



## FOI Consultation Workshop Report

### SYP National Sitting, 9 June 2018

#### Background

1. In late 2017 the Commissioner shared with the Scottish Youth Parliament (SYP) findings from Ipsos MORI research indicating extremely low awareness of FOI rights among young people in Scotland (see paragraph 20). The SYP is the elected parliament representing Scotland's young people. MSYPs aged between 14 and 25 represent constituencies across Scotland and several national voluntary organisations. Elections to the SYP are held every two years, and the full parliament meets three times a year, at a national sitting.
2. At each sitting MSYPs take part in a series of consultation workshops, sharing the views of their constituents on specific topics. Six consultation workshops take place at each sitting, with a maximum of 25 MSYPs attending each workshop.
3. Scottish Information Commissioner (SIC) staff held a 75 minute FOI consultation workshop at the Scottish Youth Parliament's (SYP) 66th national sitting in Stranraer.
4. The FOI workshop was developed in partnership by SIC staff, an MSYP and a SYP staff member. An MSYP co-hosted the workshop with SIC staff.
5. Prior to the sitting, MSYPs consult with their constituents about a range of issues. For the 66th sitting, this included asking constituents to respond to two questions about FOI. These questions were:
  - (i) If you could see absolutely any information public organisations hold, what information would you ask for?
  - (ii) What could public organisations do to make it easier for young people to access their information?
6. A selection of responses to these questions is included as an Appendix to this report.

## Workshop Report

7. The FOI workshop was promoted to MSYPs with the following text:

***FOI: What do you need to know?***

*Imagine how powerful you could be with public sector information - information at your fingertips to help you make a difference.*

*Well, Freedom of Information (FOI) gives you that right. The right to receive the information held by public bodies.*

*You can ask for information on healthcare, school and universities' standards, bullying, the environment or crime – whatever a public body holds that you might need. And FOI information really can make a difference – just look at the SYP's campaign against mosquito devices, which led to Scotrail banning their use.*

*Sounds good, right? But most young people don't know about FOI. Recent research found that awareness was much, much lower among young people, with many young people feeling that public bodies would ignore their requests for information.*

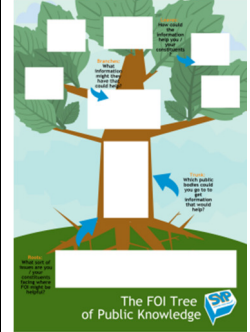
*How can we change this? How do we make FOI meaningful for young people, ensuring that they are aware of their rights, and are confident enough to use them when they need to?*

*FOI is a powerful tool, and the Scottish Information Commissioner needs your help!*

8. The workshop began with an introduction from the MSYP co-host, who invited participating MSYPs to share their name, constituency, why they chose this workshop and whether they had made an FOI request.
9. Most MSYPs had chosen to attend this event to find out more about FOI and how it might be used. A small number had used FOI previously.
10. This was followed by a short introduction to FOI rights from SIC staff, and an overview from the MSYP co-host of the role that FOI played in the SYP's campaign against "Mosquito" anti-loitering devices.
11. MSYP participants then took part in three practical workshop exercises, in small groups.

## Group Discussion 1: The “FOI Information Tree”

12. The aim of this exercise was to encourage delegates to think about:
- how FOI may be useful to themselves and their constituents;
  - what could be requested; and
  - how the information might prove useful.
13. Delegates considered an “FOI Information Tree” graphic, and were asked to respond to four questions, representing the roots, trunk, branches and leaves of the “Information Tree”.
14. Questions were as follows:

	<b>Root</b>	<b>What sorts of issues are you / your constituents facing where FOI might be helpful?</b>
	<b>Trunk</b>	<b>Which public bodies could you go to to get information that would help?</b>
	<b>Branches</b>	<b>What information might they have that would help?</b>
	<b>Leaves</b>	<b>How could the information help you / your constituents?</b>

15. Responses included:

### Root (issues to be tackled):

- *Injustice*
- *Lack of resources*
- *Poor employment conditions*
- *Access to services*
- *Increasing costs of sports facilities*
- *Increasing cost / reduced availability of childcare*
- *Healthcare*
- *Mosquito devices*
- *Access to mental health services*
- *Budget allocation*
- *Quality of school buildings*
- *Exam grading*
- *Crime*
- *Gift donations to public bodies (e.g. GCC Rolls Royce)*
- *School transport*
- *Mental health*
- *Positive destinations*
- *Waiting times*
- *Housing plans*
- *Immigration statistics*
- *Pollution levels*

### Trunk (the public bodies to ask):

16. A wide range of public bodies were identified, including Scottish Water, NHS Health Boards, Scottish Parliament, Scottish Government and agencies, UK Government and agencies, the police, the fire service, Integrated Joint Boards, the Scottish Qualifications Authority, Lothian Buses.

17. Some bodies which are not covered by current FOI law were also named. These were included Scotrail, Scottish Power and Tunnocks Ltd.

Branches (the information to ask for):

18. Information which MSYPs felt might be requested included:

- *Emails*
- *Draft policies*
- *Official reports*
- *Agendas*
- *Policy documents*
- *Minutes*
- *Financial breakdowns*
- *Data*
- *Grading policies*
- *Surveys*
- *Records*
- *Statistics*
- *Crime figures*

Leaves (the outcomes for MSYPs and constituents):

19. MSYPs felt that the requested information could be put to a range of uses, including:

- *To give peace of mind*
- *To inform future letters and emails*
- *To help change an outcome which they are unhappy with*
- *To provide evidence in court cases*
- *To allow comparisons to be made*
- *To enable people to take action*
- *To build trust (dependent on response time)*
- *To help piece together the full story around an issue*
- *To help deliver better College / University courses*
- *Better school buildings*
- *Fairer distribution of money between resources*
- *To make an authority aware of the need for change*
- *To develop knowledge and understanding*
- *To inform the public*
- *To hold decision-makers to account*
- *To enable efforts to be focussed more specifically*
- *To raise awareness of particular issues*
- *To discover which areas are performing well or poorly and help focus campaigning activity*

## **Group Discussion 2: Tip of the Iceberg**

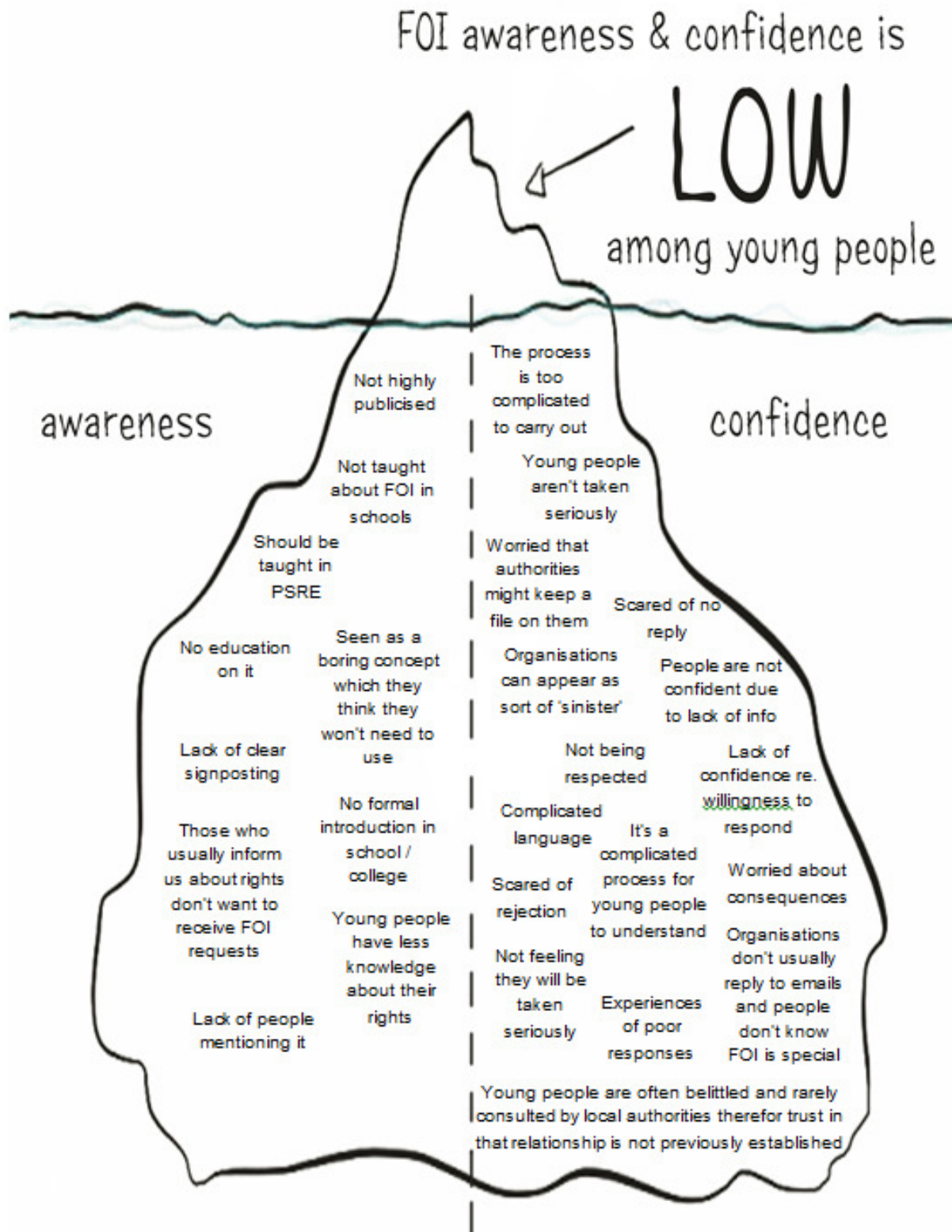
20. To introduce this discussion, SIC staff provided a brief summary of the results of the Ipsos MORI 'Young People in Scotland' survey<sup>1</sup>, including:

- 25% of young people are aware of FOI, compared to 85% awareness for the general population
- Despite public bodies having a legal obligation to respond to FOI requests, only 28% of young people are confident they would receive a response
- 38% of young people feel public bodies are more likely to respond to requests from adults than young people.

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<sup>1</sup> Available at <http://www.itspublicknowledge.info/home/News/20180628.aspx>

21. The purpose of the discussion was to identify, in the view of MSYPs, the reasons why awareness and confidence around FOI is lower for young people than for the general population.
22. **“FOI awareness and confidence is low among young people”** was, therefore identified as an issue for concern - or the visible “tip” of our “iceberg” - for the purposes of this exercise. Groups were then asked to consider the reasons for this, using post-it notes to add their thoughts on the reasons for low confidence / low awareness to an “iceberg” diagram.
23. The comments from this exercise were as follows:



### Group Discussion 3: Strengthen your right!

24. Finally, groups were invited to discuss three questions, and post responses to these questions on boards around the room. This discussion aimed to identify work that could be undertaken by both public bodies and the SIC to address gaps in awareness, confidence and usage of FOI by young people, while also encouraging MSYPs to consider steps they might take to support young people in relation to FOI.

25. The three questions asked were:

- (i) How could public bodies make it easier for young people to ask for information?
- (ii) What should the Scottish Information Commissioner do to raise awareness of FOI among young people?
- (iii) Is there anything MSYPs could do to help young people understand their FOI rights?

Responses from groups to these three questions were as follows:

*(i) How could public bodies make it easier for young people to ask for information?*

- *Make it clear that you **will** get a response in 20 days*
- *Simple forms for young people*
- *Accessible information online*
- *Create a standardised form for everyone*
- *Dedicated website page with form*
- *Provide a forum / template which young people can use to get started*
- *Have an easily accessible link on their website*
- *Consistent FOI forms between different authorities*
- *Advertise how one can make an FOI request*
- *Make forms more accessible with plain English*
- *The same form for all bodies*
- *Make it more accessible and transparent*

*(ii) What should the Scottish Information Commissioner do to raise awareness of FOI among young people?*

- *TEACH IT!*
- *Lobby the Government to teach info about FOI in schools*
- *Visits to schools*
- *Work with schools and other partners to make young people more aware*
- *Create a master form – a one-stop-shop*
- *Just keep on engaging with young people*
- *Be able to fill in a form on your website and then be able to choose an organisation and have it sent for you*
- *Create online resources*
- *Work with the CYPSC office to raise awareness amongst young people together*
- *Create a media campaign*
- *Launch a campaign specific to children and young people*

*(iii) Is there anything MSYPs could do to help young people understand their FOI rights?*

- *Organise similar FOI workshops in constituencies*
- *Visits to schools*
- *MSYPs could develop their FOI understanding and relay it to constituents*
- *MSYPs could go into schools, colleges and universities to hold workshops to spread the message of FOI*
- *Campaign for FOI courses to be taught in schools*

- *Include questions about FOI in surveys*
- *Tweet about it*
- *Educate young people*
- *A campaign to engage with young people and engage them in democratic processes*

- *Help launch a simplified system or campaign about FOI rights*
- *If you use an FOI to get information for an issue let young people know that's how you got it*
- *Workshops with young people on FOI and rights*
- *Talk to locals and educate them*

## APPENDIX: Responses from MSYP survey of constituents

1. Prior to the sitting the SYP prepares a questionnaire which is circulated to MSYPs and their constituents. The survey asks a range of questions relevant to the issues to be explored at each sitting.
2. SIC staff worked with the SYP and our MSYP host to develop two FOI questions to be included in the survey. The FOI questions asked were:
  - (i) If you could see absolutely any information public organisations hold, what information would you ask for?
  - (ii) What could public organisations do to make it easier for young people to access their information?
3. The survey received 189 responses overall: 169 online and 20 on paper. (The SYP report that all 20 paper responses skipped the FOI questions).
4. Respondents were aged between 12-26, with 77% of respondents falling between the 15-20 age range. 64% of respondents were female and 85% were either attending school, college or university.
5. Below is an extract from survey responses. While most of the issues identified relate to information requestable under FOI law, a proportion of concerns address issues more appropriately pursued through other routes (e.g. under data protection law).

### **If you could see absolutely any information public organisations hold, what information would you ask for?**

- *Details of the criminal convictions held by people in your life e.g. someone being married into your family.*
- *I would like to see more information on surveillance and freedom of speech.*
- *Budget expenditure from local councils and minutes for meetings at local council, parliament or government levels. Minutes from meetings deciding grades at University or admission decision-making. Who funds research on diet and obesity at the NHS and how that affects their dietary guidelines (e.g. is it Nestle, or wheat corporations?) I'd want to know if there is any monitoring of potential racial profiling by the police, including immigration police. I'd also want to know more about incidents recorded by immigration officers at immigration detention centres, and what kind of accountability there is re. duty of care when operational services are privatised.*
- *It depends! It could be anything e.g. what Councillors are spending (e.g. expenses), local authority practice, evidence of decisions taken, who sits on a certain group, information from police about types of arrests, data on various issues e.g. numbers of young people recruited into the army and from where, information from DWP about DLA, when and how young people were consulted in certain issues, council papers on decisions taken which affect young people, bullying incidents in schools and if any group was particularly affected, informal exclusions in schools.*
- *The location of my brother.*
- *I would ask for everything they have on me. Then ask about the treatment of employees particularly ethnic minorities, and the pay gap stats between gender and ethnicity.*
- *I would like to see where the millions of pounds the council gets are poured into every year, and see why some organisations that play vital roles in people's lives aren't getting supported.*
- *Information held by the SQA.*
- *Information on cover-ups or miscarriages of justice or corruption.*
- *I would like to see the numbers of children from disadvantaged backgrounds that get in to each*



university course.

- *The current government's strategy on the future of the devolved Scottish assembly.*
- *The performance of my school, the funding that my school receives and exactly where it is spent. In fact regarding funding for all public institutions.*
- *I would ask for poverty figures from councils, part time exclusions from schools as it is illegal and I want to know why it goes on. I would ask why certain cuts have been made and would want to know a fully transparent budget process inside councils and the government.*
- *A question to end all questions, though nonetheless a question I will strive to answer. I would ask for budgetary efficiency, the extent of potential deficit spending and the extent to which applications are decided by merit or diversity quotas, and if in case of it being the latter where the origin of such quotas are owed to.*
- *How much tax a business/public organisation pays, and if they're avoiding paying tax.*
- *I would ask for information about myself.*
- *Exam papers! But seriously: all information that they have regarding my personal information.*
- *If they are supporting young people's rights and how they are doing it.*
- *Salaries of staff members (to ensure fair distribution of pay from CEO to lowest-paid employee - CEO pay should be a capped multiple of their lowest-paid employee).*
- *What protocols are in place in my local authority to protect and support LGBTQI young people.*
- *Statistics of advancement from deprived areas and schools to colleges and universities.*
- *Internet browsing habits How many people aren't receiving health care they need due to underfunding.*
- *I would want to know about how often and to what extent, using which methods, they engage with young people in their decision making. I would want this to be presented factually, and not as an inflated 'pitch' of how well they would like us to think they're doing at it.*
- *I would ask for statistics about incidents involving racism in Scotland - I feel that it still exists but can be quite subtle so I am keen to discover the extent of this problem.*
- *Gender makeup of staff, boards etc. Way pays and gender pay gaps. Reports of harassment and success rates. Any research based things for school work.*
- *I would like my local authority, Scottish Borders Council (SBC), to show me how many young people work for SBC (under 26 years old), and have a say in the decisions that affect young people, compared to the number of young people living in the Scottish Borders.*
- *How many decisions are taken, nae in the interests of local folk but cause big industry has bribed them. I dinna mean that they're law breaking but that they have mair say than ordinary folk.*
- *How much money local councils have spent towards creative educational materials for primary and secondary schools. Namely literary materials and tools to assist with creative writing.*
- *How much money is spent on donuts in the police.*
- *I'd ask NHS Boards to outline the policies they have in place to encourage a healthy work life balance and ensuring their staff are role models when it comes to diet, lifestyle choices and exercise.*
- *I would like to see the government files on reported UFO sightings.*

## What could public organisations do to make it easier for young people to access their information?

- *Create a service that young people can use in schools, such as on the library computers.*
- *Make it obvious that you can access their information!*
- *Make it easily accessible on the internet.*
- *Have TV and film advert series to promote FOI (e.g. like with smoking ban!) Websites should be clearer with FOI calls standardised. 'Public bodies/organisation' term should be universally broken down. Celebrity promo?*
- *Put all information online.*
- *Advertise better and explain why FOIs are important and give examples which are relevant, work with young people's organisations to get this information through.*
- *Easy simple online forms.*
- *Give a guide or a clear contact email/number on their website.*
- *make it all available online and clear/easy to understand language.*
- *Public organisations shouldn't need to do anything more because they already comply and respond to FOIs. The effort should be put onto organisations that work with young people, such as SYP and Young Scot, to improve knowledge of young people.*
- *Make it available in schools or youth clubs.*
- *Put it on websites and social media but also as online adverts.*
- *Make their websites child friendly, at the moment a lot of website are hard to use and access, not just for young people, but for everyone.*
- *Increase the awareness of FOI and offer a child friendly FOI form.*
- *Compile data on one easy to use site.*
- *Have sections on their websites, spread the news on social media's, posters in schools, even have them go into schools and talk about what we have access to.*
- *Have it better advertised on social media platforms.*
- *Make it easier in the sense there is less stuff to fill in and less hoops to jump through.*
- *Make the wording youth friendly and making it more accessible and less formal.*
- *Have a dedicated website for young people with simple language and which is easy to navigate. It should list all organisations and make requests easy.*
- *Make it known that they're letting them do this! A lot of young people don't know this is a power that they have and it could support them a lot in ideas that they have and work that they do.*
- *Produce documents that could be important or relevant to young people in more accessible formats. Have clear contact details.*
- *Encourage and support young people to ask for their information.*
- *Actively make it clear that they have the power to request the information. A start could be scrapping the 'towering' culture of schools and make pupils feel comfortable asking for information in the first place.*
- *They could begin with a publicity campaign, focusing on schools, youth clubs, universities, etc., which would emphasise what FOI does and how it can be used by citizens.*
- *Make it known that we can. I didn't know about this.*
- *Have websites or an app that you type in what you want and it appears also people to speak to about information*
- *In bold letters say "IF YOU WANT MORE INFORMATION THEN PLEASE FEEL FREE TO CONTACT*

*US" Or something along those lines.*

- *Include as much information as legally possible on their websites and especially make that information easy to access on said sites instead of being vague or obscure with where the information can be found, to avoid an organisation from truthfully claiming that they have this information on their public site but in reality have made it fiendishly complicated to access.*
- *Make things more straightforward, less jargon and complex terms making it hard going. Have clearer links to what things are and possibly a simplified version, especially if the organisation deals with a lot of youths.*
- *Make their web pages more accessible and make it easier to find contact information instead of trying to manipulate us all to use only emails and the internet etc.*
- *Become more helpful and approachable when young people inquire about documents and when young people reach the age that they can access this information let the young know that they are now allowed this information.*
- *Promote FOI in schools, colleges, universities, social media, etc.*
- *Give us feedback and actually communicate with us, and not avoid us or put us aside like we are not important. Yes, I understand they are a lot busier than us, but that is beside the point and it's been like this for a long time.*
- *The Commissioner, the government and the council should get my Mum to come into school and hold an assembly on freedom of information, she is really good at it, and she has been teaching my sister and I.*

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