

**Freedom of Information  
Implementation Group**

**Draft training strategy**

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## Executive Summary and Recommendations

- This strategy is intended to ensure all public sector organisations can provide staff with the knowledge, skills and commitment required to implement the Freedom of Information (FOI) legislation within a flexible, Scotland-wide framework. (*Section 1.1.1*).
- The strategy has been produced by the Freedom of Information Implementation Group (Training Sub Group) as a draft for recommendation to the Deputy First Minister. It is intended that the final training strategy forms an integral part of the implementation strategy for the FOI regime. (*Section 1.1.3*).
- Timing of training is critical to the success of the strategy and the implementation of the FOI regime. Timing of the training will become clearer as the implementation programme for the regime is produced. (*Section 1.2.6.1*).
- It is the view of the Sub Group that all organisations should develop a programme of regular internal communication about FOI in the run-up to implementation to ensure that training is seen in its proper context. FOI implementation should not come as a surprise to staff and managers in any organisation. (*Section 1.2.6.2*).
- The foundation of effective training is clear training objectives. Every organisation should set clear objectives for its FOI training and communication programme. (*Section 1.3.1.2*).
- Each body's strategy should deal with knowledge and information, skills and behaviour and organisational culture and commitment to openness as appropriate for that body. (*Section 1.3.1.4&5*).
- Each organisation should make an assessment of the training needs of its staff in the light of an evaluation of their current preparedness for more open government and of the likely scale of the impact of FOI given the nature of the organisation's business. (*Section 2.1.3*).
- It may be prudent to forewarn the training community in Scotland of forthcoming FOI training needs, e.g. through the Chartered Institute of Personnel and Development. In particular, it may be helpful to indicate the anticipated scale of the training that will be required, the delivery mechanisms that may be available and the broad timescale in which delivery will be expected. (*Section 2.3.1.7*).
- The Group recommends that a core package of training material be developed and made available to all Scottish public bodies and a programme of courses be developed to provide training for FOI specialists, practitioners and trainers. (*Section 2.3.7.1*).
- Given the statutory requirements FOI will place on public bodies, and that implementation of FOI shall be met from planned resources, the Group recommends consideration be given to the establishment of a consortium of public bodies to develop and procure core training materials, funded through pooling some of their planned training budgets. (*Section 2.3.7.2*).
- It is the view of the Group that a consultation exercise on the training strategy should be undertaken, with FOI stakeholders, before it is finalised. (*Section 2.3.7.4*).
- It is recommended that the Executive commission a Scotland-wide evaluation of the FOI training to assess the overall effectiveness of the strategy and to allow analysis of the benefits of a shared framework for training and the role of training in supporting effective implementation of FOI. (*Section 2.4.5*).

# 1 Introduction

## 1.1 Purpose

1.1.1 This strategy is intended to:-

- a) Ensure all public sector organisations have the knowledge, skills and commitment required to implement the Freedom of Information legislation.
- b) Provide a Scotland-wide framework for training on Freedom of Information within which each organisation/sector can develop their specific approach, tailored to their organisational or sectoral needs.

1.1.2 The strategy is closely linked to the implementation of the Scottish Freedom of Information (FOI) legislation and provides guidance intended to ensure that investment in FOI training is focussed on producing efficient and effective results. More specifically it:

- a) Clarifies the need for training and identifies those who should receive particular levels of training;
- b) Provides a strategic basis for FOI training across the Scottish public sector including a delivery plan and methodology;
- c) Outlines options on how training can be delivered; and
- d) Details how the strategy will be evaluated.

1.1.3 The strategy has been produced by the Freedom of Information Implementation Group, Training Sub Group (comprising representatives of local government, the health sector, the Police and SEPA) as a draft for recommendation to the Deputy First Minister. It is intended that the final strategy forms an integral part of the implementation strategy for the FOI regime. The strategy is intended to provide a flexible framework for FOI training, empowering public bodies to produce organisation or sector specific training plans.

1.1.4 Definitions of the terms used in this strategy are given in Annex A.

## 1.2 Background

### 1.2.1 Policy

1.2.1.1 In *Partnership for Scotland*, published in May 1999, the Scottish Executive made clear its commitment to the early introduction of an effective FOI regime. The Scottish Executive published a consultation document on FOI, *An Open Scotland*, in November 1999.

1.2.1.2 In March 2001 a draft Freedom of Information Bill followed for consultation and pre-legislative scrutiny. The revised Bill was introduced in Parliament in September 2001. It is anticipated that Royal Assent will be granted by June 2002. This strategy has been prepared

on the basis of the draft legislation. Execution of the strategy is dependent upon the timing of Royal Assent for the legislation and the subsequent implementation programme for the Scottish FOI regime.

## 1.2.2 Scope

1.2.2.1 The legislation will create a statutory right of access to information held by Scottish public authorities. The institutional scope will be a wide range of Scottish public authorities, including the Scottish Executive and its associated Agencies, local authorities, NHSScotland, schools and colleges, the police and a number of other public authorities and offices.

1.2.2.2 The right of access to information is balanced by a number of exemptions intended to protect information that should properly remain confidential. Public authorities will have the option of charging applicants for the cost of locating and disclosing information (the regulations for such charges will be laid down in subordinate legislation). Applicants will be able to appeal against both non-disclosure and charging levels.

## 1.2.3 Commissioner

1.2.3.1 An independent Scottish Information Commissioner (SIC) will be responsible for promoting culture change, enforcing the legislation and establishing and monitoring publication schemes. The Commissioner will be able to recommend best practice, probably by the introduction of one or more Codes of Practice. The Commissioner will also be given strong powers to obtain information and, if appropriate, to overrule a public authority's decision. In limited circumstances, for information covered by certain exemptions, if the Commissioner reverses an Executive refusal to disclose, that decision may be subject to a collective Ministerial override. The Commissioner will also deal with complaints about levels of charging.

## 1.2.4 Freedom of Information Implementation Group

1.2.4.1 To aid preparation for the FOI regime the Scottish Executive set up an inter-departmental working group with representation from across the Scottish public sector. The aim of this group, the FOIIG, is to ensure that all necessary measures are put in place so that the Scottish FOI legislation may be implemented smoothly and consistently across the Scottish public sector. The specific objectives of the FOIIG are:

- a) To prepare and oversee a strategy for the successful implementation of the Scottish freedom of information legislation;
- b) To prepare and oversee a strategy to foster a culture of openness across the Scottish public sector;
- c) To develop and oversee a strategy for training staff in the Scottish public sector; and
- d) To report to and advise the Deputy First Minister on the above.

1.2.4.2 Early in the process of considering implementation issues training was identified as a significant area requiring planning and preparation. The FOIIG established a Sub Group to

consider training issues in terms of raising awareness and training development and delivery.

#### 1.2.5 FOIIG Training Sub Group

1.2.5.1 The Training Sub Group objective is to develop a Scotland-wide strategy framework for training on FOI within which each organisation/sector can develop their own specific approach, tailored to their organisational/sectoral needs.

1.2.5.2 The Training Strategy will therefore have a key role in implementation of the FOI regime. Without adequate and appropriate training public bodies will struggle to effectively implement the Scottish FOI regime.

1.2.5.3 Successful implementation of the FOI regime will require a change in culture at both organisational and individual levels within the Scottish public sector. The development of a culture of greater openness will not be achieved through any single course of action but will be the result of a process involving the raising of awareness, training and the establishment of support networks. Above all, a new culture of openness must be founded in effective leadership. Culture change can build upon existing arrangements (e.g. the Code of Openness operated by NHSScotland or the Code of Practice on Access to Scottish Executive Information) and will develop over a period of time.

1.2.5.4 FOI must also be seen in the context of other initiatives to modernise the public services. This is creating many simultaneous demands for significant change with consequent pressure on resources.

1.2.5.5 This is creating a perception of ‘initiative overload’ on individuals and organisations and may lead to resistance to implementation, training and change. The FOI training strategy has been developed in this context and is sensitive to these, sometimes competing, demands on staff and resources. It is particularly important that each organisation plans FOI training and communication to avoid unnecessary duplication or clashes with other initiatives and to integrate it with training for other issues wherever possible.

1.2.5.6 The Training Sub Group recognises that guidance and training is being developed elsewhere (e.g. the Codes of Practice required by the legislation or Data Protection Training) and has developed a framework that is flexible enough for FOI to be included with other training initiatives, and vice versa.

1.2.5.7 In developing this strategy consideration has been given to training strategies that have been developed elsewhere including Ireland, though it is still too early to take full account of UK training as this has not yet been fully developed.

1.2.5.8 Some general lessons on FOI training can be taken from experience around the world:

- a) Training must be timeous, targeted and specific to need;
- b) Needs vary from organisation to organisation and between individuals;
- c) Adequate resources must be provided to ensure training is effective and provides value for money;

- a) Support for the training strategy – and the FOI regime – must be demonstrated from the most senior level of each organisation involved;
- e) Training frameworks must be flexible to take account of the different approaches, structures and needs of (and information held by) the organisations involved; and
- n) Account needs to be taken not only of the requirements of launch training but also ongoing training, in particular induction of new staff.

1.2.5.9 In short a training strategy must be appropriate, ensure credibility for all involved and deliver the level of knowledge and skills required to all business levels across all public bodies.

## 1.2.6 Implementation Programme

1.2.6.1 **Timing of training is critical to the success of the strategy and the implementation of the FOI regime.** Timing of the training will become clearer as the implementation programme for the regime is produced and will be dependent upon advice from the Scottish Information Commissioner.

1.2.6.2 **It is the view of the Sub Group that all organisations should develop a programme of regular internal communication about FOI in the run-up to implementation.** FOI implementation should not be a surprise to staff and managers in any organisation.

## 1.3 Strategy Development

### 1.3.1 Strategy Development

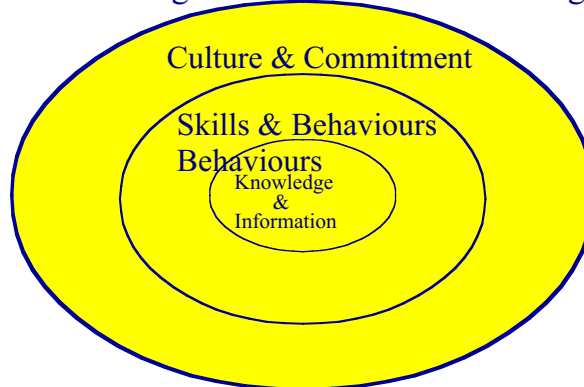
1.3.1.1 Given the background, terms of reference of the Sub Group and the context of this work it was felt that the development of a training strategy would best be achieved through working from first principles.

1.3.1.2 The foundation of effective training is clear training objectives. **Every organisation should set clear objectives for its FOI training and communication programme.** Examples of FOI learning objectives are enclosed at Annex B.

1.3.1.3 A simple strategy model has been developed to set out the relationship between the objectives of organisations affected by FOI and training and development.

## The Training Strategy Model

### FoI: Training and Communication Strategy

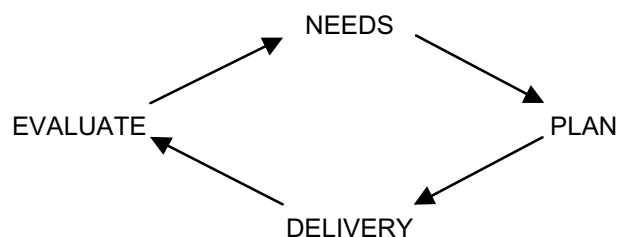


1.3.1.4 This strategic model draws attention to three different levels at which the strategy needs to work:

- **knowledge and information** - the facts, the legislation and knowledge and information about procedures and processes. This area is particularly important in the short term in the run-up to implementation;
- **skills and behaviours** - what individuals need to be able to do to implement the practice and spirit of the regime. It includes technical skills in making decisions about FOI matters but also more general skills in relation to records management and customer service; and
- **culture and commitment** - the medium to long term development of attitudes, especially at senior level, which will ensure public organisations are being proactive in implementing the spirit of the legislation. It is important to ensure that organisations do not take a minimalist approach and pigeon-hole FOI as a technical/legal issue.

1.3.1.5 Objectives/outcomes set by each organisation for each of these 3 levels will form the basis of a needs analysis and evaluation process.

### 1.3.2 The Training Cycle



1.3.2.1 The strategy outlined in Chapter 2 follows the thinking process of the Sub Group in reviewing each element of the training cycle – identifying needs, planning action, delivery

and evaluation.

1.3.2.2 This cycle draws attention to the need for each organisation to:

- identify its **needs** at each of the 3 levels in the strategic model (knowledge and information, skills and behaviours, culture and commitment) and decide “who needs what?”;
- decide **how** it will meet those needs, what resources are required and the timescales involved;
- **deliver** the training and information required; and
- **evaluate** its effectiveness.

1.3.2.3 It is only with clear identification of each of the elements of the training cycle that a practical and achievable training strategy can be developed for each organisation. An effective strategy should be cyclical in nature to allow for evaluation and amendment of needs and delivery methods over time.

## 2 Training Strategy

### 2.1 Needs

#### 2.1.1 Needs

2.1.1.1 Training needs can be boiled down to who needs what and when. The training strategy being proposed is intended to provide a framework within which Scottish public bodies can identify their training needs in relation to the Freedom of Information regime and deliver appropriate and consistent training to all staff as required. The first step, therefore, is to identify training needs. It will be for individual bodies to identify what training is essential, desirable etc. (e.g. what must be done, should be done or could be done) within the available resources. In undertaking this task an important consideration for all organisations will be to assess the likely significance of the FOI legislation and culture change for their organisation. For example is the organisation already relatively open in its information culture or does it require significant change? Is the organisation likely to receive many FOI requests or relatively few? A simple assessment using the following matrix might help clarify the strategic significance of the FOI regime.

#### Organisational Analysis

Likely Number of Requests	High	Bodies in high profile, sensitive areas with a history and culture of non-disclosure.	Bodies in high profile, sensitive areas with a proactive culture of openness supported by policy and senior staff.
	Low	Bodies of limited public interest and with limited amounts of information, who nevertheless tend to rely on non-disclosure.	Bodies of limited public interest with limited information who are proactive in the release of what information they hold.
		Closed	Open
Existing Culture			

## 2.1.2 Assessment of Risk

2.1.2.1 Given the potential implications of FOI for training and operating procedures in public bodies, it is recommended that each body undertake an assessment to identify:

- the likely number of FOI requests the organisation will receive;
- the business areas affected;
- the training requirements of staff across the organisation; and
- the most appropriate delivery mechanism for that training.

2.1.2.2 It may be that the risk identified is so small for particular bodies (e.g. Scottish Screen), that no formal training will be required. Alternatively a significant programme may be justified for larger public-facing bodies, e.g. local authorities.

## 2.1.3 Training Needs Analysis

2.1.3.1 A matrix to help organisations identify their training and communication needs has been developed and is attached at Annex C. The matrix is intended to be applied flexibly and most organisations are likely to adapt it in some way. It identifies three broad target groups for training and communication:

- **Strategic** – e.g. Chief Executives, Board members, elected representatives;
- **FOI Practitioners** – e.g. decision makers, records managers, review officers, lawyers; and
- **General** - broad awareness for all staff and possibly some specific external stakeholders.

2.1.3.2 The **strategic** level would be likely to require basic knowledge about the FOI regime and more information about resource and presentational implications (e.g. media issues). Senior level staff will more specifically need to consider the implications of, and for, organisation policies and what a “FOI culture” will mean for them. They will need to consider their leadership role in implementing a culture of openness.

2.1.3.3 The **practitioner** level will concentrate on key skills and knowledge required for successful operation of the FOI regime and a particular public body’s FOI policy.

2.1.3.4 The **general** level of training will cover awareness and some skills issues related to information giving and customer service.

2.1.3.5 The matrix at Annex C takes account of the views of the FOIIG Training Sub Group regarding the likely content of training as well as the experience in Ireland of FOI implementation there.

## 2.2 Delivery

### 2.2.1 Principles of Delivery

2.2.1.1 A range of options for the development of FOI knowledge and skills are available and should be used as appropriate. Certain underlying principles should be borne in mind to ensure that the chosen method of delivery is fit for purpose. These principles have been identified as:

- **Consistency**

Consistent core messages on principles and facts should be delivered, irrespective of organisation or position, while allowing flexibility in delivery mechanism. The Sub Group considers that all organisations should ensure consistency internally, but that some core messages should be communicated across organisations. This may best be achieved through the creation of a national training manual on FOI which can be tailored to the needs of a range of bodies and organisational structures.
- **Proportionality**

The scale of training programme will need to reflect the scale of an organisation's resources that will be directed to servicing FOI requests. This will depend on openness, culture change and procedures in place.
- **Quality**

Above all, training provision and training packages must be fit for purpose. Objectives must be clear, language must be appropriate to the audience (e.g. Plain English/crystal mark) and training must be inclusive.
- **Diversity**

Training design must ensure that delivery reflects the diverse needs across the public sector and is accessible. There are two elements to this:

  - Materials acknowledge the diversity of the group being trained taking account of cognitive, physical, location and timing issues; and
  - Contents reflect the diverse nature of Scottish society.
- **Integration**

FOI must be seen in the context of existing training strategies and provision, and be co-ordinated and integrated with other initiatives wherever possible, e.g. Data Protection or Records Management training could accommodate an element on FOI to raise awareness – this may be sufficient for some staff.

### 2.2.2 Delivery Options

2.2.2.1 A range of delivery options can be considered depending on the organisational and individual needs being addressed.

2.2.2.2 Some options include:

- Public launch/Press releases;

- Letters to appropriate staff;
- FOI practitioners networks;
- Conferences and workshops;
- In-house workshops/briefings to large groups;
- Skills training – small groups;
- E-learning: computer based training, internet; intranet; extranet, web-cast; on-line quiz;
- Video/audio;
- Work books – e.g. Open learning/local learning;
- A multimedia approach;
- In house magazines;
- Micro communications – Posters, leaflets, flyers, place mats, pens, mouse mats, screen savers etc;
- Video conferencing; and/or
- Frequently asked questions.

In practice most organisations will wish to use a variety of media.

2.2.2.3 No matter what option is identified as the most appropriate delivery mechanism, timing of training will be a key issue. This will be for each organisation to decide (depending on the scale, style and delivery of training) to suit their needs. A balance must be struck to ensure that training is delivered early enough to allow the whole target audience to benefit while being close enough to implementation to ensure that staff are able to transfer their learning effectively to the workplace.

2.2.2.4 Sharing of experience and information on dealing with FOI requests within sectors will be invaluable, and the Executive will encourage the setting up of practitioner networks within each sector. A key role is envisaged in the delivery of training for these FOI practitioner networks. These user groups and networks will share knowledge, experience and best practice on the practical application of the legislation as these areas develop. These networks will share general information while concentrating on issues specific to their own sectors.

## 2.2.3 Evaluation of Delivery Options

2.2.3.1 To aid public bodies in the evaluation of options for delivery of training a delivery option evaluation matrix has been developed. This is attached at Annex D. The matrix is intended to help bodies focus on the most appropriate and practical delivery options for them.

## 2.3 Planning

### 2.3.1 Planning Issues

2.3.1.1 There are a number of issues that will impact on the detailed planning of FOI training for all public bodies covered by the legislation. Each body will need to consider the following issues in planning its FOI training strategy:

- resources - direct costs; accommodation; administration;
- monitoring and record keeping;
- training skills/capability;

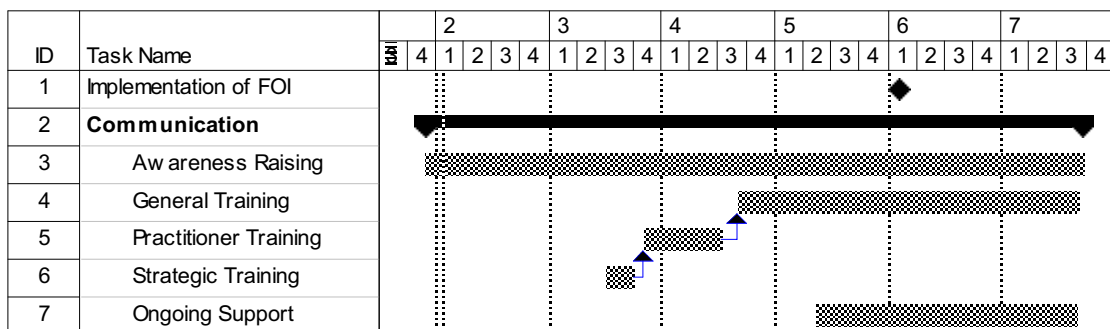
- abstraction - time off the job;
- access to training – particularly for smaller bodies and bodies based in more isolated areas;
- timing;
- evaluation processes;
- co-ordination with other training/sharing across organisations; and
- longer term, on-going, training needs.

2.3.1.2 The emphasis and priority between these issues will vary between bodies and will depend on the services provided and the mix of delivery options that are intended to be utilised.

2.3.1.3 This is by no means a comprehensive list, however it does give an indication of the range of issues involved in planning. Formal training will be supported by the FOI support groups and networks who will have an important role in sharing best practice and experience. This is outlined further below.

2.3.1.4 There is no doubt that this will be a major exercise, however it is not without precedent. The Human Rights Act was implemented some two years after Royal Assent to allow time for appropriate training and preparation of the staff involved. To ensure consistency of training messages and ensure best value across the public sector, it may be helpful to make available centrally a core training pack for FOI. Such support could be designed to cater for awareness raising, specialist training and/or strategic knowledge.

2.3.1.5 The diagram below outlines the broad activity streams that will need to be taken forward to support FOI implementation. Awareness raising would be an ongoing task which has already begun and that will be ramped up as we approach implementation. More focussed training can then be delivered to appropriate staff, designated practitioners and strategic staff as we approach implementation. There will be a need for ongoing support and continued activity after this initial concentrated period of training, however this should be integrated within normal staff training, including induction, and will be supported by user networks.



2.3.1.6 Guidance on records management practice will be detailed in the relevant Code of Practice (required under section 61). It is anticipated that training on records management would be beneficial as there is a need for organisations to know what information they hold and how it is held. This strategy, however, is focussing on the training requirements specifically for FOI.

2.3.1.7 At present we are not aware of any specific training expertise or capacity in relation to FOI in Scotland. **In order to create a competent and competitive group of suppliers it may be prudent to forewarn the training community in Scotland of the likely FOI training needs, e.g. through the Chartered Institute of Personnel and Development.** In particular, in relation to the anticipated scale of the training that will be required, the delivery mechanisms that may be available and the broad timescale over which that delivery can be expected. This may be a task for the main Implementation Group.

2.3.1.8 Advanced preparation and planning will be needed to ensure that core material is available in the right place, at the right time. For example, for awareness raising a leaflet or computer package to give people the gist of what FOI means for them. Such a document may need to be sector specific, or organisation specific for bigger bodies. Additional core material could be prepared for practitioners and strategic level managers.

## 2.3.2 Approaches for Consideration

2.3.2.1 In considering options for the delivery of training at each of the three identified levels (strategic, practitioner and general awareness) the Sub Group felt that it was important to provide real choice. It will be for each body to go through the processes outlined in this strategy, e.g. the delivery options evaluation matrix provided in Annex D, and then decide on the delivery option/s most appropriate for their particular circumstances. Each level of training is considered in detail below.

2.3.2.2 In considering the delivery options available a number of assumptions – based on consultation with each sector - have, of necessity, been made to ensure consistency and comparability between approaches. The following assumptions<sup>1</sup> have been used in the development of these approaches:

- The FOI regime will cover approximately 3,500 public bodies in Scotland, with of the order of 600,000 staff;
- Up to 100% of all public sector staff will receive varying levels of awareness raising information appropriate to their role, approximately 5% will be likely to require practitioner training and less than 1% are likely to require strategic training (These proportions are aggregated from the indicative table attached at Annex E); and
- The abstraction costs of each approach will vary between options and between bodies. It will be for each body to judge how best this cost can be balanced against the delivery options available.

2.3.2.3 The costs are necessarily indicative at this point and are purely to allow comparison between approaches. No decision has yet been made on the implementation programme for the FOI regime. When a decision is made it will have implications for the initial training window, which will have consequences on the costs. More robust figures will be generated as the detailed planning is taken forward.

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<sup>1</sup> The figures included in this report indicating numbers of staff, estimates for training need and training costs stem from analysis of the figures attached as Annex E. The estimates for training requirements contain a wide variation and reflect the range of approaches and organisational structures covered by the legislation. These figures will almost certainly change as planning is progressed.

2.3.2.4 For each level of training a number of options may be considered for delivery, indeed a mix of delivery options is likely to be appropriate for each level of training in each body. What is critical is that there is consistency in the transfer of the key messages to those being trained no matter the delivery method. This will require considerable flexibility built into training material to maintain consistency while ensuring that training remains appropriate for the diverse bodies/sectors covered by the legislation.

### 2.3.3 Strategic Training

2.3.3.1 It is the view of the Sub Group that initially of the order of 3,000 staff across the public sector in Scotland will require strategic FOI training. The views provided by various bodies (attached in Annex E) would indicate this figure is likely to rise in the medium term to up to 6,000. Strategic training is intended to provide high level knowledge to allow senior staff to grasp the principles of FOI, assess the implications and risk for their organisation and address culture change issues.

2.3.3.2 Given the above requirements, a number of options can be considered for the delivery of training, e.g. a series of \_ day in-house seminars for elected representatives, board members and senior managers in the key organisations. It is felt that group based learning would be most appropriate for this audience, therefore workshops provided at professional and sector-specific conferences combined with centrally provided, cross organisational training would be most effective.

2.3.3.3 Seminars would be likely to be of most benefit allowing senior staff to discuss relevant issues with staff from other organisations and to get an idea of others views and approaches. Seminars could be provided centrally, or the materials could be developed to support bodies who wish to hold their own strategic training. Not all bodies will be able to justify allowing staff to attend (or hold) such an event and for those cases e-learning or workbook options may prove more appropriate.

2.3.3.4 Strategic training is intended to be very focussed on elected representatives, board members and senior staff in organisations. Central provision can be justified given the limited number of recipients, the need for consistency of the key messages and the generalised nature of the training at this level. Larger organisations may require the training to be organisation specific at this level. Cross organisational training will allow senior management to compare issues with each other and the Executive to provide a high profile launch to the FOI regime.

## 2.3.4 Practitioner Training

2.3.4.1 Initially it is expected that approximately 1% of staff will require practitioner training. This figure is likely to expand in the longer term as bodies re-organise to better accommodate FOI arrangements. It is envisaged therefore that training would be required for in the region of 6,000 practitioners across the Scottish public sector. Practitioner training would be intended to provide staff with the knowledge and skills to implement the practice and spirit of the legislation and for them to raise awareness of FOI locally. It is envisaged that practitioners will play key roles in implementing FOI and will therefore require in depth knowledge of organisational procedure locally as well as the wider context of FOI legislation and national processes.

2.3.4.2 Another element to practitioner training could be the inclusion of a ‘Train the Trainers’ module to allow practitioners to provide a consistent awareness raising function within their own organisations. This will allow practitioners to provide awareness training tailored to the needs of their own organisation. Some organisations may wish to train their own in-house training staff to deliver FOI training.

2.3.4.3 Given, therefore, the focus on knowledge and skills it is felt that practitioner training would best be delivered through face to face training with a student to trainer ratio of between 12 and 15:1. Training would be likely to need the development of a two-day course that could cover:

- the principles of the FOI regime;
- the functions of the practitioner;
- the role of the SIC;
- support and guidance available;
- detailed examination of the operation of the Act and exemptions; and
- discussion of likely/actual cases.

2.3.4.4 The Practitioner role will also need support through appropriate guidance and manuals to ensure a consistent approach across organisations. As part of the development of the training course an appropriate guidance manual could be written to assist practitioners undertake FOI work.

2.3.4.5 There will also be a role for the private sector in providing particular areas of specialist training, e.g. interpretation of the legislation for lawyers and development of case law. This is an area that cannot be forecast, however it is expected that there will be some demand that can be catered for by existing training providers in this sector.

### 2.3.5 General Awareness Training

2.3.5.1 Awareness raising would be likely to comprise of a range of options that can be tailored to the specific needs of each organisation (e.g. making available a leaflet and web information and providing a short presentation). General awareness of FOI will be required by virtually all public sector staff, to varying degrees. It may be sufficient to provide many staff with a leaflet explaining the principles and main provisions of the regime and its impact on those individuals. In other cases it may be more appropriate for staff to attend a short presentation or seminar.

2.3.5.2 It is difficult to support such a wide range of needs, however best value may be obtained by providing a framework within which organisations can select delivery options to suit their own needs. This would mean making available a template for a leaflet that can be adapted to specific organisations, an e-learning option (e.g. a workbook available on the internet), slides/notes for use in giving presentations. Decisions on training can only be made at a local level and will very much depend on type and structure of an organisation and the type of information held.

### 2.3.6 Support

2.3.6.1 The key theme running through this strategy is that organisations will need to decide on the appropriate balance of delivery options and training in light of their own needs. Decision making at a local level, however, will need central support to assist in preparation for the successful implementation of the FOI regime across Scotland. Implementation of FOI and the achievement of a change in culture must be viewed in the context of the available resources.

2.3.6.2 Consistently throughout the development of the strategy the conclusion of the Group has been that central support is needed. This should not necessarily be in the form of direct funding but could take the form of support in terms of design and provision of core material in a manner that would allow for flexible delivery – e.g. the e-learning, computer based training, presentation options outlined previously.

2.3.6.3 A number of approaches have been considered and each is outlined below. The resources and costs associated with each approach are the result of some preliminary work undertaken by the Training Sub Group – the thinking behind the figures is provided in Annex F.

#### a) Comprehensive

Comprehensive design and delivery of the training as part of a national training programme, similar to the Irish Model. This approach would require face to face training at all levels, and would ensure full coverage and consistency in the training method.

Due to the scale of the exercise, the Comprehensive approach would tend to be less flexible in that it may not be able to fully consider sector specific issues. The approach would require additional staff and resources contracted by or within the Executive tasked with designing and delivering training (or to manage consultants to undertake this task). Presentationally, there may be a feeling that this approach is ‘another imposition’ from the Executive and may be resisted as a result of initiative overload and a lack of support.

The Comprehensive approach would inevitably be most expensive and include the largest degree of abstraction (taking staff away from their normal duties). The cost of developing training materials and delivering training would be likely to exceed £400,000 (not including the abstraction cost to organisations).

#### b) Core Material plus Skills Development

A less prescriptive approach may be to develop central training for practitioners, and trainers, who can then undertake general awareness training in their own organisations, focussing on their needs. This could be supported by the provision of core materials to ensure some measure of consistency in the message that practitioners and trainers take back to their respective bodies.

This approach would balance the need for consistency in the main messages and allow flexibility in terms of delivery and local/sectoral circumstance. Presentationally this approach would not be perceived as being as prescriptive as Option a).

The cost of developing training materials and practitioner and trainer training would be in the region of £166,000. To this should be added the abstraction cost of training across the public sector, however this cost should be minimised as training is tailored to the needs of each body by their own trainers.

#### c) Design Core Material

The least centralised approach would be to develop and provide a consistent set of core training material in a form that would allow for flexible delivery – e.g. e-learning, computer based training, presentation, FOI manual etc. This could be made available to all bodies who could then use it to provide training as appropriate across the public sector.

This approach would support the need for consistent training messages to all, however would increase the risk of divergent interpretation of the legislation. Presentationally this approach may expose the Executive to the accusation that it is not doing enough to support the implementation of its FOI strategy.

This hands-off approach would minimise the initial cost to the Executive as it would be restricted to the development and flexible delivery of training materials – a task that could be achieved for approximately £50,000 (depending on the specific elements of the package).

#### 2.3.6.4 FOI Networks

2.3.6.5 No matter what approach is adopted, a key element of the successful implementation of the Scottish FOI regime will be the development of a network of support groups to identify and promote best practice and to share experience of preparing for and applying the FOI legislation.

2.3.6.6 The Infrastructure sub-group recommended that there should be three main components of a FOI infrastructure. These would cover the **internal** structure within each public authority, an **external** structure covering the different sectors and finally a **central policy** focus. These networks will have a significant role to play in meeting on-going training and continuing development needs.

#### 2.3.7 Recommendation

2.3.7.1 It will be important across the Scottish public sector to retain consistency in the interpretation and implementation of FOI. It therefore follows that there is a need to develop common training materials. The collaborative approach is further supported by the need to achieve best value in the use of public funds overall. It would not be value for money for a number of bodies to develop essentially the same training materials. Given the analysis to date the Group recommend that

- **a core package of training material be developed and made available to all Scottish public bodies; and**
- **a programme of courses be developed to provide training for practitioners and trainers.**

2.3.7.2 In recognition of the statutory requirements FOI will place on public bodies, and that implementation of FOI shall be met from planned resources, the Group further **recommend that consideration be given to the establishment of a consortium of public bodies to develop and procure the core training materials, funded through pooling some of their planned training budgets.**

2.3.7.3 The provision of such support will promote consistency of core key messages while providing a Scotland wide resource on FOI with the associated economies of scale in terms of development costs.

2.3.7.4 **It is also the view of the Group that a consultation exercise with FOI stakeholders on planning and delivery of training should be undertaken before this draft strategy is finalised.** In this context the term stakeholder refers to, for example, external interest groups representing the public, patients or organisations and groups promoting freedom of information and openness in government.

## 2.4 Evaluation

### 2.4.1 Purpose

2.4.1.1 The final part of the loop of a training strategy is evaluation. By evaluating the outcomes of training, need, planning and delivery can be updated to accommodate change.

2.4.1.2 The purpose of the evaluation strategy is to assess how well the objectives of the training strategy are being achieved, in particular to consider whether all public sector organisations have the knowledge, skills and commitment required to implement the Freedom of Information legislation.

2.4.1.3 The evaluation of the training strategy will form part of the monitoring and evaluation of the FOI regime as a whole. To ensure effective evaluation the strategy will need to provide for consideration of a range of issues including what actually happened in relation to what was forecast and value for money.

2.4.1.4 It is intended that this evaluation strategy should assist in promoting consistency and rigour in the evaluation of FOI training across Scotland. It will help officials (both centrally and locally) to develop detailed evaluation plans.

### 2.4.2 Best Practice

2.4.2.1 Training Evaluation will assess the effects and impacts of, in this case, both the training strategy and the training activities themselves. To achieve this effectively the evaluation process must focus on a range of relevant issues. Training can be evaluated at 5 levels:

- **Reactions:** specifically whether the training activity delivered what was intended;
- **Learning:** the extent to which participants learned from the training;
- **Behaviour:** whether learners applied their new skills and knowledge in practice “on the job”;
- **Outcomes:** whether by applying these new skills and knowledge the overall purpose of the training (effective implementation of FOI) has been achieved; and
- **Return on investment:** the benefits (above) compared to the cost.

2.4.2.2 The implementation of the Scottish FOI regime is a significant project and, as this strategy shows, will require an ambitious and creative approach to training with a consequently innovative approach to evaluation.

2.4.2.3 The evaluation strategy needs to work at two levels, the strategy itself and the component (individual training event) level. Focus should therefore be placed on each of the four major identifiable components of the overall strategy — the objectives, the training needs, training plans and delivery mechanisms.

### 2.4.3 Strategy Evaluation

2.4.3.1 Evaluating the outcomes of the overall training strategy will ensure that it continues to represent value for money and meet the needs of the various stakeholder groups. Key issues for consideration are:

- The validity of the strategy: have needs been properly identified, and training content and methods matched to needs?
- Have the appropriate people received the training they need at the time they needed it?
- Has the training helped to ensure that FOI is being implemented effectively?

2.4.3.2 The measurement of such criteria against a set of agreed performance indicators will be critical in supporting effective evaluation.

2.4.3.3 The Scottish Executive will need to gather information on lessons learned by bodies that have completed the planning, delivery and evaluation processes of the Training Strategy in order to improve future implementation.

#### 2.4.4 Training Evaluation

2.4.4.1 To be fully effective strategic evaluation needs to be supported by consistent local evaluation of the outcomes of the training events, also in an ongoing way to ensure that it continues to represent value for money and meet the training objectives set.

2.4.4.2 A major element of this will be the evaluation of the outcomes of training from the point of view of the individual and the organisation, collection of feedback from people who have undertaken a learning activity and organisations whose staff have received training.

2.4.4.3 To support evaluation organisations should:

- collect feedback from people who have undertaken a learning activity;
- encourage the sharing of feedback on externally provided training;
- encourage the use of Training Logs by participants to facilitate self evaluation and manager evaluation;
- include feedback and evaluation processes in the design of learning activities wherever possible; and
- expect managers to assess the effects of learning on performance.

The weighting given to these criteria for local evaluation will vary between organisations and will reflect their risk assessment and training needs.

2.4.4.4 Each organisation should decide how it will evaluate the training it provides.

#### 2.4.5 Recommendation

**2.4.5.1 It is recommended the Executive commission a Scotland-wide evaluation based on the five levels outlined in section 2.4.2.1 to assess the overall effectiveness of the strategy itself. This will allow analysis of the benefits of a shared framework for training and the effectiveness of the training in supporting effective implementation of FOI.**

## 3 Annexes

### 3.1 Annex A –Definitions

- 3.1.1 abstraction (of staff) – taking staff away from their normal duties, in this case to attend training.
- 3.1.2 DFM – Deputy First Minister of the Scottish Executive.
- 3.1.3 Evaluation – assessment of the effectiveness, in this case of the training strategy.
- 3.1.4 FOI – Freedom of Information.
- 3.1.5 FOIIG – Freedom of Information Implementation Group, see paragraph 1.2.4.
- 3.1.6 implementation – within this document implementation refers to the programme through which the FOI regime will come into place and the requirements of the legislation (e.g. for publication schemes or the general right of access to information) are commenced.
- 3.1.7 records management – method of storage, retrieval and destruction of information within organisations.
- 3.1.8 Records Management Code of Practice – Guidance, required under Section 61 of the FOI (Scotland) Bill, to Scottish public bodies as to the practice the Scottish Ministers would recommend for records management activities.
- 3.1.9 Staff - throughout this document the term ‘staff’ is used to refer to employees, volunteers, elected members etc. as appropriate in the context of those with particular FOI training needs.

### 3.2 Annex B – Example FOI Learning Objectives

**By the end of the training programme staff/employees will:**

- fully understand how FOI policy and procedures operate;
- fully understand the importance of adhering to FOI policies;
- be able to accurately assist and respond to FOI enquiries;
- correctly identify the right person when enquiries require a response/ action from another person; and
- fully understand the implications of keeping information unnecessarily secret.

**By the end of the training programme senior staff/employees will additionally:**

- be able to give effective leadership by demonstrating a long term commitment to openness in public service;
- fully understand the objectives of the principles of FOI to initiate the necessary change in culture; and
- correctly assess the implications and associated risks of FOI for their organisation.

**By the end of the training programme practitioners will:**

- be able to skilfully operate FOI procedures;
- have an excellent working knowledge of FOI legislation;
- have an excellent working knowledge of current FOI best practice; and
- have an overall knowledge of FOI trends and decisions in other organisations.

### 3.3 Annex C – Training Needs Matrix

Questions to ask	Strategic				Decision Makers & Specialists							General						
	Ministers	Politicians - local, non-execs, boards	CEOs / champions (e-govt. champions)	Top Mgt (Data Protection, e-govt, openness)	"Decision Makers"	Specialists:	writers of publication schemes	press officers	lawyers	complaints officers	Review Officer	Records Managers	Trainers	Journalists - journalism students / lecturers	All staff	Public	Interest Groups	Researchers / academics / students
<b>Knowledge and Information</b>																		
History of FOI																		
FOI Act Aims - explain all aims																		
What happens if I ignore it?																		
What does it mean for me? And the organisation?																		
Reasons for introducing in Scotland																		
Benefits - esp operational benefits + benefits to "the public"																		
What is happening in E+W																		
When will it happen? Timescales																		
What do I have to do as a CEO / Political Leader?																		
Does your organisation have the skills it needs? FOI																		
Resource implications? money / employees																		
What support is available?																		
How does it fit with other initiatives?																		
What is the experience from elsewhere?																		
The role of the Commissioner																		
Management Implications																		
Leadership issues																		
Businesses / commercial issues																		
Customer care implications																		
Training Implications																		
Stages in Review																		
<b>Skills and Behaviours</b>																		
The rules / what the legislation says																		
Getting advice																		
Publication schemes																		
Preparing a publication scheme																		
Assertiveness																		
Letter writing / refusals / writing appropriately																		
- writing / creating records and reports - being objective and professional																		
Media handling and FOI																		
Generic / underpinning skills																		
Inter-personal and communications skills																		
- customer care issues and skills																		
FOI specific skills and knowledge																		
What can be requested?																		
Requesting information																		
Making applications																		
Processing an FOI request (depth)																		

Questions to ask	Strategic					Decision Makers & Specialists							General						
	Ministers	Politicians - local, non-execs, boards	CEOs / champions (e-govt. champions)	Top Mgt. (Data Protection, e-govt. openness)	"Decision Makers"	Specialists:	writers of publication schemes	press officers	lawyers	complaints officers	Review Officer	Records Managers	Trainers	Journalists - journalism students / lecturers	All staff	Public	Interest Groups	Researchers / academics / students	IT system managers
<b>Skills and Behaviours - continued</b>																			
The Processes for receiving and recording requests, retrieving records, making a decision, communicating a decision, notifying a refusal																			
Exemptions																			
Grounds for refusal and non-release																			
- recording decisions and reasons and evidence on which they are based																			
Internal and external review of decisions																			
Tracking system(s)																			
Forms of access - eg computer records, originals, copies etc																			
Legal issues																			
Links to Data Protection and the Scottish Voluntary Code																			
What about Personal Information?																			
Resolving requests outside FOI																			
Communicating with requesters																			
Preparing to introduce FOI																			
Filing and records management issues																			
What is "a record"																			
- managing records - recording / filing / retrieving / ERM																			
Real experience of FOI - what actually happens elsewhere																			
<b>Culture and commitment</b>																			
Your personal commitment																			
- helping people access info and exercise FOI rights - inc minorities and people with disabilities																			
FOI culture. What does it mean for the culture of this organisation?																			
Strategic organisational benefits																			
What are the benefits of FOI?																			
Link to wider modernisation agenda																			
Impact on your work																			
Change management issues																			
Best practice and sharing experience																			
How to be pro-active																			

### 3.4 Annex D – Delivery Options Evaluation Matrix

Delivery Options	Advantages	Disadvantages	Knowledge and Information	Skills and Behaviours	Culture and Commitment	Target Audience
Public launch / Press releases	Gets the simple message to a wide audience	Often ignored, can't deal with complex messages	✓		Consistent application of a range of delivery options, as appropriate to each individual organisation, will reflect a body's commitment to FOI and achieving a more open culture.	General
Letters to appropriate staff	Personal, more likely to be absorbed	Can't deal with more complex principles	✓			Strategic and General
Conferences and briefings to large groups	Can communicate a consistent message to large numbers	Can't test if information has been absorbed, risk of not meeting particular needs	✓			Strategic and General
Top Management Seminars			✓			Strategic
Skills training – small groups	Targeted, ensures learning takes place	Costly		✓		Practitioner
E-learning: computer based training, internet; intranet; extranet; web-cast; on-line quiz	Available when needed, can be re-used	Design is complex and delivery depends on availability of IT systems, can be costly	✓	✓		Practitioner and General
Video/audio	Consistency, very effective with principles	Can be costly, less effective with complex issues	✓			General
Work books – e.g. Open learning / local learning	Flexible approach to suit a range of learning needs, relatively cheap to deliver	Open to interpretation, costly to design		✓		Strategic, Practitioner and General
Multimedia approach	Flexible approach to suit a range of learning needs	Open to interpretation, costly to design, dependent upon available IT	✓	✓		Strategic, Practitioner and General
In house magazines	Gets the simple message to a wide audience	Often ignored, can't deal with complex messages	✓			General

<b>Delivery Options</b>	<b>Advantages</b>	<b>Disadvantages</b>	<b>Knowledge and Information</b>	<b>Skills and Behaviours</b>	<b>Culture and Commitment</b>	<b>Target Audience</b>
Micro communications – posters, leaflets, flyers, place mats, pens, mouse mats, screen savers etc	Comparatively cheap to produce, can get a simple message to a wide audience	Cannot handle any in depth message	✓		Consistent application of a range of delivery options, as appropriate to each individual organisation, will reflect a body's commitment to FOI and achieving a more open culture.	General
Video conferencing	Flexible, can target particular people and messages	Dependent upon available IT, can be difficult to Chair	✓	✓		Strategic
Frequently Asked Questions	Cheap to develop, can focus on particular issues, can explain complex points	Assumes pre-existing knowledge and experience	✓			Practitioner

### 3.5 Annex E – Indicative Staff Training Proportions

The proportions provided on the table below are indicative in nature and reflect the Training Sub Group’s early thinking on the likely numbers of individuals in a range of public bodies who may require training at each of the identified levels.

The figures are based on information provided by each sector and reflect the range of organisational structures and approaches to FOI that exist. These figures are an initial indication and will be refined as the details of the FOI regime, implementation strategy and training costs become clearer. It is highly likely that when organisations see the actual legislation they will modify their view about their internal arrangements for FOI implementation. The Sub Group believes that this will lead to considerable reduction in the numbers of staff requiring practitioner training.

These figures therefore represent the views of the FOIIG after limited consultation across the bodies indicated. The figures should be viewed as purely **indicative**, however they may assist bodies in developing their own thinking on training.

Body	% of Staff likely to need Training			Total Staff
	Strategic	Practitioner	General	
<b>Scottish Executive</b>	0.5	4	100	<b>5000</b>
<b>The Scottish Parliament</b>	2.5	6 - 10	100	<b>400</b>
<b>Local Government</b>	1	6	75	<b>c294,000</b>
<b>Police</b>	1	5	100	<b>20,500</b>
<b>NHS</b>	1	5	75	<b>c136,000</b>
<b>SEPA</b>	2	7	100	<b>850</b>

### 3.6 Annex F - Initial Resource and Cost Estimates

The Training Sub Group developed the following resource estimates from analysis of the broad numbers of those likely to need training and the likely delivery options. It was felt that such estimates were needed to inform the debate on the practical options available for FOI training. The figures below relate to the options as described in section 2.3.6.

The costs of each option are summarised in the tables at the foot of each section.

#### Design Core Material

The basis of this option is the development of a consistent set of core training material for each of a two day practitioner course and a \_ day general awareness course, in a form that would allow for flexible delivery.

From experience of the development of analogous packages it was the view of the Sub Group that an appropriate package of core material could be developed for, in the region of, £50,000.

Converting to an e-learning format may cost between £50,000 and £100,000 extra. Clearly, the exact cost of converting the material would depend on the specific elements of the package.

Design of Core Material	Cost Estimate
Material to support practitioner and ‘train the trainer’ course.	£50,000
<b>Total</b>	<b>£50,000</b>
Conversion to e-learning format	£50,000 - £100,000

#### Core Material plus Skills Development

This option includes the development and delivery of practitioner training initially for up to 1,000 practitioners (though there may be a need in the longer term to train up to 6,000 practitioners). An additional element is ‘training for trainers’, who can then undertake general awareness training in their own organisations and customisation of the core materials to suit the needs of individual sectors or bodies.

It was assumed that up to 200 trainers would be required across the public sector. 20 face to face training courses could be provided to groups of 10 trainers at a cost of the order of £16,000.

Practitioner training was assumed to comprise of a two day face to face course as described in section 2.3.4. Initial training for 1,000 practitioners in groups of 15 would cost of the order of £100,000.

Development of the two course programmes, training of trainers, initial training of practitioners would therefore be likely to cost of the order of £166,000.

Design of Core Material	Cost Estimate
Material to support practitioner and ‘train the trainer’ course.	£50,000
Provision of ‘Train the Trainer’ Course	£16,000
Provision of Practitioner Training	£100,000
<b>Total</b>	<b>£166,000</b>
Conversion to e-learning format	£50,000 - £100,000

### Comprehensive

The comprehensive national approach assumes a more rigorous awareness raising campaign. This would include \_ day seminars for approximately 100,000 staff.

1,000 large scale, half day events attracting approximately 100 attendees could be delivered for, of the order of, £250,000. To this must be added the costs of core materials and skills training for practitioners, however there would be no need for the ‘train the trainer’ element.

In total, it is the view of the Sub Group that a comprehensive training approach could be developed for approximately £400,000.

Comprehensive Approach	Cost Estimate
Material to support practitioner and ‘train the trainer’ course.	£50,000
Provision of Awareness Training	£250,000
Provision of Practitioner Training	£100,000
<b>Total</b>	<b>£400,000</b>
Conversion to e-learning format	£50,000 - £100,000