

Freedom of Information

Delivering ICO25

21 November 2022

Warren Seddon – Director of FOI & Transparency

Plan for today

Casework Context

Delivering ICO25

Statutory & Upstream
regulation

Casework Context

Casework Context

Pre Pandemic

- Intake around 6-6.5k - up from just under 5k in 2015 – but clearing volume through increased efficiency/reducing non-casework activity
- Avg caseload at year end usually around 1250 by 2019-20
- Delivering over 1400 Decision Notices per year
- Comfortably achieving KPIs (80% closed in 6 months, less than 1% over 1 year old)
- Limited flexibility on resource, can't cross subsidise Grant-In-Aid with fee income

Post Pandemic, spring 2022

- Intake down by 10% on forecast, which has helped, but fairly stable in historic terms
- Caseload at year end over 2200, plus increased complexity as quick wins have been identified and closed via early resolution
- Back to pre-pandemic productivity, delivering over 1400 Decision Notices per year and clearing annual intake, but not making inroads into the queue
- KPIs well below target (less than 70% in 6 months, around 10% of cases over 1 year)

Delivering ICO25

Better FOI Programme – delivering ICO25

Aim: to (1) clear backlog and (2) transform service delivery beyond pre-pandemic levels improving performance for citizens in line with ICO25 objectives

Sponsor

1

Better efficiency & innovation

Exploring new ways to transform delivery of our service, including digitally and how we deliver our decision and enforcement 'products'

2

Better upstream

Delivering more support for public bodies to improve their performance and reduce complaints to our office, as well as how we can support requestors make better targeted requests.

3

Better regulation

Exploring how we can use the statutory framework to better target resources on the most significant cases and support our staff in delivering case outcomes as quickly as possible.

4

Better Legal

Examining how we can make our approach to handling appeals to the First Tier Tribunal more efficient

5

Better comms

Exploring how we can use 'earned media' and our own organic reach to raise the profile of our FOI work

6

Better data

Making sure we are collecting the right data from our casework and other sources so that it is properly informing our approach.

7

Better service

Clearing our backlog by March 2023 in line with commitment made in ICO25 to return to our published service levels

Where we are now

What we have done in the operation

- Recruited 8 new staff (funding until September '23 so down to 6 in practice as we manage through attrition)
- Since October have 'super charged' our process changes to increase output
- Streamlined our front-end system and templates to gather the case info we need as soon as we can
- Increased allocation levels (more than doubled)
- Simultaneously empowered staff to use new approaches to close cases inc. decisions without further enquiries, short DNs, reduced management review, more early resolution
- Stronger, consistent deadlines for any further information from Public Authorities

What the data is telling us

- Intake is down from our forecast (around 10%), while productivity is significantly up
- In Q1/Q2 this year DN output already at record levels, we averaged around 155 per month (which would have put us on track for a record year)
- In October, following the new operational measures, this increased to 308 DNs, with momentum carrying through into November
- On 14 November we reached 1411 DNs, the same DN output as our total in 2021/22
- Caseload by 17 November stood at 1593, well on-track to deliver ICO25 objectives, although risks remain (increased intake, staff attrition/sickness etc)

Statutory and Upstream Regulation

Internal guidance

FOI and Transparency regulatory manual 2022

ico.
Information Commissioner's Office

Information Commissioner's Office

Prioritising Access to Information Complaints – a consultation

ico.
Information Commissioner's Office

Information Commissioner's Office

FOI Upstream Regulation Delivery Plan 2022/23 – 2024/25

ico.
Information Commissioner's Office

ico.
Information Commissioner's Office

ico.org.uk

Where we are now

Monitoring & Enforcement activity

- Currently in pilot phase on new manual, delivering from within existing resources
- New monthly challenge meetings to review our monitoring activity and agree next steps/action to take
- Issued first Enforcement Notice for 7 years on Department for International Trade, complied with.
- Issued multiple Practice Recommendations, all of which seem to be having the impact we want
- More activity likely before end of pilot based on current monitoring

Upstream Activity

- Aim is to improve PA performance, reduce the need for complaints and support citizens to get access to the information they need.
- Recruited new team over summer, all now in post
- Procured research to inform our work
- Working with key stakeholders (MySociety, Campaign for FOI) as part of work
- Developing a suite of tools, including model action plans, expanded FOI Toolkits, digitisation of training
- Developing FOI offering as part of wider ICO digital transformation work