



NAO
NATIONAL AUDIT OFFICE

A Good Practice Guide



COUNTING DOWN

moving from need to know to right to know



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Foreword

Background

The Freedom of Information Act 2000 is a piece of legislation that will bring great benefits for members of the public and for public authorities subject to the Act. Members of the public will have statutory rights of access to recorded information held by over 100,000 public authorities. This right of access will help to widen public participation in the processes of government. For public authorities, the Act will strengthen the processes of accountability to the electorate, help to drive forward better-documented and more rigorous decision making, and enable more efficient management of corporate information.

However, none of these benefits will be realised if public authorities are not properly prepared for the Act. Instead, it will become a thorn in the side of authorities, exposing their shortcomings.

The public right of access to information under the Act comes into force for the whole of the public sector on 1 January 2005.

This guidance has been produced to assist public authorities with their preparations in the vital final three months. It has been prepared by officials from the National Audit Office working together with the Department for Constitutional Affairs and the Information Commissioner's Office. The guide will be of value to all public authorities, and we recommend it unreservedly. Preparation is the key to successful implementation of the Freedom of Information Act.

Lord Falconer of Thoroton
Secretary of State for Constitutional Affairs
and Lord Chancellor

Sir John Bourn
Comptroller and Auditor General

Richard Thomas
Information Commissioner

PART 1

Introduction

Background

- 1 The Freedom of Information Act 2000 aims to increase the transparency of public bodies and the way in which such bodies carry out their work, and to increase accountability. If you are a Public Authority as defined by the Act - broadly speaking that is a UK wide public authority or a public sector body in England, Wales and Northern Ireland (similar legislation exists in Scotland), the public will have a statutory right to access the recorded information you hold from 1 January 2005. **Figure 1** sets out the key rights and obligations of both the public and of Public Authorities under the Act.

The purpose of this guide

- 2 If you are in a central government Department, Agency or Non Departmental Public Body you may find this guide helpful as you make your final preparations for implementation of the Act. It identifies the challenges organisations such as yours face, gives practical advice on how to address them, and offers examples of how some organisations have already done so.
- 3 The guide is based on work carried out by the National Audit Office earlier this year on preparations for the Freedom of Information Act and has been written with the help of the Department for Constitutional Affairs and the Information Commissioner's Office.

1

The key rights and obligations under the Freedom of Information Act 2000

An individual:

- has the right to request information from a public authority.
- has the right to be informed in writing whether the authority holds the information.

A Public authority:

- must respond no later than 20 working days after receipt of the request.
- must supply the information requested, where practicable, in the format requested.
- has a duty to provide reasonable advice and assistance to anyone making a request.
- may charge a fee for complying with the request.
- is not obliged to comply with a request if the costs involved exceed the appropriate limit in the fees regulations.
- must consider releasing information in the public interest if an exemption is merely a qualified one.
- does not have to release information if there is a provision in the Act conferring absolute exemption.
- if refusing a request, must tell the applicant why and state which exemption is being used.
- must maintain a publication scheme, and publish information in accordance with this scheme.

Our findings

- 4 In December 2003, the Department for Constitutional Affairs produced a Model Action Plan detailing the actions which you need to take to be ready for full implementation of the Act on January 1st 2005
- 5 We have concluded that generally Government bodies have made good progress, for example, in putting in place and maintaining their publication schemes, and in setting up project teams to implement the Act. However, there are still some significant challenges if requests for information are to be dealt with promptly, efficiently and correctly. Areas which you should pay particular attention to, in the coming months, are ensuring that:
 - Your staff will not have to deal with unnecessary requests after January 2005 because you have for instance already released the information (Part Two);
 - You have plans to cope with varying levels of demand (Part Three);
 - You can answer requests within the 20 day deadline (Part Four);
 - You and your staff are fully aware of your legal obligations (Part Five);
 - You are indeed ready (Part Six).

2 Tasks to be completed by 31 December 2004

- Review records and follow the National Archives' model action plan for records management:
 - Map which teams cover which subject areas;
 - Identify third party information held and discuss it with third parties;
 - Identify categories of information covered by exemptions.
- Predict types of request by analysing Open Government Code requests and Parliamentary Questions and by liaising with potential customers.
- Review document formats to facilitate release under the Act:
 - Where necessary change the format of new documents e.g. by splitting factual information from policy advice.
- Review and refine internal communications strategy:
 - Ensure that all staff understand responsibilities and can recognise and deal with a request.
- Analyse training needs; implement, review and refine training plan.
- Design and implement external communications strategy:
 - Proactively release information that is likely to be requested;
 - Publicise information that is already available;
 - Publish and publicise policy on releasing information.
- Contact third parties.
- Produce a list of contacts in other public bodies to aid the transfer of requests when you do not hold the information.
- Put systems in place for dealing with requests, recording decisions and reviewing decisions:
 - Research editing techniques and put systems in place for editing documents;
 - Establish procedures for reviewing complex requests and appeals.

PART 2

Are you making sure that your staff will not have to deal with unnecessary requests?

Making information freely available to the public now and providing good signposting to that information will help to make it easier for you and your staff to deal with requests from January 2005.

Public awareness of the Act will increase in the coming months

There is currently a low level of awareness of the Act among the public and even lobby groups. This is likely to change in the coming months:

- The Information Commissioner's Office plans to undertake a programme to promote awareness of the Act.
- The Government plans to publicise the Act including high profile speeches by Ministers;
- The Campaign for Freedom of Information plans to raise awareness generally and to conduct training for interested organisations in the autumn. It is confident that the public will become aware quickly of their rights and how to make a request; and
- There is already increased media coverage of the Act and its implications.

This could result in extra work for you

Such campaigns will raise interest but members of the public are unlikely to know how to channel their requests. This could mean more work for you in answering requests for information you may have already released on your website and in re-directing requests to the person who can best deal with them, whether that is in your organisation or elsewhere in government.

There is action you can take to reduce this extra workload after January 2005

Make your publication scheme easy to find and to use

Section 19 (c) of the Act places a duty on you to review your publication scheme from time to time.

The University College London Constitutional Unit reviewed nine publication schemes in March 2004, to assess their compliance with the Information Commissioner's requirements and their accessibility to the user.

Generally University College London's findings were favourable (**Figure 3**), but it did make a number of suggestions for improving accessibility which you should consider implementing for your Publication Scheme.

- If you decide to amend your publication scheme you should submit it to the Information Commissioner's Office for approval.
- You should consider the users' needs when organising information classes. Avoid: very general descriptions; large numbers of classes each containing a few documents; and very few classes containing hundreds of documents.
- You should either state the date on which the information was posted on the website or was last updated to make the age of the information clear.
- Where possible, you should include a link to the information itself. For example, it is possible to access all the information listed on the Department of Health scheme within four clicks from the class name or description of the information;

- If you are in an Agency included in your Department's Publication Scheme, you should check that there are links to the publication scheme from your own website.
- You need to make it clear which executive agencies and Non-Departmental Public Bodies, if any, your schemes include. The Department of Trade and Industry deals with the issue well by explaining, on the publication scheme, which executive agencies fall within the main scheme and includes links to those having their own schemes.

3 Most Publication Schemes reviewed were easy to access but it was more difficult to find the information

- With one exception University College London could access the schemes either with a direct link from the homepage or via an A-Z menu with no more than four clicks from the home page.
- University College London reviewed four randomly chosen classes for each scheme. With a few minor exceptions, the classes were described in plain language and mostly included a supporting note explaining the class and content. The Department of Health has a useful class of "recently added classes," which allows regular users to see at a glance what new information has been added.
- It was often not possible however to access the actual information quickly.

Develop other means of access to your information

In common with most organisations, the internet may be your preferred media for publishing Publication Schemes and making information available. However, disseminating information solely via the internet can make access difficult for some groups of citizens (Figure 4). It also means that information cannot be considered readily accessible to all applicants. Therefore you would be under a duty to provide individual responses to requests from applicants without access to the internet rather than referring them to your publication scheme.

You should consider how to make information more widely available for example:

- the Department of Trade and Industry has a physical reading room, the Open Government Collection, where members of the public can view a variety of documents;
- some bodies in the United States of America have a policy of placing documents on their websites and in reading rooms when they have been requested three times;
- the Veterinary Laboratories Agency make single page printouts available from its Library on request for those who have no internet access;
- the Committee of Standards on Public Life has a copy of their publication scheme in their annual report; and
- The United Kingdom Atomic Energy Authority is re-designing its website to comply with Royal National Institute for the Blind guidelines for accessibility.

4 Many people do not have access to the internet

Around 40 per cent of the United Kingdom adult population have not used the internet and in the period January to March 2003 only 47 per cent of United Kingdom households had internet access. Only 7 per cent of those in the lowest income group have internet access compared to 71 per cent of those on higher incomes.

Publicise how to access your information

Given the low awareness of Publication Schemes, it might be difficult for a member of the public to locate a specific piece of information. Some lobby groups were concerned that most of the new information was being made available through websites which were not widely publicised. By actively publicising your publication scheme and the information held on it, you could reduce unnecessary requests:

- use other media, such as posters, letterheads and leaflets, to signpost information;
- advertise contact details for different types of information for example, in the publication scheme, in publicity for the scheme, or on the Freedom of Information section of your website;
- You could also include an e-mail alert system for regular users of the publication scheme.

Release new information now

Pro-active release now of interesting information which is likely to generate many requests, could reduce the number of requests you receive later.

Identify and liaise with potential major users of the Act

You may find it useful to contact potential major customers, such as lobby groups with an interest in your organisation, in the next few months:

- to discuss the information that is already available and hence reduce requests for this information;
- to explain how and to whom they should direct requests for information, so that you can deal with them promptly; and
- to gauge demand.

Good Practice 1

The Ministry of Defence is releasing information which may be subject to many requests

The Ministry of Defence has released previously classified material detailing alleged unidentified flying object sightings and their response to these reports, to help reduce the number of requests for such material after January 2005.

PART 3

Do you have plans in place to cope with varying levels of demand for requests?

This section outlines the demand factors you need to take into account in planning for Freedom of Information requests initially and in the long term.

It is difficult to estimate the likely volume of requests

You may have already tried to estimate the numbers of requests that you are likely to receive. If so, you may have found it very difficult, like many other public authorities. It is difficult to rely on international experience for example, as demand is affected by cultural or legislative differences. However both Australia and Ireland show increasing demand in the first three years after implementation of the Act (**Figures 5 and 6**).

It is particularly difficult to predict demand when the Act first comes into force

Experiences from the launch of other new services suggest that it is particularly difficult to predict and manage initial demand. For example, after the launch of the 1901 census on the internet the website became overloaded due to high demand. You should consider all possible scenarios and have contingency plans to deal with them (Good Practice 2).

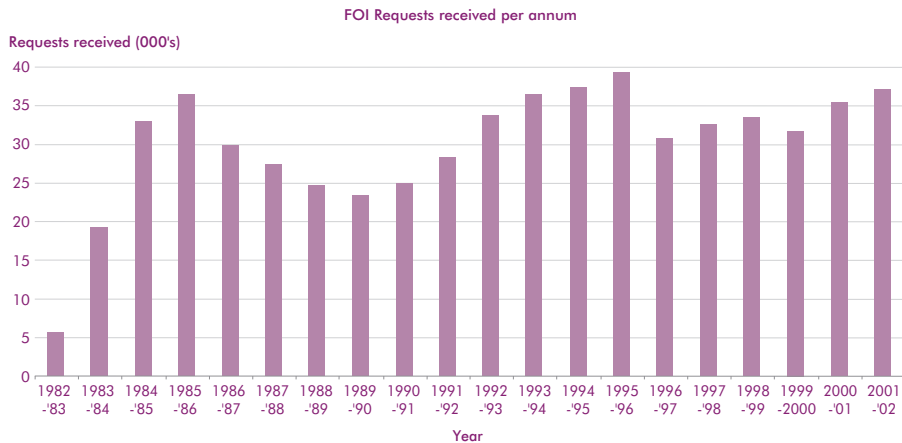
Good Practice 2

The United Kingdom Atomic Energy Authority has plans to cope with different levels of requests

The Authority expects a flurry of requests in early 2005, with demand levelling off thereafter. To cope, it is putting as much information as possible onto its website.

The Authority believe that it will occasionally need extra resources to research archived files. It is planning to use retired senior staff on a part time or ad hoc basis.

5 Information requests received by Commonwealth Agencies (Departments and Authorities) in Australia after implementation of the Commonwealth Freedom of Information Act in December 1982



6 Information requests received by the ten public bodies subject to the most requests during 2001 in Ireland following implementation of Ireland's Freedom of Information Act in April 1998

	1999-2000	2000-2001	2001-2002
Requests	4,576	5,241	5,865

Public bodies included in figures: Department of Education and Science; Department of Justice, Equality and Law Reform; Department of Health and Children; Department of Social, Community and Family Affairs; Western Health Board; Southern Health Board; North Western Health Board; Dublin Corporation; Department of Agriculture, Food and Rural Development and Department of Finance.

There are a number of factors which will affect future demand

Major events will trigger requests

You are likely to have an influx of requests following major events or announcements related to your organisation. To cope:

- with events such as government announcements, you should have a plan for dealing with Freedom of Information requests. This should identify information that you can release quickly through the publication scheme; arrange for press releases to contain website addresses for relevant documents, and a contact name to field requests; and consider whether to inform likely requesters of the availability of information;
- with unpredictable events, outline plans will help you to respond rapidly to a surge in demand. These should detail who will initially deal with requests, arrangements for getting documents onto publication schemes as quickly as possible and for getting resources to answer requests.

There may be organised campaigns

You may already receive 'round robin' requests from organised campaigns requesting the same information from several organisations. This is a standard practice for organised campaigns. The Department for Constitutional Affairs provides guidance on individual round robin requests.

PART 4

Will you be able to answer all requests within 20 days?

This section offers guidance on managing the risks associated with achieving the 20 day deadline for responding to requests.

You need to identify potential delays in responding to requests for information

The Act requires you to respond helpfully within 20 days of receipt of a Freedom of Information Act request, directing the requester to other potential sources of information if necessary and providing the information in the format requested.

Figure 7 outlines the steps required to answer a Freedom of Information request, the risks of delay at each stage, and the actions you can take to reduce that risk.

You can develop your systems to help minimise delays when the Act comes into force

You need to build in a number of features into your systems and procedures, to help reduce delays including:

- training local experts who can advise staff on how to respond to requests;
- developing tracking systems to log receipt and progress of requests. The need for and complexity of such systems will depend on the volume of requests received but there is a need for, at the very least, a paper trail of how and when a request was dealt with. This will help you to identify vexatious requests and produce monitoring information for the Department for Constitutional Affairs; and

7 Risks to answering Freedom of Information requests within 20 days

Steps to answer a freedom of information request

Process	Risk of delay
Identify request	Staff receiving request may not recognise that it is a freedom of information request.
Route the request to the correct person	Staff may not know to route request or who the correct person is.
Find information requested	Staff are unable to locate the information; this could be a particular problem with historic information.
If exemptions are to be used, identify which ones	Staff may not know how to deal with the request if exemptions are to be used. The process for carrying out the public interest test may be too lengthy.
If the information falls under an exemption that requires it complete the public interest test. In these circumstances you may extend the 20 days for a reasonable period	Staff may think that applying the public interest test allows them an excessive amount of additional time.
Liaise with third parties if necessary	Liaison process could be relatively slow.
Make decision as to what information to release	Staff at the appropriate grade may not be confident about making the decision, resulting in the overloading of information champions and managers. Staff may not know who the appropriate person to make the decision is.
Carry out editing of documents if required	Staff may not know how to edit or who should carry out editing, slowing down the process.
Sent out reply	Drafting a response may take too long, particularly where exemptions have been used.

Actions to mitigate risk	
	Full awareness training of all staff required, for example the Ministry of Defence plans to include freedom of information awareness material in all December 2004 wage slips as well as other methods to inform staff.
	Have systems and desk instructions in place to inform staff how to deal with a request, for example the UK Atomic Energy Authority has already produced procedure notes.
	Refer to the guidance available from The National Archives and the section 46 Code of Practice. Audit Committees should check that information audits have been carried out within their organisations as a matter of urgency.
	Communicate with the requester and keep him/her informed of your progress.
	Communicate with the requester and keep him/her informed of your progress.
	Discuss the Act with third parties prior to 2005 and with all new third parties. This will help to speed up the process when requests are received.
	Consult Department of Constitutional Affairs advice point at the earliest point to get authoritative guidance about dealing with complex requests. Communicate with the requester and keep him/her informed of your progress in processing the request.
	Train staff so that they have knowledge of the software you propose to use to edit documents. The National Archives is producing practical guidance on editing techniques.
	Use form letters when writing to requesters.

- giving front line staff the confidence and authority to deal with all easy requests where they can supply the information in full but, instruct them to pass on requests where the information may be refused or only supplied in part, to a central team.

You need to consult third parties

You may receive requests for information supplied to you by third parties. You should consult third parties now to:

- inform them of the aims and benefits of the Act;
- explain how exemptions can be used under the Act to protect information from inappropriate disclosure;
- identify information you hold which may be covered by an exemption, for example trade secrets; and
- agree how to consult with them about requests for information.

Good Practice 3

Consult third parties now

The Medical Healthcare and Products Regulatory Agency is consulting companies from which it receives information to establish whether they hold any information that might be covered by exemptions.

You need to identify and categorise information

You may find like many of the bodies we consulted that organisational changes and the use of electronic media are making it difficult to find records and even to identify who holds records:

- If you are able to identify types of information that will be frequently requested, you may decide to review your information, including e-mails, and categorise and mark it as belonging to one of three groups: records which you can release; records which may be partly covered by an exemption; and records which are covered by an exemption. This will help you to identify quickly how to deal with requests. Alternatively you may choose to consider how you can make use of the standard system of protective markings. However you should bear in mind that the categorisation of some information will change over time;
- You should formulate and publicise your policy for the creation, storage and disposal of e-mails, as they are covered by the Act; and
- You should map out which sections are responsible for which functions, as the Prison Service is doing, so that you know who is likely to hold the information requested and who is in the best position to understand whether the information should be disclosed.

Review and revise the format of records now

The Department for Constitutional Affairs' Model Action Plan suggests that you should review and revise the format of records so that they can be more easily released. Some departments are piloting the drafting of two part submissions so that policy advice can be separated from background factual information.

You need to determine whether information is covered by an exemption

You are required to ensure that confidential information under the terms of the Act remains confidential. So that you can make decisions on the use of exemptions you should:

- i consult the advice and guidance produced by the Information Commissioner's Office, the Department of Constitutional Affairs and others on the application of exemptions under the Act;
- ii if you are still unsure of how to apply an exemption seek the views of the Information Commissioner's Office. It should be able to assist you in your interpretation of the Act.

For some requests you may find that you can only release some parts of documents. You should research and train staff in techniques to delete parts of documents so that information remains confidential, as some methods can be reversed, for example deleting passages from Word documents.

PART 5

Do you and your staff understand the requirements of the Freedom of Information Act?

This section outlines the responsibilities of you and your staff and suggests ways of increasing awareness within your organisation.

You need to understand your responsibilities

You and your staff have a number of specific legal responsibilities under the Act and can be held accountable if these are not met. For example, you may be prosecuted if you destroy information after your organisation receives a request for it. The Act affects not just how you deal with requests but also how you create, store and dispose of records.

Your staff also need to appreciate the implications of the Data Protection Act and the Environmental Information Regulations on requests for information:

- Section 40 of the Freedom of Information Act prohibits disclosure of personal information requested by third parties if release would breach the Data Protection Act 1998, and requires the Department receiving the request to respond to it in accordance with data protection legislation; and
- There are some significant differences between the Environmental Information Regulations and the Freedom of Information Act (**Figure 8**). The Department for Constitutional Affairs is providing procedural guidance to help departments handle Freedom of Information requests and Environmental Information Regulation requests.

Senior Managers need to set an example

Your senior managers need to help staff to adapt to the requirements of the Act by:

- recognising and explaining the benefits of compliance with the Act. Senior managers in the United Kingdom Atomic Energy Authority have emphasised the business benefits of adopting an open and honest policy, to build

up public trust. For example, the Authority refers to its core values of openness and honesty in its publication scheme with links to relevant policy documents and the Chairman of the Board decided to place Board meeting minutes on the website; and

- visibly supporting the Freedom of Information Act project teams. The Permanent Secretary of the Ministry of Defence gave a key note address at the MoD's Freedom of Information Act seminar for senior managers.

Such visible support is vital for achieving implementation but is often hard to maintain. Senior managers need to be aware that their staff will follow their example in how they deal with requests under the Freedom of Information Act.

You need comprehensive and on-going training

An Information Commissioner's Office survey in 2004 found that 63 per cent of public officials thought that Freedom of Information was very or quite important in their organisations. Awareness has increased in recent months and will continue to rise in the run up to January 2005 as you organise your awareness and training programme and the Department for Constitutional Affairs conducts its programme of briefings for departments. So that awareness levels continue to increase you should give training a high priority.

The Department for Constitutional Affairs has produced a guide to assist Departments in their training and awareness programmes and there are good examples of detailed awareness and training plans for staff which you may find useful (Good Practice 4).

8 The Environmental Information Regulations

These will come into force at the same time as the Freedom of Information Act, and expand the legal right of access to environmental information.

Areas where the Environmental Information Regulations differ to the Freedom of Information Act include:

- requests do not have to be written;
- there are no absolute exemptions; and
- there is no 'appropriate limit' for fees and effort.

Good Practice 4

Organisations are using a variety of media and tools to train their staff

- The United Kingdom Atomic Energy Authority is using roadshows, presentations to key people such as records managers, articles in staff newsletters, a poster campaign and screen savers to educate staff.
- The Ministry of Defence will reinforce messages given during awareness events by putting Freedom of Information awareness material in December pay slips.
- The Department for the Environment, Food and Rural Affairs has produced an "Access to Information Resource Pack" which provides; summary sheets on key aspects of the Act and other relevant legislation, including Data Protection; checklists; and networking contacts.

PART 6

Are you ready?

This part examines what you can do between now and 1 January 2005 to help to ensure that you are ready.

Make sure you have all the elements in place to deal with Freedom of Information requests

You still face a number of challenges in preparing for implementation of the Freedom of Information Act. **Figure 9** sets out what you need to do in the next three months to ensure that you have robust systems which can cope with Freedom of Information requests.

You should test your Freedom of Information systems before 1 January 2005

Tests you could consider conducting include:

- Testing systems for answering requests. For example, the Department for the Environment, Food and Rural Affairs launched a major Department wide dry run exercise. All divisions were included with all staff being potentially involved in responding to a request. The aim of the exercise was to raise awareness of the legal requirements; to encourage staff to think through complex disclosure issues before the Act comes into force; and to illuminate practical difficulties with compliance that need to be addressed before January 2005. Requests were sent to Divisions on the basis of suggestions submitted by staff and others around the Department.
- Shadow running of systems to give a real time test with real requests. The Ministry of Defence has used shadow running and found it produced practical comments on guidance for staff which has led to improvements, and raised policy issues on which it can make decisions now.

- Asking your Internal Audit function to review your state of readiness. It may also be useful for your Audit Committee to see the results of any reviews at regular intervals to assess whether recommendations have been followed up.
- Systems reviews may identify weaknesses in your knowledge of freedom of information. You could then re-visit your training programme to see what further education can be carried out.
- Discussing case study requests in small groups; this will help you to think through the issues involved in handling a freedom of information request.
- Re-evaluating your internal publicity to ensure that the message is kept live.

You need to track requests after January 2005 in order to improve service delivery

In the months after implementation you need to track your performance in responding to requests. All organisations should be developing procedures to track requests and monitor compliance after 1 January 2005. If you are a central government department, there is an agreed list of data elements that you will need to collect and return to the Department for Constitutional Affairs. This will enable the Department for Constitutional Affairs to build up a picture of cross government compliance with the Act, identify areas of best practice and comparative weakness. Some departments plan to implement new IT systems or adapt existing ones to track requests and collect monitoring data. The Department for Constitutional Affairs has published a generic user specification for IT systems to track requests. It is available at www.dca.gov.uk/foi/map/gusv4contents.htm.

An effective tracking system can help to:

- measure whether you are meeting the statutory requirements of the Act;
- identify frequently requested information which you may wish to make publicly available;
- identify areas where you need to improve service delivery;
- help ensure consistency in the application of exemptions;
- identify the resources used in responding to requests; and
- enable you to comply with monitoring requirements.

9

Action required in the next three months to prepare for Freedom of Information

Essential steps for dealing with requests	In the next three months within your organisation you need to:
Receiving and recording requests	Ensure that all staff understand the full extent of their responsibilities. Staff need to know how to recognise and deal with a request for information (see part 5 of this guidance).
Clarify requesters' requirements	Predict the types of request that will be made by analysing Open Government Code requests and Parliamentary Questions (see part 3).
Transferring requests where the organisation does not hold the information	Build up a list of contacts within other Government organisations.
Locating the information	Encourage work teams to identify and categorise the documents they use and map out which teams cover which subject areas (see part 4).
Consulting with third parties affected by a request	Identify third party information you hold.
Making and documenting disclosure decisions	Train staff in how to make disclosure decisions, and have systems in place for recording those decisions. Make decisions now on information that is likely to be requested (see parts 3 and 4).
Removing exempt information where partial disclosure is appropriate	Research the use of editing techniques and put systems in place (see part 4).
Explaining what can be provided in cases of partial exemption	Identify categories of information which will be covered by exemptions (see part 4).
Providing refusals where appropriate	Have systems in place for reviewing decisions.
Dealing with appeals	Establish your review procedures.

In the next three months externally you need to:	
	Publicise the information available on information likely to be requested and advise users on how to direct requests (see part 2).
	Liaise with potential customers to predict the types of information that will be requested. Discussion will help you to explain to users how best to phrase a request to receive a useful prompt reply (see part 2).
	You can minimise incorrectly addressed requests by publicising what information you hold and liaising with major customers (see part 2).
	N/A
	Discuss the Act with third parties (see part 4).
	Publish and publicise your policy on releasing information (see part 2).
	N/A
	N/A
	N/A
	N/A

APPENDIX 1

Sources of Advice and Guidance

The **Department for Constitutional Affairs** is the lead department with responsibility for Freedom of Information policy. It is responsible for producing advice and guidance on implementing the Freedom of Information Act for central Government bodies and for introducing secondary legislation. Its website contains further information on:

- The Model Action Plan
- Training and awareness
- Information and records management including the section 46 code on records management
- Networks for FOI practitioners
- Public authorities covered by the Act
- IT systems and procedures
- Central government freedom of information implementation project.

<http://www.dca.gov.uk/foi/implement.htm>

The Department for Constitutional Affairs has developed a new domain website to specifically provide an easy-to-find place of reference for all their Freedom of Information products at www.foi.gov.uk. You can contact the Department for Constitutional Affairs on 020 7210 8034 or by e-mail at informationrights@dca.gsi.gov.uk.

The **Information Commissioner** is responsible for enforcing the Freedom of Information Act 2000 and the Data Protection Act 1998. The Commissioner's website includes guidance on publication schemes, general advice and guidance and other relevant information.

<http://www.informationcommissioner.gov.uk>.

You can contact the Information Commissioner's Office by e-mail at foi-enquiries@ico.gsi.gov.uk .

The **National Archives** has published model action plans setting out the steps that need to be taken by public bodies to work towards compliance with the Code of Practice on Records Management under section 46 of the Act. They provide a range of standards and guidance on all aspects of records management. They can also provide half-day seminars for government departments on planning for compliance with the records management code.

<http://www.nationalarchives.gov.uk/services/>

The **Department for Environment, Food and Rural Affairs** (Defra) is responsible for the Environmental Information Regulations, which will be covered by separate Regulations issued under section 74 of the Freedom of Information Act. The draft Regulations are at www.sustainable-development.gov.uk/what_is_sd/pdf/eir2004-draftsi.pdf .

The **Campaign for Freedom of Information** can provide training to public authorities preparing to implement the Act and has useful information on its website. <http://www.cfoi.org.uk/>

