processes and procedures; and
- staff time to familiarise themselves with the resources.

5.3. Sector specific outcomes

Below we provide examples of outcomes achieved through the activities targeted on specific sectors that was highlighted in Section 4.2.4.

5.3.1. How the ICO helped police forces to improve compliance

Between 2023 and 2024, the ICO carried out [audits involving ten police forces](#). The audits resulted in 152 recommendations for improvements in areas such as retaining staff, resourcing levels, FOI training and awareness raising, as well as identifying some areas of best practice.

This, alongside other compliance evidence on the sector such as complaint levels, identified policing as an area of focus for the FOI upstream team. To support this sector, the team developed a number of resources including:

- [Common themes of good practice for the police sector](#)
- [Bitesize investigations and law enforcement tool](#)

Alongside this, the team also delivered enforcement activity to provide a more holistic approach to intervention in the sector. Since the project started, the team has taken regulatory action against police forces 13 times:

- [nine enforcement notices](#); and
- [four practice recommendations](#).

To inform the evaluation, we have spoken with a number of public authorities, who were complementary about the approach. One of the police forces we interviewed said:

“The enforcement notice we received helped get buy in from senior leaders and was something we could point to, to encourage compliance. It was an impetus for change which helped make the argument and win it.”
FOI practitioner, police force

They also drew extensively on our resources including templates, training and self-assessment tools.

As a result, the police force moved along our intended route to impact making **systemic changes to their policies and procedures**. They moved the decision-making function on FOI requests into the FOI team and adjusted approval procedures to allow decisions to be taken much more quickly. This then meant that **requests were answered more quickly** and the police force **saved time**.

5.3.2. Improving public trust in water companies

In the financial year 2023/24, UK water firms were facing increased scrutiny over sewage discharges into lakes, rivers and coasts. The lack of readily available information and the reticence of water companies to disclose information about their activities significantly dented the public's confidence. The upstream team identified this as an area where the ICO

could intervene to help regain public trust in an area where a high profile regulated sector was perceived to be failing to meet the required standards.

In July 2024, following a [major tribunal decision and decision notices issued to six water companies](#), the Information Commissioner wrote to water companies and put out the following [public statement](#):

"My message to water companies is simple – put transparency first. The public has no choice but to use our water companies, therefore these companies should ensure they have every confidence in doing so. The current concerns about sewage pollution have dented this confidence, so we're calling on these companies to be open about their activities to help rebuild this trust. It's both their responsibility and their legal obligation."
John Edwards, Information Commissioner, ICO

This not only put water companies on notice but enabled a multiplier effect whereby the ICO was able to effectively piggy back on a major news story around sewage discharges and raise the profile of the ICO and the legislation. The story was further amplified by our continuous action in this area, releasing a [practice recommendation to United Utilities](#) as well as a case study outlining good practice from [Yorkshire Water](#).

The team also collaborated with the water company regulator Ofwat to add weight to our message.

"One of the pre-requisites for building public trust is a culture of openness. As trust in the water sector is falling, that tells us companies have more to do. They should move to embrace open data as a matter of course, and they should be more open in sharing their plans and progress.

And they should not wait to be pushed. Customers have paid companies to install monitors and collect their data. They have a right to see what it says." **David Black, Chief Executive, Ofwat**

This combination of activity resulted in one of our most successful FOI and EIR actions to date. These actions were featured in both [national](#) and [local](#) media outlets, allowing the ICO to reach people and organisations with little prior knowledge of information rights legislation. It was also noted by external stakeholders as particularly impactful when interviewed as part of the evaluation.

Since then United Utilities have fully complied with all the recommendations and **all water companies have implemented measures to improve compliance** including commitments to proactively publish sewage discharge data on a regular basis.

This is a strong example of the FOI upstream project's work towards the outcomes of **improving public confidence** in authorities and encourage better engagement so that public services become **more effective and efficient**.

Amplifying messages in this way may also have enabled the ICO to raise awareness of information rights to a much wider audience, with a potential knock on **reduction in harms**.

5.4. Specific examples of progress along the project's routes to impact

The evidence collected indicates that the project is progressing well along its intended route to impact (see our conclusion in section 5.5 below). Below we draw out some areas where there is particularly strong evidence that the FOI upstream team's activities are driving outcomes. These are highlighted in blue boxes below.

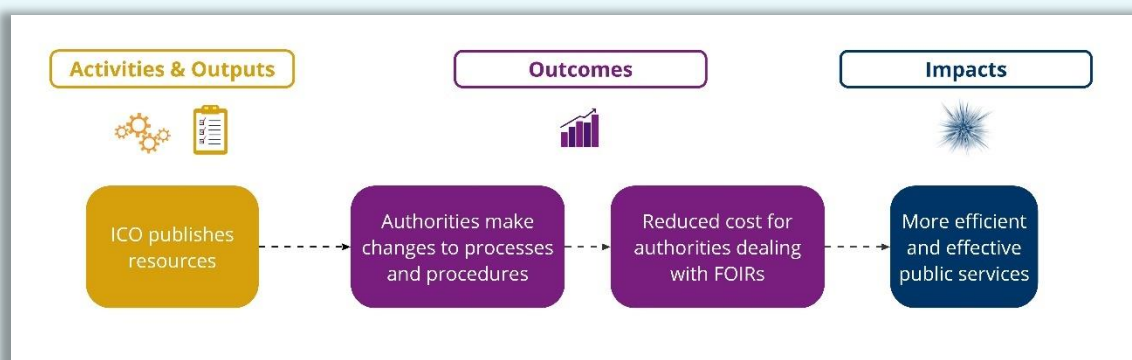
Route to impact: ICO's published resources improve efficiency and effectiveness

The survey evidence shows most practitioners are already changing their processes or plan to make changes soon which is a strong indicator that changes will follow for authorities and requesters. Tools such as templates and trackers were designed to be instantly applicable for practitioners. By engaging them with draft versions and ideas early on in the process through the reference group, there was a higher degree of confidence that these would actually be useful.

There is also anecdotal evidence of reduced cost for authorities dealing with FOIRs. In making it easier for public authorities to effectively respond to requests, one of the main ambitions for the project was to reduce cost pressures. Staff time is responsible for the overwhelming majority of costs associated with FOI so any time saving measures that can be achieved are very important. As noted in section 5.2, where practitioners responding to our survey noted benefits, these were often attributed to staff time savings. Consultations with public bodies shed more light on this. One government department stated that their use of

one of the FOI upstream templates had allowed them to save 3 hours in staff time (75% of the total time) every month on gathering statistics.

Figure 12: Route to impact for cost reductions for public authorities



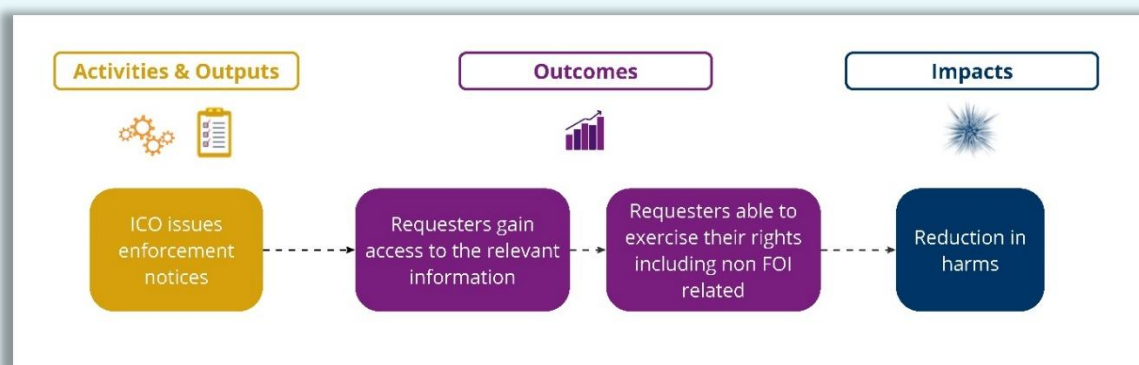
Source: ICO analysis.

Route to impact: ICO's enforcement action leads to a reduction in harms for requesters

The route to impact where we have evidence of the furthest progress along the theory of change is the enforcement action undertaken by the team. The enforcement notices are focused on a small number of authorities that interact with a large number of people, receive lots of requests, and have met the thresholds for enforcement due to high levels of non-compliance. The 18 enforcement notices published by the FOI upstream team have over **6,243 FOI requests** linked to them. Team members have confirmed that all notices to date have been complied with, meaning that those requesters will have received responses to their requests when they were previously stuck in backlogs. Although it is not possible to confirm, where they are entitled to it, a large proportion of these will now likely have been given access to the information they requested.²⁸ The theory of change infers that this will enable them to exercise their rights and lead to potential reductions in harm, as outlined below.

²⁸ Although many requesters will have been given access to the information, public authorities are still able to apply exemptions where appropriate which would result in some requesters receiving a response but not gaining access to the information.

Figure 13: Route to impact for enforcement notices



Source: ICO analysis.

There are also other outcomes we would expect to see from this such as the **dissuasive effect of enforcement** on other authorities. Although we do not yet have conclusive representative evidence of this happening, anecdotally, conversations that team members have had with FOI practitioners through engagement activities, indicates that they are taking notice of the enforcement notices and practice recommendations and are making changes to their processes based on what they read.

There is also a direct consequence for the ICO's resources, in that where an enforcement notice is issued, the ICO does not then have to issue individual decision notices on all outstanding complaints. It could also prevent some requests from becoming complaints to the ICO in the future. Team members have suggested that if even a small proportion (less than 1%) of the requests linked to the enforcement notices became complaints to the ICO, the resources involved with dealing with them would outweigh those linked to the FOI upstream project. This helps **save ICO staff time** that can instead be focused on managing its rising overall caseload and supporting more people in exercising their right to access information. This could then have the knock on effect of further reducing harms, as per our theory of change.

Figure 14: Route to impact for saving ICO staff time



Source: ICO analysis.

5.5. Progress against theory of change

As with Section 4.4, here we review the evidence of progress against the project's theory of change for outcomes and impacts. To evidence that the project is driving changes, the evaluation has drawn on a variety of sources.

The survey evidence demonstrates that changes are being made by public authorities, while case study evidence provides confidence that outcomes are then progressing through the necessary routes to impact. There is also administrative data to further bolster confidence that the project is delivering impacts. Interviews with external stakeholders with a view of the sector as a whole also provided reassurance that indicators such as speed of responses had improved over the last two or three years.

One area where there was evidence of outcomes that was not covered in the theory of change was on the reputation of the ICO. Interviews with internal and external stakeholders, as well as feedback from events, demonstrated a positive reputational impact.

"We used to be critical of the ICO and suggest [FOI and DP regulation] should be split out but now don't feel that way and can see there are people that find the work important."

Source: Civil society representative.

This unexpected impact is something that should be considered when designing projects and developing their theories of change in the future.

Conclusion: The evidence provides confidence of positive progress against the relevant elements of the theory of change.

5.6. Summary

The key messages around outcomes are summarised below.

Indicators of behavior change: There were strong indicators that the project influenced behaviour change. The majority of respondents that had used the resources agreed that they were clear and easy to use

(89%) and that they adequately covered their role (84%). All resources were deemed useful by the majority of respondents whilst enforcement notices and practice recommendations had the highest number (54) and proportion of positive responses (84%). This aligns with anecdotal feedback given to FOI upstream team members.

Driving changes to processes: Over two thirds of respondents reported an improvement in their confidence in dealing with FOI related issues. Over half of respondents have either already made or are planning to make changes soon. These included updates to internal procedures, templates, and publication schemes, better performance reporting, enhanced website content, and staff training.

All respondents who had made or were planning to make changes attributed at least some proportion of the changes to the FOI upstream resources with 43% attributing the changes to the resources 'completely' or 'to a large extent'. This provides evidence of causality that the resources are driving impacts with a relatively high attribution rate.

Costs and Benefits: When asked if the use and implementation of FOI resources resulted in additional benefits or costs, 42% (27 respondents) reported benefits, 29% (19 respondents) reported costs,²⁹ and 22% (14 respondents) reported neither benefits or costs. More than four in ten respondents (42%) reported benefits resulting from the use and implementation of FOI resources, around three in ten (29%) reported costs. Where benefits had arisen, these included reduced time needed to handle requests, streamlined processes and reduced costs of staff training. Where detail was provided, the costs highlighted were short-term and included reviewing existing processes and procedures and the cost of familiarising themselves with the resources. This is a reasonable tradeoff between short-term costs for potentially longer lasting benefits.

Progress against theory of change: Survey and case study evidence provide confidence that the project has enabled many of the routes to impact anticipated. Evidence is particularly strong for targeted activities that draw on multiple regulatory tools. The evidence shows positive indicators of outcomes, such as requesters gaining access to relevant information and authorities changing their processes, linked to the development of resources and the publication of practice recommendations and enforcement notices. This gives us confidence that

²⁹ The costs and benefit stats are not mutually exclusive as 20% of respondents reported both costs and benefits. See Figure 11 for more detail.

the project is delivering the intended outcomes and impacts such as enabling people to exercise their rights, reducing FOI-related harms, and effectiveness and efficiency improvements for public authorities.

6. Value for Money

As discussed in the preceding sections of this report, the FOI upstream project has delivered a wide range of activities, outputs and outcomes and is likely to have a significant positive impact on society. This section provides an indicative assessment of the project's value for money in light of the resources invested to deliver these positive contributions.

As noted in Section 4.1, the main inputs for the project have been staff time and an initial piece of scoping research which are summarised in the table below.³⁰

Table 3: Overview of monetised costs, Oct 2022 to March 2025

	Cost
Staff time	£763,956
Scoping research	£53,454
Total	£817,410

Source: ICO monitoring data.

To assist in assigning expenditure to different outputs and outcomes, the project delivery team have provided a high level breakdown of expenditure across the main activity strands:

Table 4: Apportionment of costs by activity strand

	Proportion	Cost
Development and awareness of resources	60%	£490,446
Presentation and appearance at events	20%	£163,482
Enforcement notices and practice recommendations	20%	£163,482
Total		£817,410

Source: ICO delivery team consultation.

³⁰ There were some additional inputs such as use of systems and additional support time from other teams but it has not been deemed proportionate to record these. As such these should be noted as monetised costs, representing a lower end estimate of total costs.

This is not intended to provide a comprehensive assessment of the costs of the project but is a useful and proportionate indicator of cost for the purposes of this indicative value for money assessment.

Ideally, value for money would be presented as a benefit-cost ratio which represents the value of benefits that the project has delivered for every £1 in cost. However, the evidence base is not sufficiently comprehensive to be able to estimate benefits in monetary terms. That said, there is a good body of quantitative evidence that we can draw from the project monitoring and evaluation data. As such, we have estimated a range of cost per: activity, output and outcome measures that provide an indication of the value for money delivered by the project which are shown in Table 5 below.

These values are calculated by taking the total costs associated with the activities and then dividing it by the number associated with the activity, output or outcome indicator.

For example, if we take the total costs associated with development and awareness of resources (£490,446), and divide this by the total number of visitors to products on the website (72,300), we get the value that they would need to get from it for the activity to be worthwhile to society (£7). This means organisations would only need to see a benefit or cost saving of £7 from accessing the products on the website to make them worthwhile to society. As shown in Section 5.2.3, FOI practitioners saw cost savings in areas such as staff training, and legal costs which are likely to far outweigh this £7 cost to society. This is before considering any indirect outcomes and impacts such as reductions in harms.

Table 5: Societal value required per indicator to deliver a net benefit

Indicator	Value
Activities	
Cost per event attended or hosted	£4,810
Cost per publication	£6,210
Cost per Enforcement notice or practice recommendation	£3,480
Outputs	
Cost per product visitor	£7
Cost per event attendee reached	£26
Outcomes	
Cost per request answered	£26

Source: ICO monitoring data.

Although the indicators above do not give us enough evidence to make a conclusive judgment on the project's value for money, they do provide us with a useful indicator.

Illustrative breakeven analysis

A further way to illustrate the potential value for money for the project is to convert this into time-savings, given this is one of the benefits reported by survey respondents. To do this, we use an appropriate proxy for the hourly cost to a public authority of employing an FOI practitioner (£29.11).³¹ We then take the cost per product visitor from the table above (£7) as a proportion of this hourly cost (24%) to estimate the number of minutes that they would need to save to make the publication of products worthwhile to society (14 minutes). Given some of the anecdotal evidence of time savings we have gathered for the evaluation (see Section 5.4), this is a relatively small amount of time that would be required for the project to have delivered positive value for money for society. As noted above, this is before considering any wider benefits beyond time savings that could be driven by the products published by the team.

Conclusion: We are unable to provide a conclusive steer on value for money because it is difficult to put this into context as the ICO, or indeed comparable public bodies, do not routinely collect data on which activities staff spend time on. That said, we have good illustrative evidence to suggest the potential for positive returns on investment. The analysis also provides a good baseline comparison for future projects of this nature and over time as evidence is collected for comparable projects, the value for money delivered by the FOI upstream project will become clearer. These are also useful metrics for target setting for future projects.

³¹ This is the gross, median, hourly pay for a full time, public sector employee taken from the 2024 release of the [ONS's Annual Survey of Hours and Earnings](#). We then apply the same uplift that the ICO applies to its wage costs to account for on-costs to produce an estimate of total employment costs (40%).

7. FOI upstream: key findings and lessons learnt

In this final section we review how the project has progressed against its theory of change, draw out any conclusions that can be made and provide lessons learnt. As stated in our [Ex Post Impact Framework](#):

“We are committed to understanding the effectiveness, efficiency and impacts of our interventions, to increase our understanding of what works and why, and to use this evidence to improve our interventions and decision-making processes.”

7.1. Overall progress against the theory of change

As set out in the theory of change (see Annex D), the changes the project aimed to bring about were to:

- enable public authorities to deliver more efficient and effective public services; and
- reduce the harms associated with restricted access to necessary information.

It is difficult to provide conclusive evidence of impacts but the evidence presented in Sections 4 and 5 provides confidence that the project has progressed well against these aims.

Figure 15 below maps some of the key pieces of evidence we have been able to collect against the project’s theory of change. There is a mix of evidence with more robust evidence strands such as administrative data sources filled in darker colours, and anecdotal evidence filled in white. This mix is important as it demonstrates the wide reach of the project from administrative data sources alongside the deeper qualitative messages drawn out through interview and case study evidence.

The figure shows that the project has made good progress against the theory of change and we have a good level of confidence that the project is driving the changes it intended to bring about.

Evidence of impact

Evidence robustness

- Administrative data
 - Output
 - Outcome
- Survey Evidence
 - Output
 - Outcome
- Anecdotal Evidence
 - Output
 - Outcome

Activities

- 132 publications 34 events
- 18 enforcement notices 25 practice recs
- 72,300 web visitors 6,200 event attendees

Outputs

- Authorities engage with service users
- Requesters engage with the resources
- Publications make rights clearer for requesters

Outcomes

- short-term costs reported
- familiarisation costs
- PAs find guidance useful
- authorities have improved understanding of FOI and make changes to processes and procedures
- specific and more effective
- Longer term cost savings reported
- PAs able to respond more quickly
- 6,200 requests answered
- Requests no longer become complaints
- Staff time reallocated to existing caseload

Impacts

- Better engagement between authorities and their service users
- Improved public confidence in authorities with increased compliance
- Requesters able to exercise their rights including non FOI related
- More efficient and effective public services
- Positive impacts on UK economy and society
- Reduction in harms

Source: ICO analysis.

7.2. Conclusions

The FOI upstream project has been running for around three years with evaluation and monitoring activity running alongside implementation from the start. This passage of time, consistent monitoring of project activities, outputs and outcomes, and our professional judgement as evaluators provides a valuable platform upon which to draw conclusions. We present these conclusions below:

FOI upstream has progressed from innovation to best practice

What began as an innovative approach, requiring scoping research to provide direction has now become a mainstay for the ICO's regulation of the FOIA. Clear evidence of positive outcomes and good indications of a positive return on investment have provided senior leaders with the assurance to continue funding the project into its fourth year of delivery.

Combined regulatory impacts are greater than the sum of their parts

We can't be certain of what would have happened if the project had not delivered the wide range of activities that it did. However, all of the evidence points towards the combination of regulatory tools delivering enhanced outcomes for all parties. This includes changes observed through administrative data, survey evidence and interviews with stakeholders. Delivering guidance and support alongside more downstream regulatory activities such as enforcement notices and practice recommendations was recognised by multiple stakeholders as a key driver of the project's successes. This then leads us on to our next conclusion...

Dissuasive effects are important in driving change

Across the project's activities there is evidence of change. The most immediate changes were seen where downstream proscriptive activities, such as enforcement notices were combined with upstream activities (eg guidance and engagement). The dissuasive effects of more proscriptive activities were noted early on in the project in the interim evaluation and in the more recent evidence collected for this full evaluation report. The evidence has shown positive indicators of outcomes, such as requesters gaining access to relevant information and authorities changing their processes, linked to the development of resources and the publication of practice recommendations and enforcement notices. This gives confidence that the project is delivering the intended outcomes and impacts such as

enabling people to exercise their rights, reducing FOI-related harms, and effectiveness and efficiency improvements for public authorities.

The importance of dissuasive effects was also seen as a learning point in the [post implementation review of the public sector approach trial](#) and the conclusions of the [evaluation of the children's code](#) showing that it has relevance across multiple areas of legislation.

Ring-fenced projects lead to more conclusive evaluation insights

FOI upstream is not a typical ICO project. To put FOI into perspective, complaints received by the ICO relating to data protection are five and a half times greater than those relating to FOI.³² Furthermore, as noted in this report, FOI upstream was initiated with resources specifically allocated to the project. This made it much easier to monitor resources, activities and outputs delivered by the project without having to disentangle them from the deliverables of other initiatives. This then allows us to be much clearer about attribution of outcomes and changes which in turn allows us to be clearer in our conclusions around the successes and learning points of the project.

7.3. Lessons learnt

The learning points for the project build on the conclusions above and the evidence presented throughout this full evaluation report and that of the interim evaluation. They are framed so they are useful for both the continuation of the FOI upstream work but also more widely applicable to other future and ongoing projects:

- **Hitting the ground running:** As stated in the interim evaluation, the sequencing of the project has meant that it was able to ramp up quickly and has been steadily delivering outputs for a sustained period of time. Demand for the activities and outputs was high from the outset as it had been a gap the ICO had wanted to fill in previous spending rounds but had not been able to resource. Identifying these opportunities where there is latent demand should be a priority.
- **Sector specific focus for higher return on investment:** where resources are constrained, projects often face the choice of either a small impact in lots of areas or a large impact in a small number of

³² See page 19 of the ICO's [2024/25 annual report](#).

areas. The FOI upstream team's approach of targeting high profile sectors has shown that to some extent, both routes can be taken. Intensive activities focused on a small number of sectors ensures that a large impact is generated within those sectors whilst allowing for knock on benefits to be felt outside of the target sectors. This is best achieved by packaging up activities and outputs with a clear message and outcome in mind.

- **Capitalising on opportunities to amplify messages:** Having flexibility built into the team's activities allowed them to respond to themes or sectors with increased media attention such as the increased focus on water company compliance (see Section 5.3). Intervening publicly in these areas allows the message to reach the target audience more quickly and enables knock on benefits of reaching wider audiences with lower awareness of information rights.
- **Reprioritising with agility:** Of the resources targeted at public authorities,³³ the data on visitors to the FOI upstream resources indicate that the [learning from decision notices](#) was the most popular resource by a large margin, with high reported usage amongst survey respondents. This contrasts with the response templates which survey respondents reported relatively modest awareness of and low usage. The team reacted to this by refocusing resources accordingly. The team reacted accordingly and decided that because they had established a suitably diverse range of resources, they could then refocus their efforts on capitalising on those areas with the greatest reach. This approach should be taken by others when developing a suite of different types of products.

Relevant learnings from the interim evaluation

The lessons above were those that have become apparent only through the additional evidence collected since the interim evaluation or where the interim evaluation learning points have been built upon using the enhanced evidence base. Below we present learnings that remain unchanged and are still just as relevant in light of the additional evidence.

- **Continuation of funding:** The initial phases of this project drew on additional funding from government, for which there was some

³³ This excludes the "How to access information from a public authority" as this was developed for requesters.

uncertainty. The uncertainty did not aid planning and meant the team had to curtail their initial plans for the training element of the project. More concrete commitments and longer term funding streams should be sought wherever possible. This would allow the project teams to plan more effectively and maximise potential future benefits.

- **Enhanced tracking of resources:** Tracking of resources for the project and the delivery team's knowledge of where time was spent, enabled better estimates of costs per outputs and outcomes. This is a lesson that could be applied more widely across the organisation and would allow useful comparisons to be made. Not to mention the benefits of being able to plan and deploy resources to the areas that would deliver the greatest return on investment in terms of impact.
- **Dissemination of good practice:** There are a number of successes for the project that are widely applicable outside of the FOI upstream project. The team has begun to set up more formal channels for sharing their approach and lessons with others which is helpful for establishing good practice. The significant size of the ICO, makes these intentional knowledge sharing initiatives very important.
- **Scoping research:** Undertaking scoping research at project inception was reported as particularly useful for this project. Team members noted that this should be standard practice for any new initiatives. This aligns well with the [ICO's policy methodology](#), where the second step in the process is research and analysis. This should be taken into account when planning future activities.
- **User feedback panel:** Linked to the scoping research, the reference group of FOI practitioners that was set up has been invaluable to the team. Having an active and engaged group like this in place allows the team to gain greater confidence that the resources they are developing will be useful in practice.
- **Drawing on the full spectrum of regulatory tools:** The combination of upstream engagement and targeted, sustained enforcement activity has been a huge success for the project. It is a good example of the ICO using multiple tools from its regulatory toolkit. On the one hand, providing support to organisations to help them comply, and on the other hand, responding with action to those that don't comply. This has been well received by both public

authorities and civil society groups. The approach has also allowed the ICO to demonstrate early outcomes by ensuring that the FOI requests linked to the enforcement action are being answered. This is valuable as it is often difficult to evidence outcomes at the early stages of a project.

- **Explicit ownership and accountability:** The project has been delivered by a dedicated FOI upstream team. This enables the team to work on the project's activities without other competing priorities and focus solely on the successful delivery of the project's outputs and outcomes. It also ensures that there is accountability and ownership of the project's successes and failures.