

# Freedom of information: what's in it for researchers? Summary report

A RIN workshop, 14 September 2009 – Glasgow

In September 2008, the RIN organised an initial workshop, in London, aimed at raising awareness among researchers of freedom of information (FoI) legislation. That event had suggested a lack of awareness regarding the potential of FoI as a research tool, and a degree of lethargy about researchers' approach to the legislation<sup>1</sup>. A number of ideas had been aired about how to help remedy this situation, one of which was to organise a further similar workshop, outside London. The choice of Glasgow as a venue was influenced by the opportunity to discuss the FoI regime in Scotland.

The workshop<sup>2</sup> was attended by around 50 people, among which a significant proportion of researchers and research students, but also individuals with an interest in records management and training within an academic environment. Following an introductory talk on the challenges associated with obtaining information relating to recent political history (in the context of the march towards Welsh devolution, with parallels drawn with devolution in Scotland), there were presentations on the work of the Scottish Information Commissioner and the National Archives of Scotland.

This was followed by sessions illustrating the experiences of three researchers on their respective use of FoI in research, with regard to: privileged access to archival records; housing policy and regeneration; and investigations into plagiarism in higher education. Participants also heard about the possible limitations of FoI, and the extent to which public agencies may not be able to cope with the rising demand for information. Finally, there were opportunities on the day for discussions in small breakout groups, followed by a consideration of steps that might be taken in the short term to raise awareness of FoI in academic settings.

A recurring theme throughout the meeting was the importance of carefully framing requests for information in order to increase the chances of obtaining what is being sought from relevant public bodies. This presupposes a good degree of preparation of questions, if need be breaking them down in components that can more easily be addressed; a willingness to be patient is also useful. Such a methodical tactic also underlines the importance of good relationship between requesters and public bodies, so that requests can form part of a

---

<sup>1</sup> A summary note from the meeting is available on the RIN website at [www.rin.ac.uk/foi-workshop](http://www.rin.ac.uk/foi-workshop)

<sup>2</sup> Details about the Glasgow workshop, including the full programme and the speakers' presentations, can be found at [www.rin.ac.uk/foi-scotland](http://www.rin.ac.uk/foi-scotland)

cooperative rather than confrontational or scattergun approach. It follows therefore that the key to successful FoI requests is often founded on experience in working the system and making use of the legislation.

Training and awareness-raising are also important factors in helping researchers to make the most out of requests; there is a certain art in formulating successful requests, requiring skill, creativity and a measure of common sense. It was pointed out that training is needed not just for young researchers, but for their teachers too. Examples of initiatives to help in this vein were evoked at the meeting:

- the website of the Scottish Information Commissioner, which provides much clear guidance, although not specifically geared to academic researchers<sup>3</sup> ;
- the AHRC-funded training courses for PhD students run by Duncan Tanner; it is expected that written guidance based on these courses will be published during the course of the autumn (Duncan Tanner called for advice from the audience to help ensure that the guidance includes appropriate references to the Scottish legislative environment); RIN will play a part in disseminating this to as wide an audience as possible;
- the guidance undertaken by JISC Legal, which responds to requests for advice about FoI, often from individuals with little awareness of the legislation and/or of their own institutions' FoI policies<sup>4</sup> ;
- RIN awareness-raising workshops, such as this one.

The importance of long-term cultural change was emphasised; the FoI regime is probably helping to make public agencies aware of the importance of releasing relevant information, wherever possible proactively; and to make researchers aware of the potential represented by FoI.

At the same time, workshop participants signalled their awareness of challenges and problems associated with more effective and widespread use of FoI in academic environments:

- the dangers of swamping public agencies with an ever-increasing number of requests, leading to a deterioration of the service, bureaucratic delays – and hence discouraging users from making requests in the first place; associated with this, the possible development of a public sector culture where information is not properly recorded in the first place (the scenario in Sweden, where a long-established political culture of openness has, it was suggested, led to an “open access, empty archives” syndrome);
- linked to this, the risk of developing a culture of information evasion;

---

<sup>3</sup> See [www.itspublicknowledge.info](http://www.itspublicknowledge.info)

<sup>4</sup> See [www.jisclegal.ac.uk](http://www.jisclegal.ac.uk)

- the tension between FoI and data protection legislation, and the danger of hiding behind data protection legislation as a means of not disclosing information;
- in spite of the instances highlighted above, there is a lack of training opportunities on FoI.

Workshop participants found the event a useful opportunity to broaden their understanding of the framework surrounding FoI as it relates to academic research, and to raise pertinent and sometimes awkward issues. They used the opportunity to suggest a number of practical courses of action over the next year or so, including:

- the organisation of a further RIN workshop, also outside London; this might perhaps be more focused, looking at specific issues such as training provision; there may also be opportunities for RIN to associate other organisations to such an event, for instance JISC Legal – a useful dialogue could be initiated with such bodies;
- dissemination of the researchers' guidance that will follow from the FoI courses run by Duncan Tanner;
- an investigation into the interface between FoI and data protection legislation; this too could be the subject of a more focused event;
- an investigation into the culture of information evasion, to examine attitudes pre and post-FoI legislation;
- the flagging up on the RIN website of relevant resources; participants were encouraged to pass on any useful information (e.g. publications, courses...) that they might be aware of.

*September 2009*