

# The freedom to be informed

The Freedom of Information Act is a powerful tool for campaigning and advocacy work, but are voluntary and community organisations taking advantage of the possibilities? Belinda Pratten explains how the Act is being used and by whom and looks at its potential going forward

**T**he Freedom of Information Act 2000 (FOIA) gives people the right to know what government and other public bodies are doing on their behalf. The Act aims to promote greater accountability and transparency, enabling citizens to become more informed and, subsequently, more involved in public policy debates. It is therefore a significant piece of legislation – not least for voluntary and community organisations (VCOs).

The FOIA and its companion directive, the Environmental Information Regulations 2004, are potentially powerful tools to support campaigning and advocacy work by voluntary and community organisations. For example, the legislation can be used to find out more about decisions proposed or taken by public authorities, and to draw attention to the likely impact that such decisions or proposals could have on an organisation's members and beneficiaries or the community it serves.

A survey carried out by the National Council for Voluntary Organisations (NCVO) and Ashridge Business Centre in 2005 looked at the extent to which voluntary organisations are aware of the FOIA – whether they have used it to make requests or intend to do so in future and what they might need to be able to use it more effectively.

The survey found that in the first six months of the Act, 9% of respondents had already made requests (some more than once) and 36% said they intend to do so in future. More than half (55%) said they could see the value of using the FOIA, even though they have no plans to do so at present. And it is not only the

larger organisations that are making requests: 11% of organisations with an income less than £100,000 have and almost a third (32%) are planning to do so.

At the time of the survey, most requests (47%) had been made to central government but, looking ahead, the number to local authorities is likely to rise significantly. This is perhaps unsurprising given that the vast majority of voluntary and community organisations work at a local level. It is also in line with data from the Information Commissioner's Office which shows that local government is the most likely public sector organisation to receive freedom of information requests.

Most requests for information have been and will be about how public bodies arrive at decisions – and whose voices are heard. At the time of the survey 47% of respondents had asked for information about this, with 72% saying they intend to do so in future. This suggests that VCOs see the value of using the FOIA to promote more transparent decision-making. Additionally, many organisations will also be seeking information about funding criteria and decisions as well as information to support campaigning activity in future requests.

Again it is no surprise that those organisations most familiar with the FOIA are significantly more likely to use it and more likely to see its potential. Of more concern is the fact that 29% are unfamiliar with the legislation; 59% do not know where they can find advice and support to help them understand and use the FOIA; and a resounding 85% of organisations say they want more information.

In response to these findings, NCVO has produced A Guide to the Freedom of Information Act for voluntary organisations. The Guide provides an overview of the FOIA and outlines the main provisions of the legislation. This includes which bodies are covered, what information is covered (and what might be exempt), how to make a request and how to appeal if your request is turned down. It also provides links to other organisations working in this area, including the Campaign for Freedom of Information and Friends of the Earth, and the Information Commissioner's Office.

It is also worth noting that although the FOIA does not apply to VCOs directly, it does apply to information about them held by a public authority. This might include copies of correspondence, campaigning materials and information about funding, including monitoring and evaluation information – organisations need to be aware of this. However, the FOIA does not give any authority the right to ask for additional information about an organisation and it remains the case that information requirements arising from a contract or other funding agreement should not be unduly burdensome.

Overall the survey has highlighted the positive impact of the FOIA on campaigning and its potential for the future. However, if it is to fulfil this potential it needs to be better publicised and explained.

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*NCVO's Guide to the Freedom of Information Act can be downloaded from [www.ncvo-vol.org.uk/FIA](http://www.ncvo-vol.org.uk/FIA)*