

## **'Public Communication, Democracy and Citizenship: Assessing Civil Society Uptake of Freedom of Information'**

### ***Project Overview***

The 'Public Communication, Democracy and Citizenship: Assessing Civil Society Uptake of Freedom of Information' research study is to be undertaken by the University of Strathclyde, in partnership with the Scottish Information Commissioner. The study is funded by the Economic and Social Research Council (ESRC) as a collaborative (CASE) study.

The doctoral researcher appointed to conduct the research will undertake a systematic analysis of the ways in which civil society groups have used Freedom of Information (FOI) and access to documents provisions as part of their policy and campaigning work. This will involve detailed examination of case materials in the public domain, and extensive empirical research amongst the third sector in Scotland and other parts of the UK. The data collection strategy and framework will be developed in consultation with officers of the Scottish Information Commissioner (SIC) responsible for research and policy work.

### ***Aims***

This CASE study aims to build on the foundations of the recent policy and knowledge exchange work undertaken by the academic and non academic partners. Specifically this proposed study will:

1. Systematically map the use (or non-use) of FOI and associated legislation by a wide range of civil society organisations;
2. Examine the practice and strategy adopted by civil society organisations on FOI and how this fits with wider priorities in the organisation;
3. Contribute to academic debates on transparency, accountability and participative governance with particular reference to continuities and differences between accountability and transparency regimes in Scotland and England (and other devolved territories in the UK);
4. To contribute to policy debates on the role of civil society groups in enabling (or alternatively inhibiting) developments in transparency.

### ***Methodology***

The study will employ a variety of research methods, including elite interviewing, observational research, web archive and government archive research, documentary (content) analysis, database and online data gathering as well as the use of a survey. An extended period of fieldwork is required to enable the researcher to grasp the policy terrain and the specific issues under investigation. This time is necessary to allow the student to familiarise him/herself with the policy networks and cultures that are the object of this research.

The doctoral candidate will also require time to get acquainted with the specifics of selected case studies, where we anticipate that detailed, technical knowledge of policy making and how the provisions of FOI legislation articulate with the interests of civil society groups will be necessary. To establish good working relationships with key contacts and informants a minimum period of 6 months fieldwork is required in the Scottish context. A proportionate amount of fieldwork will be undertaken in London/Wilmslow, Cardiff and Belfast.

The study will encompass a range of civil society groups including charities, trade unions, environmental groups, women's groups, consumer organisations, NGOs, short-term activist groups and others. According to the SIC there have been low-levels of FOI appeals by almost all these groups. It is envisaged that the survey work will capture data on FOI usage and experiences from a wide range of such groups and that this will be used as a basis for selecting a variety of in depth cases focusing on either policy issues/arenas or specific organisations. Survey response rates will be boosted by ensuring that the survey is available in a variety of formats, and that it is followed up by email and telephone. The academic supervisors have good and extensive contacts with a variety of civil society organisations, coalitions and networks and would ensure that these contacts are used to facilitate the research effort.

We envisage the student interviewing a wide range of policy actors, and anticipate approximately 60 interviews, although this will depend on how fieldwork progresses and the extent to which interviews result in appropriate data. The proposed research requires a great deal of documentary research and analysis. This will involve collecting, examining and analysing a wide variety of primary and secondary materials, including data held by the SIC, policy papers, official reports, evidence to official inquiries, government reports, academic and other literature, and well as press clippings and specialist press.

The project will explore the various ways in which civil-society organisations can potentially interact with the legislation and the ways in which it is incorporated into campaigning and/or lobbying strategies. For example, groups can potentially use the legislation in their own right as the requester of information from public authorities, but they can also potentially interact with the legislation in other ways, such as by advising those individuals they represent (such as those contacting advice lines) of how to use their FOI rights. It may be that bodies who are not using the rights themselves for particular reasons are actively advising their constituents to do so in which case direct applications by such organisations would not be a reliable guide to their role.

The research will critically review how the different FOI systems in Britain are working in relation to civil society take-up. Over the past few years the evidence base on the use of FOI legislation to access information from public bodies has been growing. The Information Commissioners Office (ICO) and the Scottish Information Commissioner (SIC) have now issued hundreds of decisions notices on the UK Freedom of Information Act, the Freedom of Information (Scotland) Act, the Environmental Information Regulations 2004 (EIR) and the Environmental Information (Scotland) Regulations 2004 (EISR). This data has yet to be systematically researched and analysed: an important strand of the proposed doctoral study will be to assess the trends and precedents established in the interpretation and implementation of FOI and access to official information to date.

The research will draw on data already in the public domain, in the form of the published decisions of the UK Information Commissioner, the UK Information Tribunal and the SIC. It will also involve original empirical research with key stakeholders and interested actors in England, Wales, Scotland and Northern Ireland. This study is interested in the relationships between FOI and devolution. Part of the logic behind the creation of the Scottish Parliament and the Welsh and Northern Ireland assemblies was that they would bring governance closer to the governed and foster more open, transparent and accountable decision-making. This project will address how FOI as implemented in Scotland, Wales and Northern Ireland, articulates with, and is constitutive of, political communication and political culture.

### ***Timescales***

- Months 1-6: Training; policy and theoretical background; establish relationships with SIC, and other relevant actors, in Scotland and England, survey design, civil society interview schedule.
- Months 7-9: Data Collection, survey implementation, fieldwork SIC in St Andrews.
- Months 10-15: Interviewing fieldwork, Analysis and writing up; report results to SIC, preliminary findings disseminated.
- Months 16-20: Further secondment at SIC, possible secondment elsewhere.
- Months 21-24: Analysis and writing up; report results to SIC.
- Months 25-32: Work with SIC on policy implications of research (third secondment). Conference presentations on findings of research at devolved, and UK levels. Complete first draft of thesis, including theoretical and policy contribution.
- Months 33-36: Work on final draft of thesis.