

## People Committee

Report title: Improved Productivity: an FOI case study

**Meeting date: 22 October 2025**

Time required: 30 mins

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RAPID Role: Scrutinise

Publication decision: Can be published internally and externally

### Executive Summary

The Better FOI programme was set up from July 2022 to March 2024 to address Covid-related backlogs in FOI complaints and improve productivity. In this period it successfully:

- Increased baseline productivity from FY21/22 to FY24/25 by 37% (from 113 cases per caseworker per year to 155 cases)
- Increased timeliness of case response with 87% of complainants receiving a Decision Notice within 6 months in FY24/25 vs. only 33% in FY18/19
- Increased the number of statutory decisions by around 55% from FY21/22 (and the pre-pandemic average) to FY24/25
- Maintained key quality indicators by keeping the appeal and success rates within 1% between FY21/22 to FY24/25

The programme benefited from a culture of support and innovation, with strong collaboration between teams particularly Legal. There were significant challenges, particularly with the increased volume of appeal work which affected legal and casework colleagues.

The job is not done, however. We continue to explore options for continuous improvement, which is essential as intake has risen over 20% so far this year, when we also faced reduced FTE due to budget pressure. We are rapidly exploring ways of increasing productivity further with a short term FTE rise, a focus on changes to quality assurance and use of digital tools on the back of a short-term resource boost from government

### Problem Statement

As part of its work on risk and productivity, People Committee have asked for a deep dive into an area of the ICO that has done work in this space. As part of the Better FOI Programme, the FOI team baselined its productivity and have been tracking improvements over the last 3 years.

## Input requested

To support the ICO's wider work on productivity and provide insight for People Committee on some of the approaches already being taken in this space across the organisation.

## Background and summary

In summer 2021, there were two key challenges facing the FOI team:

- A backlog that built up during Covid and a caseload that was almost double its usual levels, with allocations taking over 9 months.
- Relatively stagnant productivity, which meant that, although pre-covid levels of productivity were recovered by the time we got to summer 2021 no inroads were being made into the backlog that had built up due to relatively flat output (Annex A shows key performance data across the last two decades of FOI).

In addition, FOI is affected by its funding model of grant-in-aid from government, which cannot be cross subsidised with fee income, meaning there are often fewer levers available when backlogs build up.

### *Overview of transformation*

To resolve the issues, we set up a 'Better FOI Programme' to look across the FOI service and identify improvements for all areas. We also received extra funding for up to 8 staff from early 2022 to September 2023, which provided a short term boost to output while we delivered transformational change. The programme delivered a range of activity including:

- Developing a new forecasting model that baselined productivity and helped inform understanding of the trends in intake and output, and the volume of cases we needed to allocate to achieve success.
- Consulted on and implemented the first FOI Prioritisation Model to ensure cases of, for example, high public interest were allocated as quickly as possible (to a new 4 week allocation KPI).
- Redesigning our front-end customer journey to provide more prompts to ensure cases were ready for us at the point of receipt. We are building on this further at present with casework automation as part of the Customer Experience Programme.
- Reviewing and reformatting all of our key templates to ensure they were as clear as possible and supported speedier case progression.
- Drafting shorter decisions when possible to speed up case handling.

- Redesigning our processes so that we were clearer and stricter on the timescales public bodies had to respond to our queries before we used our statutory powers, such as Information Notices.
- Delivering a programme of engagement and outreach to inform key stakeholders of the changes we were making to help support implementation.
- Working with colleagues in FOI legal to support efficiencies in FOI appeal work.

As part of the programme we also delivered wider improvements including a new approach to strategic regulation overseen by the new upstream team (but delivered with casework support). This delivered more enforcement activity in 12 months than had been seen in 17 years.

## Outcomes and benefits realised

The main outcomes and benefits realised from this work so far are:

- Our productivity baseline in FY21-22 was an average of 113 cases per case worker FTE and by the end of the programme in FY23-24 this had increased by 25% to 141 cases. Over FY24-25 as the changes embedded, this increased a further 10% to 155 cases.
- Our timeliness increased significantly despite the intake pressures we have faced, with 95% of cases cleared in less than 6 months, compared to the mid-80% range pre-pandemic. The latter level of service meant that most substantive decisions took longer than 6 months (avg. 963 cases per year) whereas in general now only the most complex cases have taken this long (avg. 345 cases per year)
- The number of statutory decisions we have made over the last two financial years has increased by 55% from an average in the 3 years pre-pandemic of under 1450 to around 2200 per year, delivering more impact for more people more quickly.

It is difficult to track longer term productivity improvements due to a lack of detailed historic FTE data. however, by dip sampling the data at Annex A we can look at our impact in broad terms:

- In FY14-15, intake was 4976 and we delivered 1305 DN's, so 26% of intake led to regulatory action, with 91% case closures in less than 6 months. Assuming as now that the majority of cases over 6 months led to DN, this meant around 450 (just over a third) of DN customers had to wait more than 6 months for their answer. 38% were upheld or part-upheld.

- In FY18-19 intake was 6367 and we delivered 1421 DNs, so 22% of intake led to regulatory action, with 84% of case closures in less than 6 months. This meant just over 1000 (over two-thirds) of DN customers waited over 6 months. 47% were upheld or part upheld.
- In FY24-25 intake was 7639 and we delivered 2192 DNs, so 29% of intake led to regulatory action. 95% of case closures were under 6 months, so just over 380 (17%) of DN customers waited over 6 months. 55% were upheld or part upheld.

While we can achieve resolution for people without issuing statutory decisions, and often do with alternative/early resolution, the comparisons above do provide a useful indication of the scale of improvement and impact we have had in our timeliness and outcomes over a longer period than just the available productivity data we can analyse.

## Collaboration, risk, interdependencies and learning

As part of our approach to delivering the programme we worked closely with our FOI legal colleagues as there are interdependencies between improved casework productivity and increased tribunal work.

This was a risk that became a live issue as we improved productivity. Unless complainants agree to alternative resolution, the Commissioner is required by law to issue a decision, which can then be appealed to the Tribunal. This means that increased FOI productivity will usually see increased appeal work. Although we engaged with legal colleagues early in the process, a key learning was the need to join up more closely as we deliver change across the FOI service so legal can also prepare.

Another risk we worked on with colleagues in legal and the FOI policy team was whether we would see a reduction in quality due to the amount of change we put through the team. As noted in the data at Annex A, however, the appeal rate has lowered slightly against historic trends and our success rate has been relatively stable, suggesting quality has not been significantly affected by the changes.

Senior leadership also supported our approach. A lack of buy-in from a team with a number of staff who had been delivering their work in a consistent way for a long time was a real risk for the programme. The Commissioner and Director spoke directly to the team as we launched the programme noting that we knew that mistakes may be made but that these would be used to inform learning and improvement, not to create a culture of blame. We were clear that we were asking a lot of the team and

would support them in delivering it. This was received well across the team and is a clear learning for us to take forward in future such change.

## Next steps and current risks

In terms of next steps we are happy to provide any further information to the Committee as needed.

### *Future opportunities and risks*

The job is not done and we are seeking continuous improvement in both productivity and quality, within the FOI directorate and across the organisation as part of the customer experience programme. Regarding the latter, we are also exploring what we can learn from benchmarking the service with other similar organisations to understand productivity in a wider context and inform future change and targets.

As intake rises over 20% year on year, additional activity includes:

- Piloting new approaches to quality assurance to both improve quality and speed up the processes linked to this side of our work.
- Exploring how new digital tools, such as AI, can support caseworkers deliver improvements. This is an area we are exploring at pace due to Government offering short term FOI funding (see Annex B and noting the clear caveat about the scale of potential benefits realisation given the compressed timeframes for this work).
- Exploring what more we can do to support staff in their work given the pressure they are under.

There are risks as we go into the next 3-year Spending Review period that we will not receive the resources we need to maintain performance. This puts pressure on the work noted above to deliver further efficiencies on top of those achieved over the last 3 years.

It is likely we will rely more on digital change and automation to help deliver further efficiencies, though at present opportunities are limited. For example, phase one of automatic case creation has only supported a 0.2 FTE saving for FOI. With further iterations we expect to save up to 0.35 FTE, or 31 FOI cases per year, but rising intake is on track for an additional 1500 cases this financial year.

There is also a risk we are not able to move at pace with digital change within funding years depending on how income from government is provided. We will work closely across customer services, DDAT and finance to manage that risk over the coming months.

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Sign off: Rob Holtom, Exec Director

List of annexes:

Annex A: Historic Data Tables

Annex B: FOIA Transformation Plan Paper

## FOI Annual Report performance data

Year	Intake	Cases Cleared	Cases closed in 6 months	End-Year Caseload	Decision Notices	Upheld	Part upheld	Not upheld	Appeal Rate <sup>1</sup>	Appeal Vol	Uphold rate
2005-06	2713	1666	79%	1290	186	N/A	N/A	N/A	26%	322	70%
2006-07	2592	2601	67%	1371	339	89 (26%)	118 (35%)	132 (39%)			
2007-08	2646	2658	60%	1363	395	119 (30%)	178 (45%)	99 (25%)			
2008-09	3100	3019	73%	1440	296	105 (35%)	153 (52%)	38 (13%)			
2009-10	3734	4196	73%	1035 418 1yr+	628	142 (23%)	198 (31%)	288 (46%)	26%	161	78%
2010-11	4374	4369	71%	1069	817	215 (26%)	233 (29%)	369 (45%)	25%	202	73%
2011-12	4633	4763	83%	958	1131	308 (27%)	254 (23%)	569 (50%)	22%	248	71%
2012-13	4688	4734	88%	994	1106	311 (28%)	180 (17%)	615 (55%)	22%	243	N/A
2013-14	5151	5296	88%	908	1261	314 (25%)	173 (14%)	774 (61%)	23%	290	N/A
2014-15	4976	5071	91%	823	1305	307 (24%)	189 (14%)	809 (62%)	24%	313	78%
2015-16	5181	5068	92%	955	1376	330 (24%)	195 (14%)	851 (62%)	20%	275	76%
2016-17	5433	5173	88%	1216	1329	323 (24%)	219 (17%)	787 (59%)	21%	279	75%
2017-18	5705	5784	83%	1156	1401	420 (30%)	239 (17%)	742 (53%)	21%	294	77%
2018-19	6418	6293	84%	1289	1421	465 (33%)	271 (14%)	685 (53%)	18%	256	72%
2019-20	6367	6421	86%	1222	1446	462 (32%)	287 (20%)	697 (48%)	21%	303	77%

<sup>1</sup> Annual Reports to 2008-09 inclusive reported the appeal stats cumulatively from the Act's implementation.

<b>2020-21</b>	4853	4000	73%	1911	1062	332 (31%)	217 (21%)	513 (48%)	23%	244	79%
<b>2021-22</b>	6361	5932	70%	2227 – 189 1yr+	1409	551 (39%)	270 (19%)	588 (41%)	15%	211	74%
<b>2022-23</b>	5479	7103	64%	716	2822	726 (26%)	530 (19%)	1566 (55%)	15%	423	74%
<b>2023-24</b>	8080	7697	96%	1440	2227	767 (34%)	347 (16%)	1113 (50%)	18%	401	76%
<b>2024-25</b>	7639	7637	95%	1466	2192	758 (35%)	437 (20%)	997 (45%)	16%	353	73%