

Transparency is the foundation of accountability. The government is committed to Freedom of Information and to opening up public authorities to greater scrutiny to allow the public to hold them to account.

*In its coalition agreement, the government pledged to build on the Freedom of Information Act and “extend transparency to every area of public life”. The Rt Hon [Lord McNally](#), Minister of State for Justice, outlines the next steps that government will be taking to extend Freedom of Information and ensure the public have greater ability to hold them to account.*



How information is used, misused, hidden or shared is rarely out of the headlines. We have to think differently about information to the way we did in the past. People expect more information, and modern technologies enable that information to be used and manipulated in new and interesting ways.

In the Coalition Agreement, the Government pledged to spread transparency to every part of public life, and we have made a strong start in achieving this goal. Transparency is the foundation of accountability. If we want people to play a bigger role in our society and be able to hold government to account we need to give them the information to do so.

As a longstanding enthusiast for transparency I am convinced of the benefits Freedom of Information (FOI) brings. I am delighted to have the opportunity, as a Minister, to help shape the next phase of FOI in this country.

We continue to make a wide range of data available routinely, including about Government spending, contracts and salaries. We are pushing the boundaries of this work. Over the coming year, for example, data relating to primary care outcomes, the effectiveness of schools, and sentencing will be published, and a [Code of Recommended Practice for Local Authorities on Data Transparency](#) has been launched. We are also creating a new “right to data” to ensure public authorities make datasets available in a re-usable format, and make them available for re-use.

These changes support our commitment to open up public authorities to greater scrutiny and allow the public to hold us to account. They will also bring real social and economic benefits by enabling businesses, non-profit organisations, volunteers and others to exploit datasets held by public authorities for social and commercial purposes.

Alongside these developments, the original basic right to access any recorded information under the FOI Act remains very important. No matter how many datasets are published and made available for re-use under the right to data initiative, there will always be a great demand for the release of other types of information such as minutes of meetings and policy documents.

That is why the Government is also taking steps to extend the existing scope of the FOI Act. We have already extended the Act to academy schools. From November this year, it will also extend to the first three of a number of bodies considered to be performing functions of a public nature – the Association of Chief Police Officers, the Financial Ombudsman Service, and the Universities and Colleges Admissions Service. Consultations are also underway with over 200 further bodies about their possible future inclusion.

In addition, the Protection of Freedoms Bill will extend the Freedom of Information Act to all companies wholly owned by any number of public authorities. The current arrangement, under which a company is only subject to FOI if it is wholly owned by a single public authority but not two or more, is illogical. The correction of this anomaly will, we estimate, bring over 100 new bodies within the scope of the Act.

Transparency isn't just about information we deal with on a day to day basis. We will also make older information available sooner as a matter of course by reducing the point at which public records are generally made available from 30 to 20 years, accompanied by a corresponding reduction in the maximum lifespan of a number of FOI exemptions. However, genuinely sensitive information, particularly personal data, must remain protected.

More generally, now that the FOI Act has been in operation for nearly seven years it is right that it is

examined to see how well it is operating. That is why post-legislative scrutiny of the Act will be carried out by Parliament following submissions by the Ministry of Justice late this year.

The evidence drawn from post-legislative scrutiny will help inform future policy developments in this area. Also of key importance to policy development will be the Government's Transparency and Open Data Strategy, currently the subject of a public consultation.

A strong and independent Information Commissioner is vital in the promotion and enforcement of information rights, and therefore to the success of our plans. We are enhancing the Commissioner's corporate and administrative independence through the [Protection of Freedoms Bill](#), and a new [Framework Agreement](#) (published on 15 September) setting out the day-to-day relationship between the Commissioner and the Ministry of Justice.

The delivery of increased transparency is not straightforward and presents challenges that Government must meet.

Transparency, either through the FOI Act or proactive publication shines a light on the way in which public services are delivered and acts as a key driver for efficiencies and cost savings. But we need to ensure that we can be transparent about the delivery of public services without jeopardising the privacy of the individuals who use those services. We also need to make the best use of public funds: the cost of FOI is something which many are concerned about and which we are acutely aware of, especially in the current financial climate. We need to get the balance right and both the costs and benefits of FOI will be examined during post-legislative scrutiny.

As well as enhancing transparency, the Government is committed to reducing regulatory burdens. Difficult decisions have to be made to ensure that we strike the appropriate balance between these key priorities. It is for this reason, for instance, that to date the Government has decided [not to extend the FOI Act to private companies providing public services under contract](#). But we recognise that we must take account of changes in the way public services are delivered as we move forwards and we see a strong argument for increased transparency by all bodies in receipt of public funds, including those outside the public sector. The [Transparency and Open Data Consultation](#) explores how this might be achieved.

People should be able to hold the public sector to account over how their money is spent and the decisions made on their behalf. We will continue to stride further down the road of delivering the openness and accountability that the people of this country deserve.

*On Thursday, 20 October Lord McNally will be speaking at the Westminster Legal Policy Forum Seminar, The future of Freedom of Information – challenges for expansion. [More details](#).*