

## **Scottish Information Commissioner**

### **Public Awareness Research**

**April 2005**

#### **Introduction**

From January 1<sup>st</sup> 2005, the Freedom of Information (Scotland) Act 2002 introduced a new right of access to information held by Scottish public authorities. Anyone who requests information from a public authority is now entitled to receive it, subject to certain exemptions. This right extends to everyone, regardless of their age or country of residence.

One of the responsibilities of the Scottish Information Commissioner is to promote the new rights provided by the Act. To help inform the promotional strategy and provide a benchmark against which the effectiveness of a promotional campaign could be measured, in August 2004 the Commissioner commissioned research among the general public to evaluate their current awareness of the Act, and assess whether they are likely to use the rights provided by the Act in future.

The research was repeated earlier this year to monitor the initial effect of the promotional activities listed in the Commissioner's promotional strategy.

#### **Research Objectives**

The research objectives remained unchanged from those identified for the original survey, which were to measure and identify:

- 1) Public awareness of the Freedom of Information (Scotland) Act which comes into force in January 2005
- 2) Public awareness of the role of the Scottish Information Commissioner
- 3) Public awareness of the new rights this will give everyone regarding access to information held by Scottish Public Authorities
- 4) Public understanding of the term "Scottish public authority"
- 5) Whether people have requested information from Scottish public authorities in the past
- 6) Whether people would be likely to make such requests in the future.

#### **The Consultants**

Progressive Partnership successfully tendered for the initial contract in August 2004 and were retained to carry out this second survey, using the Progressive Scottish Opinion omnibus survey. Susan Cummins, Senior Research Executive, led the project. Advice and assistance was also provided by Carole-Anne Oag, Group Managing Director.

#### **Methodology**

Scottish Opinion used their in-house Omnibus poll to conduct the fieldwork. A questionnaire comprising eleven questions was drawn up with the help of

Progressive Partnership and 1008 people were interviewed by telephone between March 29<sup>th</sup> and April 5<sup>th</sup> 2005 to provide a data set with a maximum standard error of +/- 3.1% at the 95% confidence interval.

The sample surveyed was fully representative of the social demographic spread of the Scottish population: the Scottish Opinion Omnibus service is based on the entire Scottish electoral roll. Results were weighted to represent the Scottish population demographics regarding age, sex and socio-economic group, and were also made available by region.

Results were presented in the form of tables showing the baseline responses to each question and a breakdown of these responses by age, sex, socio-economic group and region. Additional tables were also provided which cross-tabulated each question in turn with the questions designed to show levels of awareness of the Act and of the Commissioner.

The results tables are available in full as an appendix to this report.

### **Summary of the main findings of the research**

This second survey of public awareness of the Freedom of Information (Scotland) Act 2002 and associated issues was carried out three months after the Act came into force. The research took place during the final week of a television advertising campaign which had started mid-February. During the first three months of 2005 the Commissioner had also distributed some 10,000 booklets ("Your Right to Know: a guide to freedom of information law in Scotland") to Council Offices, libraries and other public bodies.

The study provides the following **key results**:

- A significant rise in awareness of the Act but confusion over the rights it provides.
- A third of respondents had seen or heard recent advertising about the Act
- Awareness of the role and responsibilities of the Commissioner has not increased.

The strong awareness of advertising featuring the Act may be a factor in the general rise in awareness of the Act, suggesting that the recent promotional campaign has been effective.

As with the first survey in August 2004 the research revealed some positive opinions among the Scottish population:

- 79% agree that the Act will make public authorities more open and accountable
- 60% think it will increase public confidence in public authorities' decision making
- 51% think it will be useful to them;

- 9% think they are likely to use it in the next year. This is slightly down on the figure recorded in August 2004, when 12% of respondents thought they would use their new rights in the next year, but compares well with the 4% of respondents who had ever previously asked for information from a public authority.

It seems therefore that respondents continue to regard the Act positively, even if they are not sure exactly what it covers. However, there is still a widespread perception (70% - unchanged from the first survey) that public authorities will find a way around the Act and fail to provide any information they don't want to.

The current research indicates although awareness of the Act itself has risen, there is still confusion about the actual rights that it provides. In particular, there is confusion about the right to see personal data, which is the type of information people thought they would be most likely to ask for (18% asking for their medical records and 8% asking for other personal data). On the positive side, the recent advertising campaign can be shown to have had a general impact, and awareness of the Commissioner through newspaper editorial content has risen considerably.

## Summary of results

### **Q1. Have you ever made a written request for information that a public authority holds?**

The wording of this question was changed slightly for the second survey.

Total responses were: Yes, 4%, No 96%.

A very low percentage of respondents have ever asked for recorded information, a finding which confirms the figure of 5% recorded in the first survey.

The proportion of those responding positively to this question varied across the social grades, with those classed as AB or C2 more likely to have made a request in the past:

Social grade	Percentage responding "yes" to Q1.
AB	7
C2	4
C1	3
DE	2

Of the 35 people who had asked for information, most were aware of the Act. This marks a change from the first survey, when there was little difference between those aware or unaware of the Act when responding to this question.

**Q2a (only asked to the 35 respondents who answered yes to Q1)  
Has any request been made in the last 12 months?**

45% yes, 53% no

**Q2b – Could you tell me roughly what type of information you asked for?**

Personal data (including medical records) and planning information came out top here, with 30% (5 people) asking for such information. No one had requested information about public authority finances or awards of grants or subsidies, which have been the subject of several enquiries to this office.

Among the other information asked for was information about services (childminding; numbers of police on patrol) and information about the outcome of a job interview.

**Q3 – In your opinion what legal rights do you have to see information held by public authorities?**

	Survey 1	Survey 2
I have the legal right to see any information I ask for subject to certain exemptions	37%	39%
I have the legal right to see personal information they hold about me but it is up to the authority to decide what other information they give out	53%	39%
I don't have any legal rights, it is up to the authority to decide what information they give out	8%	6%
Other	0%	0%
Unsure	7%	16%

The first option in the table above is the correct one now that the Act has come into force. Before then, and at the time of the first survey, the second option most accurately described people's rights.

The proportion of people choosing the first option (incorrect at the time of the first survey but now correct) has changed little since the first survey but the number selecting the second option (correct at time of first survey but now incorrect) has decreased significantly. The number of people unsure about their rights has increased significantly.

Together these figures suggest that people remain confused about exactly what rights to information they have.

The regional breakdown figures show that in the current survey the greatest proportion of people choosing the correct response was in Tayside, where 54% of respondents correctly selected option 1. The lowest was in Central with 27%. (Conversely, Tayside had the lowest proportion (28%) of respondents incorrectly selecting option 2 and Central had the highest (58%).)

As with the first survey, awareness of the Act and the Commissioner appears to have had an impact on results, with awareness creating a greater likelihood that respondents would answer correctly about their legal rights.

	Correct on the nature of rights (option 1)
Aware of Act	42%
Unaware of Act	32%
Aware of Commissioner	48%
Unaware of Commissioner	38%

#### Q4 – Have you ever heard of the Freedom of Information (Scotland) Act?

	Survey 1	Survey 2
Yes, definitely	30%	49%
Yes, I think so	14%	20%
No, don't think so	9%	5%
No, definitely not	47%	26%
Unsure	0	1%

This question produced one of the key findings for the second survey. The results show a significant rise in awareness of the Act, with an increase of 25% from the first survey in the numbers who answered positively. Just under half the 1008 people surveyed have definitely heard of the Act, compared to less than a third during the first survey, when the Act had yet to come into force. More than two-thirds are either sure that they have heard of the Act or think they have.

The survey showed some differences between the age groups, with the youngest and oldest age groups having lower awareness of the Act than others:

Age group	Percentage aware (combined yes scores)
18-24	58%
25-34	70%
35-44	73%
45-54	75%
55-64	72%
65+	59%

There was also a difference in the responses men and women gave to this question. Male respondents are more likely to say they have heard of the Act:

	Survey 1		Survey 2	
	Male	Female	Male	Female
Yes, definitely	35%	26%	53%	44%
Yes, I think so	16%	13%	21%	19%
Combined	51%	39%	74%	63%

The social grade results show awareness is lowest in the DE social grade, although awareness levels have increased significantly across all grades. The increase in awareness is greatest within the two lowest social grades:

	Survey 1				Survey 2			
	AB	C1	C2	DE	AB	C1	C2	DE
Yes, definitely	46	32	26	22	58%	55%	48%	38%
Yes, I think so	20	15	13	10	19%	22%	19%	21%
Combined	66%	47%	39%	32%	77%	77%	67%	59%

Regionally, there was a noticeable increase in the proportion of respondents from the Highlands and Islands who have heard of the Act, from only 15% who were “definitely aware” during the first survey, to 52% in this survey.

Graphs illustrating the rise in awareness of the Act can be found in the [Appendix](#) to this report.

**Q5 – The FOISA is a new law, which came into force on 1<sup>st</sup> January 2005. I appreciate that you may not be fully aware of this Act but I would like you to tell me what rights you think the FOIA might give you.**

The wording of this question was slightly changed from Survey 1 to reflect the fact that the Act is now in force.

NB – respondents were able to select more than one answer to this question.

	Survey 1	Survey 2
To see any general information held by a public authority	32%	29%
To see any personal information a public authority holds about me	42%	40%
To see any personal information a private company holds about me	24%	12%
To see any general information held by a private company	7%	3%
To see information normally kept confidential by public authorities	8%	6%
Other	2%	1%
Unsure	41%	40%

The responses to this question suggest that people are still unclear about what rights the Act creates, and there is still confusion between rights to access personal information provided by the Data Protection Act and those provided by FOISA. Promotional work carried out since the first survey appears not to have had any significant impact on this area of awareness.

One promising change here is that the number of people believing the Act applies to private companies has reduced significantly from 31% to 15%. This suggests that even though people remain confused about which information falls under the scope of the Act, they are becoming less confused about the range of bodies it covers.

Fewer people gave “other” replies than in the first survey; their answers again included freedom of speech and access to information about their local area.

**Q6a – How likely are you to ask for information from a Scottish public authority in the next year?**

	Survey 1	Survey 2
<b>Very likely</b>	3%	3%
<b>Quite likely</b>	9%	6%
<b>Neither/ nor</b>	3%	3%
<b>Quite unlikely</b>	22%	41%
<b>Definitely unlikely</b>	56%	40%
<b>Unsure</b>	7%	6%

The proportion of people stating they are likely to make a request has decreased since the first survey. 9% suggest they will request information in the next 12 months. This still compares very well with the number of people who have ever asked for information in the past (4% - see question 1).

Interestingly, given their low awareness of the Act (question 4), the lowest age group is most likely to intend to make a request - 7% said this was very likely and 5% thought it quite likely.

Females thought they were more likely to make requests than males – 10% (very or quite likely) compared to 7%.

The AB social group was most likely to answer positively to this question (13% saying they were very or quite likely), which might be expected of the group that showed most awareness of the Act, but note that the DE group (least aware) came second with 10% responding positively.

Among the regions, Highlands and Islands residents are most likely to believe they will make requests (13%).

Awareness of the Act or the Commissioner appears to have no significant impact on likelihood of respondents making a request.

### **Q6b – What sort of information do you think you might ask for?**

This question was not asked in the first survey and was intended to throw greater light on people's information needs, and to give some idea whether FOISA would improve their access to this information. This question was asked only to those who had responded positively to question 6a. Respondents could provide multiple responses to this question.

Personal data was cited most frequently, with 18% of respondents mentioning medical records and 8% other personal data.

Planning information scored second, cited by 20% of respondents.

These are the two subjects that topped the poll in question 2b (subject of previous requests for information). Again, it highlights the need to explain the different access routes to information provided by the Data Protection legislation and FOISA.

### **Q7a – Have you ever heard of the Scottish Information Commissioner?**

	Survey 1	Survey 2
Yes, definitely	6%	4%
Yes, I think so	2%	5%
No, don't think so	5%	14%
No, definitely not	87%	76%
Unsure	0%	1%

Awareness of the Commissioner is still very low and has not increased since first survey.

The AB social grade is most likely to have heard of the Commissioner, with combined "yes" scores of 15%.

nb Respondents were not asked if they had heard of Kevin Dunion, or the Freedom of Information Commissioner as he has sometimes been referred to in the media.

**Q7b – Where do you recall seeing/hearing about the Scottish Information Commissioner?**

The results below were taken from among the 95 people who answered positively to Q7. Multiple choice answers were permitted.

	Survey 1	Survey 2
Newspaper editorial	18%	28%
Newspaper advertising	18%	6%
Radio	5%	3%
TV programme*	24%	11%
TV advert	n/a	10%
Word of mouth	11%	19%
Leaflet	2%	5%
Billboards	0	0
Internet	0	1%
Other	27%	12%
Unsure	4%	21%

\*survey 1 labelled this option simply “TV”.

Those who have heard of the Commissioner are doing so primarily through the news media (see combined scores for newspaper editorial and TV programmes), but word of mouth also scores highly, and the recent TV advert has made some impact (see also questions 9a and 9b). Among those who answered “other”, 10 respondents had heard about the Commissioner through work and 2 through college or university.

**Q8 – I am going to read out a list of duties that may be carried out by the Scottish Information Commissioner. How aware would you say you are that these duties are indeed carried out by the SIC?**

	aware	neither/nor	unaware	Don't know
Telling people about their right to see information held by Scottish public authorities	16% (6)	2% (1)	78% (86)	4% (8)
Investigating complaints when people don't get the information they request from public authorities	18% (7)	1% (1)	77% (84)	3% (8)
Dealing with complaints about DP legislation	15% (7)	1% (0)	80% (85)	4% (8)
Making sure that public authorities comply with the FOISA	19% (8)	1% (0)	76% (85)	4% (7)
Providing information about public services	14% (7)	2% (1)	79% (85)	4% (7)

(Bracketed figures are from survey 1)

As in the first survey, respondents were equally likely to say they were aware of each role mentioned, including those not relevant to the Commissioner.

As most respondents indicated that they were unaware of any aspect of the Commissioner's role (actual or false), this reveals that there is little or no understanding of that role among the general public. This ties in with low general awareness of the Commissioner.

People who were aware of the Act were significantly more likely to say they were aware of each of these roles, than those who were unaware. However, they were also more likely to wrongly state that they were aware of the Commissioner having a role in enforcing Data Protection legislation and providing information about public services. This suggests that most people who are aware of the Act are no more knowledgeable of the Commissioner's role than those unaware of it.

However, the gap between those aware of the Act and those unaware of it narrows for the association of incorrect roles with the Commissioner, suggesting that at least some of those aware of the Act were also aware of the true role of the Commissioner.

#### **Q9a – Have you seen or heard any advertising recently about the FOISA?**

Yes definitely	23%
Yes, I think so	13%
No, don't think so	16%
No, definitely not	46%
Unsure	2%

A third of people surveyed recalled advertising for the Act without requiring any prompting about its content (see Q9b below). This shows that the recent campaign was effective in reaching a sizeable proportion of the Scottish people.

There was little difference between the age groups, apart from the oldest age group (65+) who were by far the least likely to recall the advert.

Variation by age, with lowest positive responses for oldest age groups

Age group	combined yes scores
18-24	38%
25-34	38%
35-44	39%
45-54	41%
55-64	34%
65+	29%

A breakdown by social grade shows that the lowest positive response came from the DE social grade

Social grade	combined yes scores
AB	38%
C1	44%
C2	37%
DE	27%

Regionally, 81% of respondents from Dumfries said they had not seen the advert (nb this was the smallest regional sample so greatest margin of error here). Only 4 respondents (12%) said they had seen it.

Graphs illustrating the impact of the advert can be found in the [Appendix](#) to this report.

**Q9b – An ad campaign to promote the FOISA has run recently where a filing cabinet opens, files open and paper from the files can be seen flying across Edinburgh. Do you recall seeing this ad?**

(Scores in brackets are for the unprompted recall of advertising measured in 9a)

Yes definitely	26% (23%)
Yes, I think so	9% (13%)
No, don't think so	12% (16%)
No, definitely not	51% (46%)
Unsure	2% (2%)

Although confidence in having seen the advert dips slightly when it is described, the responses to 9a and 9b together suggest that where people have seen the advert, they have recognised that it was about the Act. Describing the advert in detail does not change significantly the number of people who recall advertising about Freedom of Information.

This suggests that for those who saw the advert, the main message about the introduction and existence of the Act got through.

Graphs illustrating the impact of the advert can be found in the [Appendix](#) to this report.

**Q10 – I am going to read out some statements about the FOISA and ask you to tell me how much you agree or disagree with each statement. Even if you aren't aware of this act, it is your impression I am interested in.**

**As a result of the FOISA...**

	<b>Agree strongly</b>	<b>Agree slightly</b>	<b>Neither / nor</b>	<b>Disagree slightly</b>	<b>Disagree strongly</b>	<b>Don't know</b>
Public authorities will become more open and accountable	47% (44)	32% (35)	5% (4)	6% (6)	4% (6)	6% (6)
Members of the public will have more confidence in the decisions made by public authorities	32% (28)	28% (29)	7% (6)	17% (16)	7% (14)	7% (7)
Public authorities will find a way around the Act and won't provide any information the don't want to	33% (41)	37% (29)	5% (5)	11% (14)	8% (6)	6% (6)
No one will bother to use the rights provided by the act	10% (12)	23% (21)	5% (7)	34% (38)	21% (17)	7% (6)
This act will be useful to me	18% (20)	33% (32)	9% (10)	18% (15)	14% (15)	8% (8)

(Numbers in brackets represent responses from Survey 1.)

There was little change here from the responses given in the first survey. People were generally positive about their new rights and the effect the Act will have on public authorities. They still have reservations about public authority ethos and whether people will use the Act. However, once again, the number of people who believe the Act will be personally useful to them outweighs the number who believe that no one will bother to use the rights provided by the Act.

#### **Q11 Do you regard yourself as disabled?**

Overall, 11% responded yes.

People who are unaware of the Act and the Commissioner are more likely to consider themselves disabled than those who are aware.

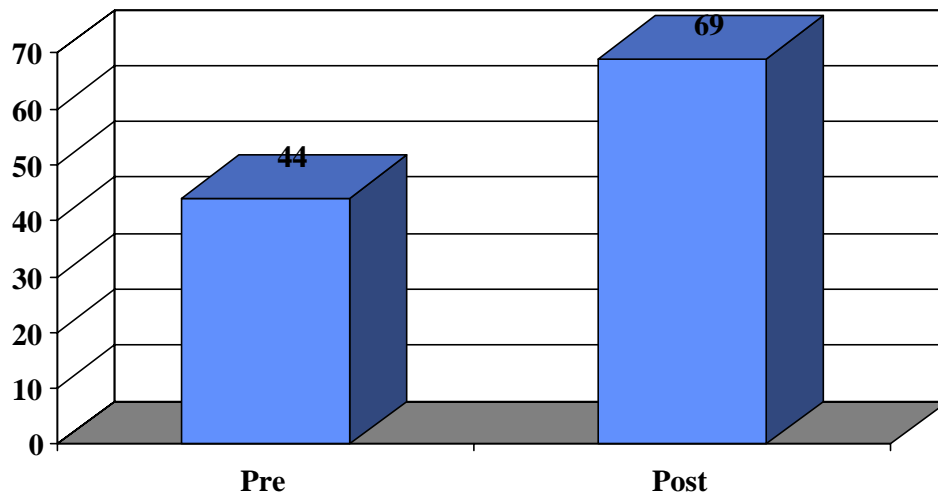
The results suggest that awareness among people with disability is lower than for rest of population.

	Aware of the act	unaware of act	aware of SIC	unaware of SIC
Disabled?	9%	14%	4%	11%

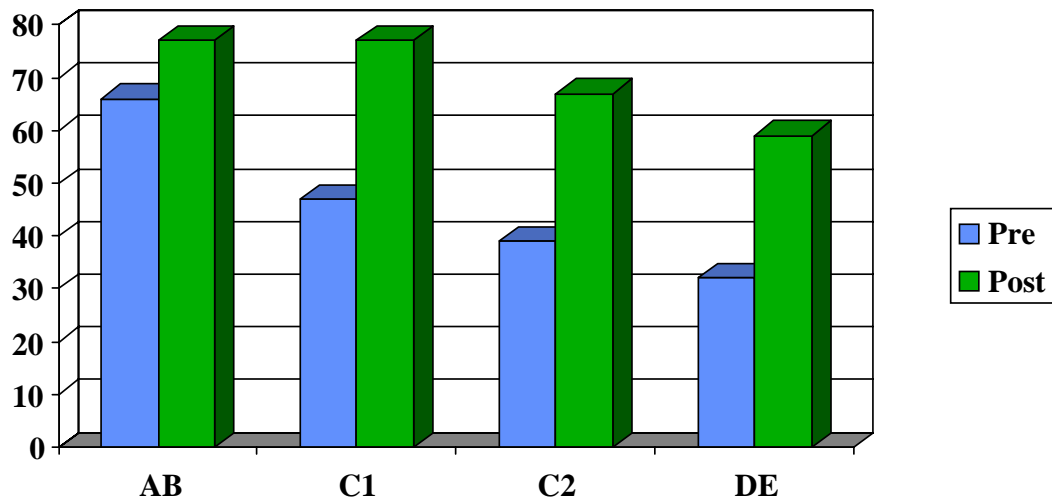
## Appendix

Attached are graphs illustrating the impact of the television advertising campaign which ran between 14<sup>th</sup> February and 29<sup>th</sup> March 2005. Graphs provided by the Union Advertising Agency from whom the advert was commissioned, based on data obtained in the second survey of public awareness described in the body of this report.

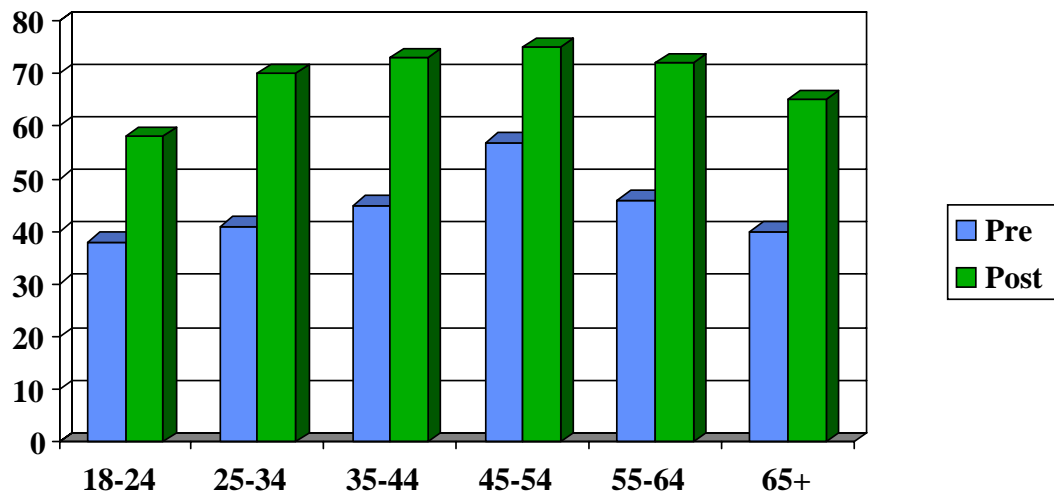
1. Percentage of people aware of the Act before and after the advertising campaign (see q.4).



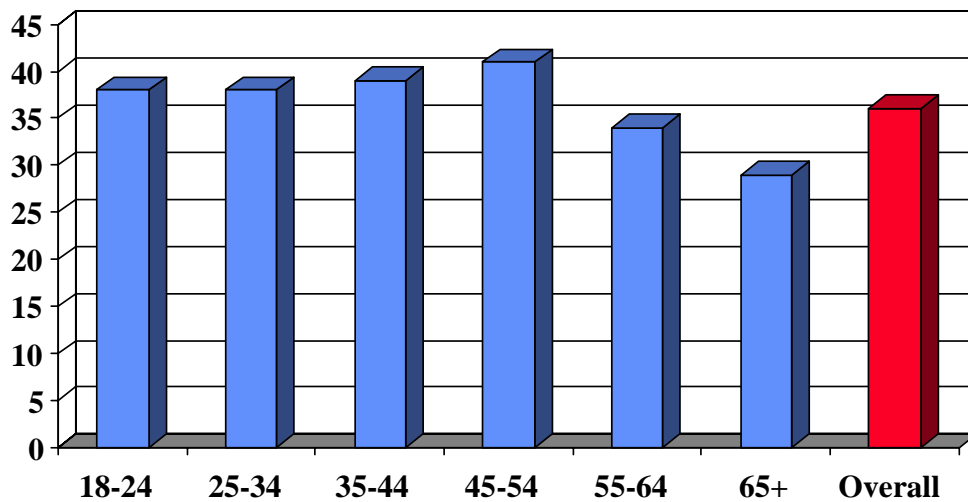
2. Awareness of the Act before and after the advertising campaign by social class.



3. Awareness of the Act before and after the advertising campaign by age group.



4. Spontaneous recall of the television advert, without prompting, by age group.



5. Prompted recall of the advert, cross-referenced with awareness of the Act and of the Commissioner.

