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## Operational Plan: 2009/10

Our Operational Plan 2009/10 sets out the activities which will be undertaken during the year to continue progress towards the achievement of the objectives identified in our Strategic Plan 2008-12. In addition to these specific activities, the core activities undertaken by the three functional areas of the Office (Enforcement, Policy & Information, and Operational Management) are detailed.

This year's plan builds upon the successes we achieved in the first strategic plan year and in particular the efficiencies in investigations which eradicated the backlog and reduced the time taken to close cases. We are setting enforcement targets which will improve even upon that performance. We are also taking advantage of the levelling off of applications to devote resources to our other statutory roles such as assessing practice across a range of public authorities and improving the nature of publication schemes.

We are investing resources in supporting key professionals in authorities by a programme of activity delivered through the Centre for Freedom of Information, as well as direct sectoral training inputs. We also aim to better understand and improve awareness of Fol amongst potential users

Our operational management systems are undergoing a thorough review to ensure that we are resilient, efficient and effective. At a time of change we will share our experience and cooperate with others to make the most of our resources.

Kevin Dunion

Scottish Information Commissioner

INV20243



## Strategic Aim I: Case Closures – Length of Investigations

Investigative capacity will be used to significantly reduce the journey time to closure.

	Objectives	Activities	Measurement	Timescale
a	Continue to improve service to applicants by further reducing the time taken to investigate and close cases	<p>For valid applications for decision validated on or after 1 April 2008:</p> <ul style="list-style-type: none"><li>• case closure average of 6 months</li><li>• 98% of cases to be closed within 10 months<sup>1</sup></li></ul> <p>Individual case closure targets to be set for the small number of cases validated prior to 1 April 2008: 95% of cases to be closed within those targets</p>	Data from investigations database	Monthly

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<sup>1</sup> These targets are based on the number of applications in 2009/10 being at the same level as 2008/09. These targets to be reviewed at each Quarterly Management Team Meeting to take account of fluctuations in the actual number of applications received or to take account of announcements from the Scottish Ministers as to whether additional bodies are to be designated under FOISA.



## Strategic Aim 2: Compliance

Investigate the practice of public authorities and identify measures to improve compliance with the Act and Codes of Practice.

	Objectives	Activities	Measurement	Timescale
a	Promote public authority compliance with FOISA and the EIRs	Train FOIOs on procedures for carrying out good practice assessment	Training takes place	April 2009
		Carry out 13 good practice assessments of public authorities (10 planned – further 3 to reflect issues which arise during the year) <sup>2</sup>	Assessments completed and reports published	In line with plan to be drawn up
		Carry out review of procedures	Review completed and changes implemented	November 2009

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<sup>2</sup> In the event of a large increase in the number of applications being made to the Commissioner, either as a result of additional bodies being designated as Scottish public authorities under FOISA during 2009.10, or for any other reason, the number of assessments to be carried out will be reviewed.



### Strategic Aim 3: Awareness

Target specific sectors of society to ensure that they are aware of their rights and the potential to use FOISA / the EIRs

	Objectives	Activities	Measurement	Timescale
a	Promote FOI awareness among target groups	Programme of 6 presentations to community and voluntary organisations through civil society research project	Increase volume of enquiries to OSIC from civil society groups by 10% against 2008/9	March 2010
		Secure coverage of FOI in newsletters for older people, black and minority ethnic communities and younger people	6 articles published	March 2010
b	Promote the Commissioner's information materials	Update and promote public guides to making requests, requests for review and applications	Increase number of visits to Your Rights pages on website by 10% against 2008/9	March 2010
		Develop existing communication routes to include a new media strategy		March 2010
c	Conduct annual public awareness tracking research	Appoint research company	Research company appointed	August 2009
		Publish research	Research published	October 2009



## Strategic Aim 4: Practice

Build knowledge of and promote good practice by authorities and applicants through research, publication scheme approval and a reference group of key specialists.

	Objectives	Activities	Measurement	Timescale
a	Develop information and guidance materials for public authorities	Publish guidance on dealing with requests for environmental information, including the definition of “environmental information” and “public authority” under the EIRs	Guidance published	Sep 2009
		Develop new guidance on clarifying requests, costs and charges, searching for information, advice and assistance, conducting a review	Publication according to programme timetable	February 2010
		Revise exemption briefings	Publication of briefings	Ongoing
b	Support development of FOI competence in public authorities	Pilot frontline training for public authority staff new to FOI.	Training piloted	Nov 2009
		Meet public authority representatives to promote good practice	2 meetings held	Oct 2009 / Feb 2010
c	Increase effectiveness and profile of enquiry function	Review enquiries function to ensure procedures still fit for purpose	Achievement of project milestones	July 2009
		Carry out audit of enquiries made and responses given	Achievement of project milestones	Aug 2009
		Refresher training to staff on enquiries function	Achievement of project milestones	Oct 2009
		Develop knowledge bank	Achievement of project milestones	Dec 2009



d	Promote the findings of the health and higher/further education research	Promote the research findings to sector representative and stakeholder organisations	Presentation to 4 representative organisations	October 2009
		Identify and promote examples of good practice within the sector through liaison with FOI practitioners	Publish good practice examples	December 2009
e	Publish and promote the Annual Report 2009	Appoint design agency		
		Develop the annual report for publication March 2010	Publish report	March 2010
		Appoint PR agency		
		Promote the report widely	10 media interviews	March 2010
f	Support the annual Holyrood FOI Conference	Provide support for the development of the conference	Conference delivered	November 2009
g	Support the development of model publication schemes for health authorities	Liaise with health sector organisations, research sector information and support as appropriate	MPS published	December 2009



## Strategic Aim 5: Development

Identify beneficial changes to legislation, regulation and codes e.g., designation of additional authorities. Address areas of uncertainty regarding the application of the legislation

	Objectives	Activities	Measurement	Timescale
a	Contribute to the Scottish Government's review of the Section 60 and Section 62 Codes of Practice	Provide comments on drafts as required		
b	Liaise with the Minister for Parliamentary Business on the provisions to remove or rescind the section 32 certificate for the G8 Summit 2005			
c	Make representations to the Scottish Government for an amendment to section 39 of FOISA			
d	React to developments from the RSSB Committee*			
e	Broadcast widely the Commissioner's position on designation of further bodies under FOISA, as communicated to the Scottish Ministers.	Respond positively to opportunities to explain or discuss the Commissioner's response		

\*Development activities in 2009/10 depend on the recommendations of the Review of SPCB Supported Bodies Committee and any proposals by the Scottish Government to extend the scope of FOISA and the EIRs.



## Strategic Aim 6: Reference

Publish detailed reference material bringing together our experience and approach in publications, drawing upon our interpretation of law, international comparisons, platform decisions, legal advice, Court cases and evidence of good and bad practice

	Objectives	Activities	Measurement	Timescale
	Create a body of research evidence of the FOI experience in Scotland and other jurisdictions	Provide research support to the Commissioner to develop 13 chapters  Contract with a publisher to deliver the final draft publication Nov 2010 for publication Spring 2011	Draft chapters completed according to programme	January 2010
	Further develop the Centre for Freedom of Information	<i>In association with the Law School of the University of Dundee</i> Develop:  The Autumn 2009 and Spring 2010 seminar programmes  Support the development of the Centre's research and study programmes	Average 50 participants per seminar	July 2009 and November 2009



## Strategic Aim 7: Governance

Ensure SIC governance arrangements are robust and reflect best practice

Objectives		Activities	Measurement	Timescale
a	Respond to requirements arising from the Report of the Review of SPCB Supported Bodies Committee, and the resultant Committee Bill	Monitor and respond to developments	Appropriate engagement and responses	Ongoing / TBA
b	Improved provision of performance data	Identify key performance indicators and measures	Suite of key indicators agreed by management team	April 2009
		Develop 'Dashboard / Balanced Scorecard' report for publication on website	First quarterly report of performance against key indicators published	July 2009



## Strategic Aim 8: Organisational Management

Develop and maintain arrangements to support achievement of organisational objectives

	Objectives	Activities	Measurement	Timescale
a	Strategic and operational priorities are achieved through provision of appropriate resources	Develop 3-year Operational Plan supported by indicative resource requirements	Plan developed and approved by management team	July 2009
		Present to SPCB in support of 10/11 budget submission	Plan incorporated in budget submission	August 2009
b	Support achievement of organisational objectives through development of improved project management approaches	Develop common approach to managing projects, adopting PRINCE2 principles	Approach agreed and adopted	July 2009
c	ICT provision continues to support organisational objectives  (*assuming outline business case identifies need for investment)	Conduct review of ICT requirements including: Case management / knowledge management / contact management / records management / security arrangements  *Potential indicative funding requirement intimated to SPCB with budget submission	Findings and outline business case to management team / indication of plans incl. with budget submission	August 2009
		*Develop business case and proposals as appropriate Detailed submission to SPCB	Full business case approved by management team and submitted to SPCB	December 2009
		*Procurement	Tender undertaken & supplier appointed	March 2010



d	Disruption to service provision is minimised in the event of a significant adverse incident occurring	Complete development of Business Continuity Plan, commenced in 08/09	Completed BCP approved by management team	June 2009
e	Ensuring development and implementation of effective Information Management systems and procedures	Complete Information Management project	Project completed	July 2009
		Develop arrangements for knowledge management (KM) to improve quality and efficiency across a range of areas; enquiries, investigations, research & practice	Approach established	June 2009
			Arrangements implemented	December 2009



## Strategic Aim 9: Human Resources

Continuously develop staff competence and terms and conditions of employment

	Objectives	Activities	Measurement	Timescale
a	Develop staff competence to support achievement of organisational objectives	Develop Learning and Development Plan	L&D plan approved by management team	June 2009
		Identification and provision of CPD as appropriate	Staff undertake appropriate CPD	Ongoing
b	Ensure terms and conditions remain aligned with the Scottish Parliament's	Complete review of Employee Handbook commenced in 08/09, including Equality Strategy	Handbook approved by management team & SPCB; communicated to staff	September 2009



## Enforcement: Core Activities

Investigations management: Ensuring that all applications made to the Commissioner are dealt with effectively
Enforcement: Compliance with the Commissioners Enforcement Strategy and taking other enforcement action, including referral of cases to the courts
Legal advice: Providing legal advice to the Commissioner and managing appeals made against decisions of the Commissioner to the courts
Enquiries: Managing the enquiries function (for the public and public authorities) provided by the Commissioner

## Policy and Information: Core Activities

Publication schemes: ensuring that all Scottish public authorities have adopted a publication scheme which has the Commissioner's approval
Media strategy: promoting regular, consistent and accurate reporting of FOI issues in the media
Information resources: maintaining information resource materials about FOI, including the website and guides for the public and public authorities. Ensuring that our own organisation is well informed
Research: a programme of research including civil society's use of FOI, the experience of health and education bodies and the level of public awareness of their rights
External relations: ensuring regular engagement with other organisations, including liaison with Parliament and Government, public representative groups, public authority groups, the Information Commissioner and the Keeper of the Records of Scotland
Promoting the Commissioner's experience: supporting the annual Holyrood FOI Conference and the Centre for Freedom of Information, publishing Inform newsletter and the annual report.



## Operational Management: Core Activities

Budget: Development of annual submission to Scottish Parliament Corporate Body (SPCB) and monitoring of expenditure
Sustainable Development: Implementation of our Environmental policy
HR: Refinement and implementation of the Performance Management System; terms and conditions of employment; CPD
Equality: Ensure compliance with equality duties; review policies and promote good practice
Finance: Accounting function including preparation of monthly management accounts
Policy & Procedures: Ongoing review and refinement of organisational policies and procedures
Management Information: Provision of key performance indicator data
External Audit: Preparation of statutory accounts for external audit including compliance with relevant legislation and SPFM
Internal Audit: Development and implementation of Strategic Internal Audit Plan
Information Management: Ensuring development and implementation of effective Information Management systems and procedures
Administration: Office administration including PA function, IT and building management