



DEVELOPING RECORDS MANAGEMENT IN FURTHER EDUCATION

**Responding to the requirements of the
Freedom of Information Act 2000**

Final Report

December 2003

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*Julie McLeod
Sheila Edward
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**DEVELOPING RECORDS MANAGEMENT IN FURTHER EDUCATION:
RESPONDING TO THE REQUIREMENTS OF THE FREEDOM OF INFORMATION ACT**

EXECUTIVE SUMMARY

As part of the JISC national programme, *Supporting Institutional Records Management*, a team from the Information Management Research Institute at Northumbria University was commissioned from April to December 2003 to investigate and support the development of records management and the process of achieving compliance with the Freedom of Information (FoI) Act 2000 in Further Education colleges in the Northern Region. The project aimed to establish how realistic it is to apply the Model Action Plan (MAP) (JISC, 2002a), to uncover difficulties and obstacles to compliance and identify alternative methods of achieving compliance. It also aimed to combine practical support and awareness-raising with qualitative fieldwork designed to help understand the perspectives of college staff and their preparations for FoI. Between April and October, 15 colleges large and small were visited, and 47 interviews conducted with 56 staff.

Key findings included:

- despite JISC mailshots to Principals, colleges were not initially well-informed of the requirements of the Act and of the documents, including the MAP and the draft Model Publication Scheme (JISC, 2003a), available to help them (Section 1.2)
- colleges were generally confident of the quality of their management of well-audited central records, including personnel, finance and student records, but less sure of what else was being held throughout the college (Section 2.1)
- in some colleges, investigation of the requirements of FoI and preparation for compliance were being handled by just one or two staff; in others, a team meeting of those responsible for key records had been the starting point (Section 2.2.1)
- while co-ordination of the management of corporate information appeared easier to achieve in small colleges, most felt they had room for improvement. Several highlighted other initiatives, such as development of their intranet, structures for compliance with data protection legislation or improvements to control of their electronic data, which were tending to improve co-ordination (Section 2.2.2)
- roles and responsibilities had not always been allocated, but only one college planned to appoint a records manager, four planned to adopt a team approach, and the other ten planned to give FoI as an additional responsibility to someone in post (Section 2.2.3)
- only one college had a records management policy statement prior to 2003, but all the others were planning to develop one, using the model in the MAP (Section 2.2.4)
- some planning for training and awareness for all staff was underway: the need for awareness-raising for FoI was widely recognised, but there was less consensus about the need for general records management training (Section 2.2.5)
- most colleges could identify ways in which their records creation, maintenance and disposal could be improved, and were planning to make changes in 2004 (Section 2.2.6)
- considering deadlines for December 2003 in the MAP (JISC, 2002a p.8), most interviewees felt the first three actions relating to the records management function could be achieved, but there was considerable concern about availability of adequate resources (Section 2.3.1)

- strategic responsibility for the records management function had been allocated in each college, but there was still some uncertainty about arrangements at operational level, particularly in smaller colleges adopting a team approach (Section 2.3.2)
- although the senior staff member taking overall responsibility for FoI preparations was identified, in some colleges it was not yet clear where the responsibility for the operational role of putting together the publication scheme would lie (Section 2.3.3)
- the most frequently raised concerns about FoI were about costs (financial and staff time); understanding the requirements and implications of FoI; and ensuring that all staff would see records management as a priority (Section 2.4)
- having concerns about implementation of FoI did not prevent some college managers from seeing the potential benefits of improved records management, although they did not always have time to take full advantage of this potential (Section 2.4)
- the MAP, model publication scheme and JISC case studies (JISC, 2003b) were welcomed as helpful to colleges preparing for FoI (Section 2.5)
- both at strategic and operational level, further support and guidance will be needed in the year ahead and after the Act becomes law in January 2005. (Section 2.5)

In conclusion, although the MAP appears to have been found useful in preparation for compliance with FoI so far, it is not yet clear whether colleges which have used the MAP will achieve full compliance in 2005 more easily than those which have not. Colleges face ongoing difficulties in resourcing their preparations, and anticipate difficulties in raising awareness of FoI and records management amongst all staff. Where external assistance will be helpful is in raising knowledge and skills in records management for those leading the preparations, and in providing tools, models and checklists. No alternative methods of achieving compliance were found, and although several key differences between colleges and their approaches to FoI were identified, none of these factors has proved critical to success so far. Most colleges still have a lot of work to do before January 2005.

Finally, the following questions are offered for consideration by JISC and any others supporting colleges in their preparations for compliance:

1. The MAP and other models have proved useful to those who discovered them in time. What more could be done in future to ensure that such tools are brought to the attention of those who could benefit? Although some MAP deadlines have now passed, is there value in reissuing a checklist of the action points, or even a 'fast-track' approach for late starters?
2. What additional models and tools can be provided to help the work which lies ahead in 2004: electronic records management training packages, retention schedules, such as those in the lifecycle study (JISC, 2003c), adapted for further education colleges, model documents for setting up a system to handle FoI queries in future?
3. Those managing change in colleges in preparation for FoI have appreciated opportunities to network, sharing ideas and experiences with their opposite numbers. How can this networking be supported in 2004 and beyond, as these people may face on-going difficulties in awareness-raising and gaining commitment of colleagues to improving records management?

1 INTRODUCTION

1.1 Background

The Freedom of Information Act (2000) will come into force on January 1, 2005 and has considerable implications for records management in the public sector. In common with many other organisations, further education colleges will need to be ready to handle queries received in any recordable format from any source; to understand the exceptions within the Act which may allow them to refuse to supply information; and to be equipped to reach a decision and respond within 20 working days. While there has always been a strong business case for efficient and effective records management in the sector, based on quality, cost-effectiveness, the frequency of internal and external audit, and the role of student records in releasing funding from the Learning and Skills Council, the advent of the Freedom of Information (FoI) legislation reinforces the need for colleges to manage all their records well.

In 2002, JISC published on its website a *Model Action Plan for achieving compliance with the Lord Chancellor's Code of Practice on the management of records for higher and further education organisations* (JISC, 2002a). The contents of this document are discussed in detail in Section 2, below. In outline, it seeks to introduce managers to the implications of the Act for their institutions; to provide a plan including 'the steps needed to create effective records management so that FoI requests can be dealt with effectively within the prescribed time limits' (JISC, 2002a p.2); and, in appendices, give a model records management policy and a model competencies framework, with a glossary of records management terminology and a list of sources of further advice. A new introduction added in July 2003 updates the information about assistance available, including the appointment of a records management consultant based at the JISC InfoNet service, and the forthcoming reports, including this present document, of research funded by JISC under their national programme, *Supporting Institutional Records Management* (JISC, 2002b).

This project, *Developing records management in Further education: responding to the requirements of the Freedom of Information Act 2000*, is funded under Theme 2 of the JISC national programme. It has allowed a team from the Information Management Research Institute (IMRI) at Northumbria University to investigate and support the development of records management programmes and support the process of achieving compliance with the requirements of the Freedom of Information Act in Further Education colleges in the Northern Region.

The aims of the Northumbria project were to:

- establish how realistic it is to apply the Model Action Plan (MAP) in its current form within colleges and the degree to which compliance is possible
- uncover any potential difficulties or obstacles to compliance
- identify any alternative methods of achieving compliance.

In undertaking the investigation, the team also sought to:

- raise awareness, within further education colleges in the North of England, of records management and its role in meeting FoI requirements effectively
- raise awareness and appreciation of the need to manage electronic records and digital assets

- identify strength and weaknesses and associated risks of the current position of participant colleges in terms of managing records
- provide practical help in meeting the immediate requirements of the MAP
- support planning for the future in relation to records management and FOI preparation.

The appointment of the JISC InfoNet Records Management Consultant, which was not anticipated at the time the research proposal was submitted, gave the project an enhanced collaborative element. While providing practical help and information remained an important aim, it became even more important to ensure that college staff were aware of this additional potential source of practical help, which would be available to them for at least 12 months after our project had ended. It also became clear that our project could become a useful source of information for the Consultant as he sought to identify the needs of colleges, not only in the Northern Region, but throughout the country.

The Northumbria project was funded from April to December 2003. It therefore had a primary focus on the deadlines to be met by December 2003, but was also concerned with colleges' longer-term plans to achieve full compliance with the Act by 2005, and with their plans for records management in general.

December 31, 2003 was also the deadline for colleges for the submission of a Publication Scheme to the Information Commissioner for approval. In the early stages of the project, college staff had access to the draft Model Publication Scheme (JISC, 2003a), and could also make use of the case studies, provided by JISC (2003b), of the preparations for implementation of the Freedom of Information Act in three further education and three higher education institutions. In September, the model publication scheme was at last approved by the Information Commissioner and made available, with detailed guidance for colleges. Predictably, in the later stages of the research, the attention of college staff was focused more sharply on the production of a Publication Scheme, than on the broader, longer-term issues of records management.

At the time of writing, over twelve months must still elapse before the Freedom of Information Act becomes law. This report must therefore consider not only the distance travelled by colleges preparing for implementation, but also the distance which they still have to travel. We have observed a shift in priorities as the December 2003 deadline approaches, and can predict further changes in future as college set up their systems to deal with any queries which may be received after January 2005.

As noted above, an important element of the research project has been communication with JISC and, in particular, the Records Management Consultant appointed to JISC InfoNET to support colleges in their preparation. The brief interim report produced in July was designed not only to present evidence of progress in the first four months of the research, but also to provide JISC, as training provider and supporter, with information about areas in which the sample population had identified a need for more support. The report was circulated to all colleges in the region and to all those who attended the project seminar, arranged under the aegis of JISC Northern in October 2003, in an effort to raise awareness of the emergent findings. The project research associate also took part in a JISC South East Regional Support Centre (RSC) workshop on Freedom of Information in November. The research team hope that dissemination during and at the end of this project may enable other Regional Support Centres and JISC InfoNET to target support to colleges in the coming months.

1.2 Methodology

The project was from the outset intended to have two distinct aspects: the research strand, based on data collection primarily from those who were preparing to meet the requirements of the Act in colleges, and a more practical strand, concerned with raising awareness of FoI in that population, and offering support in terms of information and advice delivered in workshops. Research would not simply gather information about what was, or was not, happening, but would seek to facilitate the process of preparation by providing information and suggesting sources of support. Table 1 shows the planned timetable, with elements of each of these two strands in each phase.

Table 1: Timetable

<i>Project Phase</i>	<i>Practical Support Strand</i>	<i>Research Strand</i>
1 (March-April)	Initial awareness-raising session at March meeting of senior managers	Literature review Negotiation of access to sample
2 (April-July)	Presentation at June conference Feedback to JISC	Fieldwork: pilot in at least 6 colleges Interim report for all colleges in region
3 (August-October)	Dissemination workshops in October	Fieldwork in other colleges in sample
4 (November - December)	Dissemination of final report	Analysis and writing of final report

Each of these strands will now be considered in turn, demonstrating how they were interrelated and how they evolved in response to the realities of colleges' preparations for compliance with the Freedom of Information Act.

1.2.1: The practical support strand

The starting point of the project was intended to be an event offering information and practical support. It was hoped that a JISC RSC Northern meeting of senior managers planned for March would serve to launch the project, raising awareness of the Freedom of Information Act, the MAP and our forthcoming data collection, and that those managers would return to their colleges to prepare and implement their own action plans. Phase 2 fieldwork would then discover what action had been taken as a consequence of that awareness-raising event. That fieldwork would in turn provide examples of good practice and emergent concerns, to be fed back to college staff at the June and October conferences, alongside other presentations from legal and records management experts. Data collected in the fieldwork would inform the agendas of these meetings, by highlighting issues on which colleges sought further support.

In reality, awareness-raising proved to be a far more complex task than anyone had envisaged. The RSC Northern Region meeting for senior managers, originally planned for March, was postponed, and consequently many colleges had given FoI little thought before receiving the project leaflet and covering letter, which was sent to all Principals. In the first few college visits, the researchers discovered the extent to which our project needed to raise awareness of the Freedom of Information Act. Many of the interviewees, especially those who were not senior management team members, had not yet seen the MAP or the Model Publication Scheme, and some said they knew very little, or nothing, about the Act. This situation had major impact on the

research strand, discussed in section 1.2.2 below; but it also obliged us to rethink the practical support strand.

Instead of waiting until the June workshop to raise awareness, interviewers decided to take with them, on fieldwork visits, demonstration copies of relevant documents, such as the MAP, the *Code of Practice* (Lord Chancellor, 2002), the *Draft Model Publication Scheme* (JISC, 2003a) and related JISC case studies (JISC, 2003b), to show to college staff. They also drew interviewees' attention to other documents available on the Internet. One college was added to the sample after phoning the University to request practical help; in another, the project director was asked to advise on a job description for a records manager. Queries and concerns raised in interviews were analysed to help set an appropriate agenda for the June and October workshops, and researchers sought to publicise and to encourage attendance at those events, which were organised in Durham by JISC RSC Northern, and included expert speakers from outside the region. The first, on June 25, was entitled *What FoI and Records Management is all about* and gave participants a chance to hear Steve Bailey from JISC; Andrew Charlesworth from Bristol University; Paula Cleary from Gorseinon College, the author of one of the JISC Model Publication Scheme studies; and Betty Willder from JISC Legal Information Service – in addition to our own feedback workshop and an opportunity to meet the newly appointed Records Management Consultant, Alan Cameron. The second workshop, *Freedom of Information and Records Management in Further Education*, on October 21, was originally planned as two separate events, one in the North of the region and one in the South; but because the feedback on the content of the June workshop had been so positive and because JISC RSC Northern staff advised us that two separate workshops were unlikely to attract sufficient numbers at that time of year, we reverted to the compromise of one event in the centre of the region. The design of the October event was much more participative than the June day. Although there was one legal expert presentation, from Rita Esen, most of the programme was a collaboration between the research team and Alan Cameron in teasing out questions from participants and providing answers and advice on practical problems of records management which colleges were facing as the publication scheme submission deadline approached.

While we cannot quantify the impact of our project on the practical preparations for FoI in colleges in the region, we can at least be sure that all colleges visited and all colleges participating in the workshops were eventually well aware of the availability of the Model Action Plan and Model Publication Scheme. Even the colleges which were not in the sample received our leaflets and interim report. By contrast, when the research associate attended a JISC RSC meeting in another region in November and asked the audience how many of them were using the Model Action Plan, astonishingly, not a single hand was raised in the room.

1.2.2 The research strand

The methodological approach was robustly qualitative, seeking to access interviewees' own understandings of records management. The research proposal describes the intention to 'seek to embed the holistic view of the traditional records management lifecycle model ... within the FE community, using language that is understood by the different stakeholder representatives', drawing on the experience of interviewees and addressing specific issues which they raised.

As Table 1 shows, following a brief period of introductory literature reviewing and negotiation of access, fieldwork in colleges was planned from April to October, in two distinct phases. Phase 2 of the project (April – July) was intended to comprise fieldwork in at least six of the 23 colleges in the Northern Region, interviewing up to four people in each to capture the issues for them in

the early stages of working with the MAP. In each college, researchers would gather qualitative data from the senior management team member who would be leading FoI implementation, and up to three other key staff involved. It was anticipated that these three staff might include:

- an information professional, e.g. data protection officer, FoI officer, or records manager
- a management information systems officer or IT officer
- another member of the college staff, academic or administrative, for whom record-keeping was part of their everyday work.

The remainder of the sample of at least 50% of colleges in the region (i.e. at least a further six colleges) would then be visited in Stage 3, between August and October.

All 23 colleges received the project leaflet and covering letter about the project early in April. Follow-up telephone calls were then made to arrange fieldwork visits with the first six chosen for the sample. Even in these telephone calls, it was clear that levels of awareness of the requirements and implications of FoI in colleges were lower than anticipated. In several colleges, no decision had yet been taken about which member of the senior management team would lead the implementation. In others, senior manager might be aware of the impending legislation, but their colleagues, including those whom we hoped to interview, had not yet received any information. Two adaptations of the methodology were made to accommodate this situation: adjustments, discussed below, were made to

- the content of the interviews; and
- the sample of colleges visited.

The content of the interviews

Rather than simply postpone the visits in the hope that college staff would have heard more about FoI and would have more to say in a few months' time, the researchers adopted a flexible approach. The interview schedule had originally been designed to collect information about the records currently maintained in colleges; the usefulness of the MAP in preparing for FoI and any evidence of the impact of FoI on established records management practices or on any other aspect of the college activities. It became clear that there was as yet little evidence of the impact of using the MAP or preparing for FoI for the researchers to collect. They could ask about current systems, and most colleges could describe existing practices or past initiatives which might help them achieve compliance, but few participants could as yet describe any actions or decisions taken specifically with the goal of compliance in mind.

The interview schedule was therefore adapted to take account of the prevalent lack of familiarity with the contents of the MAP. General questions about how they were using the MAP were replaced by an invitation to comment on the college's current position in relation to each of the elements and the deadlines which should be met by 31 December 2003; the interviewers' own prompt-sheet, listing the elements and deadlines of the MAP, became a handout for participants and was in some cases their introduction to the contents of the MAP. This facilitated the collection of some interesting, spontaneous information about plans, intentions and expectations of how difficult each task might be, and about the relevance of FoI in the context of colleges' other priorities. Researchers carried demonstration copies of the key documents - including the MAP and the model publication scheme - to ensure that interviewees knew where to find more information. In the later stages of the fieldwork, it was rarer to find interviewees who knew nothing about FoI, although in some colleges little had yet been done in response to the requirements of the FoI Act, and staff were still talking about their future plans, rather than their

experience of preparations for compliance. All the interviews were taped with permission and transcribed for thematic analysis.

The sample of colleges and staff

The original intention was to visit 12 colleges, interviewing four staff in each. In the early stages of the project, however, we found that there were rarely as many as four people involved even in discussions of plans: particularly in smaller colleges, there might be just one senior manager endeavouring to make sense of the requirements of the Act. Since levels of awareness were so low, we also felt some responsibility to visit as many colleges as possible, to ensure that they had the information necessary to plan for compliance. As a result the target of six colleges in Phase 2 (April-July) was exceeded: by mid-July we had visited nine colleges, interviewing a total of 32 people. By the end of phase 3 (August-October) we had visited a total of 15 colleges, conducting 47 interviews (eight of which were joint or group interviews) with a total of 56 people. The sample was constructed to ensure a balance of large and small colleges. The 15 colleges included nine of the eleven large FE colleges; and six of the 12 smaller colleges, including three small FE colleges; and three sixth form colleges. Table 2 shows the detail of the interviews.

Table 2: Sample of colleges and interviewees

<i>Size of college</i>	<i>total in NE region</i>	<i>number visited</i>	<i>number of interviews</i>	<i>persons interviewed</i>
large (over 10,000 students)	11	9	33	37
small (under 10,000 students)	12	6	14	19
TOTAL	23	15	47	56

Unsurprisingly, the larger colleges provided more people to interview, with a wider range of specialist roles; in the smaller colleges, our interviewees tended to have a portfolio of responsibilities which in a larger institution would have been shared amongst several colleagues. Although our leaflet had outlined the job roles of the staff likely to be involved, we accepted that only the colleges themselves could identify the people they would be involving, and set no rigid upper or lower limit on the number of interviews in each college. As a result, in eight of the colleges, we spoke to four or more people; in the other seven, to three or fewer. The group of seven included two of the smaller colleges where just one senior manager provided an overview of the colleges' plans, being the only person involved at the time of interview. If we had not been flexible in this, we should have missed important data about the experience of preparation for FoI in small colleges. Table 3 shows the full range of job roles of the people whom we interviewed, in order of frequency.

Table 3: Job roles of interviewees

<i>Job role</i>	<i>Number interviewed</i>
Vice-Principal; Assistant Principal	12
MIS Manager	9
Personnel manager	8
Other administrative management role	8
Other administrative role	6
Teaching / academic management role	5
IT Manager	4
Principal	4
TOTAL	56

Although this list seems heavily weighted towards senior management, it should be remembered that in smaller colleges, staff had complex roles and Table 3 is based on their primary role. Some of the Assistant Principals, for instance, also did some teaching.

Additional data collection

The qualitative data collected through interviews has been supplemented by the results of a short questionnaire completed by participants in the JISC RSC Northern conference, *What FoI and Records Management is all about*, on 25 June, which was attended by staff from eleven local colleges, not all of which are in the project sample. The questionnaire was designed primarily to be a stimulus to discussion, but also provided an opportunity to gather more expectations about difficulties which might lie ahead in implementing FoI and more insights into the areas in which delegates believed additional support would be useful. Similarly, at the October workshop, further data was collected through a group questionnaire, identifying the areas in which participants had concerns and unanswered questions, and asking about the support they would like throughout 2004. Finally, a round of brief telephone calls to a sub-sample of six colleges was made in December, as the report was being written, to obtain a snapshot of their progress towards compliance as the deadline for registration of their publication scheme approached, and to ascertain whether there were additional problems arising at that stage.

1.2.3 A note on confidentiality

Throughout the project we have taken confidentiality very seriously indeed and have undertaken that no individual or institution will be identified in any written or oral report without specific prior consent. Every effort has been made in this report to protect individuals who have spoken frankly about records management in their colleges.

2 FINDINGS

This chapter presents the findings from the research strand. The first three sections report what was learned about current practice in records management and use of the MAP as a tool to help prepare for implementation of the Freedom of Information Act. The final two sections examine the concerns which interviewees expressed about the Act; and the areas in which they were seeking support and guidance. In addition to direct quotations within the line of discussion, the text includes some short, boxed case-studies each illustrating how an individual issue was perceived within a particular college or colleges.

2.1 Current status of records management in the colleges

Throughout the months of the fieldwork for this project, awareness of the importance of records management was palpably increasing. In one of the last interviews, in October, a college principal offered a clear appraisal of the impact of FoI:

I think there is a difference between keeping records and managing records, and I think managing records is going to have to become much more important when the FoI Act comes into force. When the publication scheme starts to have to be made readily available, I think management will realise that records will actually have to be managed, as well as kept. (P1b)

Only one of the fifteen colleges had a records management policy in place at the time of interview, although most were intending to adapt one from the model offered in the Model Action Plan. The one pre-existing policy had been drawn up to facilitate a recent accommodation move, because the space available in the new buildings was limited and management had seen the need to encourage systematic disposal of records at the time. Some of the staff interviewed in the college were, however, unaware of the existence of the policy, which suggests that records management was not seen as high on everyone's agenda.

Staff in each college were asked about the records they personally managed, and about other records within the college. From these accounts, much can be deduced about

- their levels of confidence in records management; and
- the current degree of integration of records management processes within colleges.

Detailed discussion of the creation, maintenance and disposal of both paper and electronic records appears below, in Section 2.2. This present section simply highlights what was said about the management of various records in the colleges visited, and the extent to which college-wide records management appeared to be integrated at the time of interview.

Confidence in the quality and accuracy of **student records** was generally high. The importance of these records to receipt of Learning and Skills Council (LSC) funding and the frequent scrutiny of auditors ensured they were created and maintained rigorously. Staff responsible for these records had some concerns about the difficulty of ensuring that all staff in the college saw the importance of passing enrolment records and register information promptly to the manager of student records. In multi-site College E, attempts to improve their systems had included allocation of data controllers, senior administrative staff reporting directly to central

administration, to work as advisers in each faculties and ensure that systems were standardised across college. Elsewhere, staff talked about efforts to improve accessibility of electronic data on their student records system, so that course leaders and ultimately all teaching staff could access appropriate levels of information about their students. For some, the motivation for such improvements came from suggestions in an inspector's report that student data should be made more widely available to staff; others expressed concerns about 'duplicate' records of students which teaching staff might be tempted to maintain in departments, if they had difficulty in accessing central records.

Although the sample of interviewees contained more managers of student records than personnel or finance managers, similar confidence was generally expressed about **financial and personnel records**. Although there were some variations in, for example, the length of time that personnel records of staff who had left the college would be kept, personnel managers were confident of their own procedures, which in some, although not all, cases were demonstrable in written procedures. Elsewhere, staff described established working practices which had not yet been committed to paper. Special mention was also made of confidential student data, which was kept securely, with details of help given with special needs, financial hardship and personal difficulties not accessible to staff outside a student services department.

Less confidence was expressed in the **records kept in teaching departments**. Of those interviewees who offered an opinion, some who had been involved in ensuring compliance with Data Protection legislation referred to previous difficulties in finding out what records were kept there and in dissuading departments from keeping duplicate records. Others commented on the volume and complexity of record-keeping there, especially when different examination boards had differing requirements about how long students' assessed work should be kept. Suspicions that staff kept more than they needed for far longer than was necessary were expressed in several colleges. No-one was worried that colleagues might be destroying records which they should have kept, although in one college where pressure on space and an impending accommodation move meant that staff were being encouraged to shed or shred as much as possible, an interviewee was anxious to ensure that colleagues 'do not go mad and actually throw out things that they should not.' (A2)

The other major category discussed could be termed **corporate management records**: policies, governing body and committee meeting minutes, financial statements and annual reports. All colleges had procedures in place to make governing body papers available, in a library, on a noticeboard, or in response to a request to the Clerk of Governors, although the number of such queries since incorporation in 1992 was very low indeed. Colleges which had already made all policies available on their intranet saw this as a great advantage in preparing for FoI. Elsewhere, some colleges were still collating policies and trying to establish a document management system, and were working towards having these maintained and updated in future on the intranet.

Finally, how far was management of these records integrated or co-ordinated? Interviewees' own assessments of the extent of co-ordination are discussed in Section 2.2.2 below. From the interviewers' perspective, although we did not set out to seek discrepancies in accounts given by different interviewees in the same college, we nevertheless noticed some occasionally, and it was sometimes clear that, for example, a manager of student records had well-established systems in that area, but no knowledge of how finance or personnel records were kept. On the other hand, we also encountered some senior managers who clearly had an excellent overview of all central record keeping systems. In a small number of colleges, the availability of a records store or archive room had encouraged the integration of, at least, the storage and disposal of records from different parts of the college.

2.2 Using the Model Action Plan

This section looks first at the range of approaches to getting started on preparations for FoI, then considers in turn the comments made by college staff on their progress towards meeting the aims for the seven elements in the Model Action Plan: the records management function; roles and responsibilities; records management policy statement; training and awareness; records capture and creation; records maintenance; and records disposal.

2.2.1 Approaches to getting started

Two distinct approaches to getting started on preparations were identified, initially as an unintended consequence of the request to interview up to four people in each college, in order to understand different perspectives on FoI. The first approach entailed one or two people, senior managers or administrators, trying to make sense of the requirements before involving anyone else: when other staff were interviewed in such colleges, it was clear that they had not taken part in any discussions or preparations, although they had much to say about their own record-keeping practices. The second approach involved teams of up to six people with responsibility for different records throughout the college, who met to contribute their perspectives before individuals were allocated tasks such as, for example, devising an audit of records management procedures. In one college, the researcher was given the opportunity to conduct a group interview as part of the initial meeting of the team. It proved a lively session, notable for the number of questions directed by participants, both to the interviewer and to one another, and highlighting how FoI is likely to increase the need for staff to be fully aware of their colleagues' procedures, as well as their own areas.

Factors influencing the choice of approach appeared to include:

- the size and the culture of the college and its senior management team;
- the availability of an administrator with time and skills to take on special projects; and
- the previous experience amongst the senior management staff of the process of compliance with legislation.

Several colleges were planning to use the structures set up to cope with data protection as a foundation for their preparations, and most senior management team members mentioned other legislative changes with which they had had to grapple, a few contrasting their current experience of unfunded preparations for FoI with the support provided by the LSC for compliance with disability discrimination legislation.

Neither approach to getting started entailed widespread dissemination of information about FoI to all staff during 2003. Even towards the end of data collection, most interviewees believed that most of their colleagues, especially those who had purely teaching roles, were unlikely to know anything about FoI as yet. Managers were, however, aware of the coming need to involve many more staff in a substantial review of records and widespread training and awareness-raising about FoI and records management in preparation for 2005. In College O, visited in October, an article was about to appear in their staff newsletter, and their impending training needs analysis which would inform the staff development programme for 2004 was to include records management training.

2.2.2 *The records management function*

The MAP suggests that colleges should aim ‘to consolidate a co-ordinated approach to the management of corporate information’. While none of the colleges had, at time of interview, worked specifically to meet that aim, some appeared to be closer than others to achieving it.

Box 1: Co-ordination of the records management function in a small college

In college H, a sixth form college, senior staff were confident of the co-ordination of their records. ‘I feel very comfortable about the information that the college holds’, commented one Assistant Principal, and another echoed, ‘the advantage of a small college is that it is all in the same place. If you look at a student, the information that we have on students is all on the same database and any paper records are all filed in the same systematic order for the whole of the college’. They, and another colleague interviewed, had no concerns about divergent practice, and saw no problems about meeting that aim.

For a very small sixth form college, co-ordination was not a problem (see Box 1 above); but most staff elsewhere pointed to improvements which might be necessary to achieve full co-ordination. Several expressed full confidence in their student records:

If I go up there and ask for a student record I am 98% confident that it will be complete, and it does not matter which department. And the other key issue is that I am 100% sure the record will be there ... there might be one piece of paper missing, the audit has found. (D1)

Others mused on the gap between having several departments, such as student records, personnel and finance, each keeping their records efficiently, and having a co-ordinated records management function. An Assistant Principal commented:

I think we probably have various elements of it co-ordinated and what we need to do is put an overarching umbrella there, to be honest, and to actually – I would say there are perhaps two or three key people that we just need to pull together and perhaps make up a little team. And then to means that if one person were to go down then you are not left with nobody, and the others can hopefully assist for a short period of time if they need to. (K1)

Several could point to actions they had taken with the aim of co-ordination, but for reasons which had nothing to do with the Freedom of Information Act. The allocation of centrally managed data controllers to work in each Faculty; document management systems which made as much as possible available on the college intranet; and networks set up to co-ordinate the implementation of data protection legislation, were all cited as examples. In a few colleges, there was at least one critical or pessimistic voice, raising concerns over ‘conflicting or competing systems’ or the state of record-keeping in some parts of the college, but in no college was this the majority view. More typically, interviewees were confident that central records were well co-ordinated, but were uncertain, rather than critical, of exactly what was held elsewhere in the college. For example, a Faculty Head could describe that faculty’s records, but confessed frankly:

I could not even begin to tell you what the management of other faculties have. (O4)

In the same college, a move towards using a system such as Blackboard for managing students progress and records was seen as encouraging a trend towards centralised and standardised record-keeping. But even in colleges where some staff were aware of divergent practices, there was confidence that co-ordination could be achieved within the timescales of meeting the requirements of FoI. As the deadline for producing a publication scheme approached, having an

appropriate co-ordinated approach was sometimes seen as only a means to an end: in the words of one manager:

I think we have the mechanisms in place now, to ensure that and we have key staff including myself who are aware of the requirements of the Act and we have the infrastructure in place, but we still have to put content there. (P5)

Others, however, discussed the value of co-ordinated records management for purposes other than FoI: Box 2 presents an example of such a vision.

Box 2: A vision of co-ordination of the records management function in a large college

In college J, all of the staff interviewed saw room for improvement in the co-ordination of their records management, and a senior manager described the system they would like to move towards. They would benefit from the ‘centralised provision of a library or an archive’, to cover not only information generated by the college, but also information coming into it. They were not very far down this road at the moment. He explained:

we have had attempts in the past when we have had inspections ... where we have tried to put everything in one room, so that everything is to hand, ... academic board minutes and governors’ papers and financial records and annual plans and strategic plans – all of these sorts of things. We have discussed recently, without reference to this sort of initiative, trying to create a facility where we can put our hands on things, ... creating some sort of an archive or library with everything that comes into the place, because we are literally being bombarded from right, left and centre ... I might have things and the Principal might have things and the Director of Finance might have things and it would help to have it readily accessible. So we are trying to move towards that and I think that would fit in with this, really, with the FoI record-keeping requirements. But we are not there yet ... (J1)

In another college, a recently appointed Information Services manager was working on this as part of a broader agenda:

One of the things I flagged up early in my time in the college is that you needed a comprehensive set of procedures to cover this area. ... I am busy identifying the processes and procedures to go behind it, so I am hoping that ... a co-ordinated approach to the management of corporate information is something that I should have in place by September. (C2)

2.2.3 Roles and responsibilities

Unsurprisingly, colleges visited towards the end of the fieldwork were more likely to have decided on who was to take responsibility for production of the publication scheme and for FoI. Responses may be categorised as follows:

- a records manager will be appointed to do the work
- someone already in post will have their role adapted so they can take on the work
- this will have to be a team responsibility: no one person has time to do it all.

Only one college had adopted the first option; four said that it would have to be a team responsibility; but by far the most common response, from ten of the colleges, was that someone already in another role would have their role adapted to let them take on the new responsibility. Several colleges had already embarked on other projects which had brought them staff who would be helping with FoI. One Assistant Principal explained they had appointed staff in order to

upgrade the college's webpage which is supposed to be now both internet and intranet and what we will do is refine that to contain a well-structured document channel, and coupled with access controls it will actually go beyond the documentation covered in the Freedom of Information Act, giving further information for defined users, monthly management information, quality data for programme leaders, student data. (M1)

The new web developer would be working with the Assistant Principal in bringing together and making available a range of documentation for internal and external audiences. In most colleges, however, managers were struggling to find someone with the skills, experience and time to investigate the requirements of FoI, survey record keeping practices in the college, produce and introduce a records management policy, pull together the publication scheme and help prepare colleagues for January 2005. Interestingly, the telephone calls made in December revealed that in some cases the publication scheme was being put together by someone quite different from the person identified at the time of the interview.

2.2.4 Records management policy statement

Only one college had developed a records management policy prior to hearing about FoI. This had been produced a few years ago because of an accommodation move: the Deputy Principal had not had an opportunity to compare it with the model policy supplied in the MAP, but explained that

we have a policy which says that we keep these records, for whatever length of time, and where they would be held. (N1)

In another college, an administrator produced a draft policy, designed because of FoI, but not yet approved and widely shared within the college. In the other 13 colleges, six had some written procedures, for example, for personnel or for student records or for finance, but no general policy; and in the other seven, staff were all aware that they would need to develop one, but appeared to see that as one of the more straightforward tasks in their preparations for compliance. Some believed it would be a relatively simple case of setting down established knowledge and practices:

I can't imagine that that would be a problem for us to come up with. (H1)

I don't see why we could not pull a couple of people together, some sort of working group. (K1)

Others seized enthusiastically on the 'University of Blankshire' model in the MAP, and the sixth form colleges in the area were collaborating in an adaptation of that to suit their general needs, although they were well aware that they would also have to make local adaptations to mirror records management practices in their individual colleges.

One manager took a less optimistic stance, considering the task of producing a policy statement in the context of trying to change colleagues' records management practice, and asking rhetorically:

if I were to produce a policy without having the resource to do what I say needs to be done in the policy, what would happen with it? (F5)

Another recognised that the model policy was merely a starting point, commenting:

we will be adapting that - but we will need to look at records management in the college. (O2)

2.2.5 Training & awareness

The MAP suggests scheduling training and awareness-raising for 2004, and it was not surprising to find that colleges visited in 2003 were planning, rather than implementing their college-wide training programmes. One interviewee made clear that this timing was a considered decision:

Really until we can take the language of the FoI Act and develop our own dictionary which translates it into [this college's] terms, we can't start to do the training and awareness (P3)

Box 3 demonstrates how two small colleges were fitting FoI into their training schedules.

Box 3: Scheduling FoI awareness-raising amongst other priorities

In College M, an Assistant Principal explained that the senior management team was 'fairly aware' of what FoI would mean, and were planning to spread this awareness in due course:

What has yet to be done, of course, is cascading it through - particularly through this most important level of programme leaders. But that equally applies to, not the basics, but the finesse now of the Data Protection Act and risk management, and I have to await my slots in the programme leaders meeting. I am just going round with a roadshow there. We have done the same, for instance, in relation to the Disability Discrimination Act, where we have a register than to prove everybody has been appropriately briefed. (M1)

Meanwhile an Assistant Principal in College K was planning to begin training in academic curriculum area managers meetings and meetings of team leaders on the non-academic side, so we have the support to be able to give them the training in quite discreet groups, and also then be quite specific about where they might fit in the whole scheme of things really (K1).

In general, there was consensus that awareness-raising training on FoI would be necessary. When the Act came into force in January 2005, any employee might be the recipient of an FoI request, and it was important that they understood how to react. One manager expressed the widely held view that there would be a need

to ensure that staff are aware of what their responsibilities are, and what action they are expected to take when someone requests information (L1).

There was less consensus, however, about the need for records management training. Some interviewees initially appeared genuinely puzzled by the concept of a qualified records manager; others could point to induction training given to new administrative staff in certain sections of their institutions, but clearly had not previously thought about records management in the terms used by the authors of the MAP. The requests for workshop training sessions and support from JISC next year, however, are an indication that some senior managers see the need to train key staff to a higher level.

2.2.6 Records capture and creation, maintenance and disposal

Most interviewees expressed confidence in their college's performance in the area of **records capture and creation**, especially their student records which one manager described as 'audited to death' (K1). Areas in which they identified room for improvement included:

- developing document management systems;
- making paper-based policies and procedures available on the intranet; and

- improving and widening access to electronic central student records to staff throughout the college.

As noted before, however, in many colleges there was less certainty about what records might be held in the teaching departments, as opposed to the central administration of the college.

Electronic back-up systems, secure access, disaster planning and risk management exercises, and the adequacy of storage facilities featured prominently in interviewees' accounts of **records maintenance**. Current and recent student records, as required for audit purposes, were generally believed to be well maintained, although several managers of student records commented on the difficulties of storing several sequences of bulky enrolment forms. Personnel departments in most cases had written procedures for maintenance and disposal of records. Financial records were stored for at least six years. Having ample storage facilities was not always seen as a blessing, since it might encourage records to be kept longer than was necessary. In one sixth form college, however, a manager was proud of having been able to meet requests for information from former students who had been at the college decades ago, and expressed concern that this legislation might discourage archiving:

It would seem a shame if the FoI Act could lead an organisation to destroy records because they did not want the hassle of keeping them ... It would be losing history, for the country. (H1a).

Elsewhere, a few managers expressed concern about the contents of some storage areas, where they suspected so much was being kept that retrieval would be difficult, or that paper records were being kept, not because they were needed, but simply because there was space. In colleges where storage areas were dispersed, managers found it difficult to control what was kept and for how long. Simply discussing this current practice led some interviewees to reflect on the need for a policy throughout the college. Some did have central stores, where records were 'secure, access secure and labelled' (M1) and in some cases managed by staff who would check labels and destroy confidential waste on the date indicated on the label. In most colleges, however, in the absence of a central policy or records store, records maintenance had been 'left very much up to the individual area' (O2).

Similarly, when asked about **records disposal**, respondents revealed pockets of good practice, rather than clear, monitored, institution-wide procedures. Colleges were making good use of facilities for disposal of confidential waste, and some sections of some colleges had established procedures for regular and systematic destruction of outdated records, but many managers also mentioned that they were aware records were kept longer than necessary, or that shredding happened at irregular intervals, and was driven by pressure of space, rather than managed through a policy and established procedures. Keeping records of what had been destroyed was very rare.

In these three areas, therefore, managers in almost all the colleges were agreed that there was considerable room for improvement in practice. On a more positive note, given that 14 out of the 15 colleges were still in the process of putting together an institution-wide records management policy for the first time, and that the MAP suggests 31 December 2004 as an appropriate deadline for achievement in these areas, much progress may be anticipated in the year ahead.

2.3 Meeting the December 2003 deadlines

The Model Action Plan outlines five tasks with a suggested deadline of 31 December 2003, in addition to the statutory requirement to submit a publication scheme to the Information Commissioner. Four of these tasks relate to establishing the records management function, with the aim of consolidating a co-ordinated approach to managing corporate information (see Section 2.2.2 above); the fifth is part of the allocation of roles and responsibilities (see Section 2.2.3), the designation to a named person of responsibility for implementation of the records management function. Interviewees were asked to comment on the tasks, indicating how realistic they thought they were and how far their college had to travel to meet the deadline. This section considers briefly their responses in relation to each.

2.3.1 Actions relating to the records management function

Table 4 shows the four actions as described in the MAP: letters A-D have been allocated for ease of reference in the discussion which follows.

Table 4: Actions relating to records management function

Action	Description of the Action in the MAP (JISC, 2002a p.8)
A	<i>'Review the structure of the organisation to see what changes might be required to consolidate a co-ordinated approach to the management of corporate information.'</i>
B	<i>'Ensure that there is an integrated approach to records management including data protection, and other information management functions and procedures; alternatively, that working arrangements for close liaison have been established.'</i>
C	<i>'Conduct and audit of records management practices against the Code of Practice to establish whether action is needed to reach compliance.'</i>
D	<i>'Ensure that adequate resources to support the records management function are in place.'</i>

Action A was generally interpreted as requiring a reflective meeting of key people, rather than a major review or restructure. The wording of the action provoked some to comment on the impossibility of changing the structure of the organisation; other comments reflect the limits of what was felt possible:

We are not reviewing the structure in the sense of planning to change the structure, but we are identifying the records that need keeping. (A1)

We have not gone that far: we have begun the process of looking at an integrated approach. (B1)

Some, especially in small colleges, were confident they were well co-ordinated; others pointed to existing or prior initiatives which had improved their co-ordination, such as a recent merger with resultant on-going review of structures, steps taken to deal with data protection requirements, or planning for a forthcoming move or development of the college intranet and website. Two managers injected a note of caution. One was seeking to adapt the existing structures to meet the requirements, commenting 'until you get down to it and try, you don't really know' (N1). Another had confidence in the college structures, but believed that once they started looking at records in detail, there might be 'some gaps that we will feel we need to adjust' (K1). On the whole, however, the task was seen as readily achievable: even the manager who described himself as 'at the stage of convincing other people that there is a need' (F5) did not see it as impossible.

Similarly, very few interviewees were worried about **Action B**. Several saw their senior management team as already ensuring an integrated approach; others pointed to their data protection structures, or existing bodies such as a Planning and Resource Group, as something on which they could build for FoI. Although networking was generally seen as easier in the smaller colleges, the relatively small number of administrative staff there could have many conflicting demands on their time, as Box 4 demonstrates.

In discussion of **Action C**, the use of the word ‘audit’ in the MAP caused some initial confusion, given that internal and external auditors play a large part in the life of a further education college. Most were planning to complete this in 2003, and it was generally seen as a useful, or essential exercise. Several interviewees commented that even before a full review of practices was undertaken, they knew that considerable diversity of practice would be revealed.

Ensuring that adequate resources were in place, **Action D**, was seen as more difficult. At this point, most interviewees commented on other demands on resources, making it clear they would be able to use only the minimum financial and human resource to ensure compliance, keeping administrative overheads as low as possible. Only three of the 15 colleges had so far allocated resources for additional staffing, and a fourth was considering a temporary appointment; elsewhere, the expectation was that existing staff would absorb the additional work of preparation for implementation into their current workloads. Several colleges had, however, allocated training resources for the awareness-raising exercise necessary in 2004. A few interviewees were very worried indeed about the level of resourcing, since no funds were being made available from the LSC or any other source to help with compliance with FoI.

Box 4: Pressures of staffing working parties in small colleges

In College K, the senior manager interviewed recognised the need to involve key staff to ensure an integrated approach to records management:

It is pulling a number of different people together and understanding their role in it. ... I can't sit here being the person who does it all, so clearly ... we have to assign it to different people, to have a discussion about where different people will contribute to the process (K1).

There was, however, a particular difficulty of having a lot of different initiatives in a small college, in that the same key staff tended to be called upon to contribute:

We are currently in the process of trying to pull together a disaster recovery plan, so we have a team doing that. In a small college what you find is that it is the same people being brought into all the different teams and so – I mean, they also have their day jobs as well! (K1)

2.3.2 Action relating to roles and responsibilities

‘Ensure that responsibility for the implementation of the records management function is designated to a named person’ (JISC, 2002a p.8)

Each college could identify a person or persons to take strategic responsibility for the preparations for FoI. In most, this was a senior management team member. Often, however, others would have key operational roles, surveying records management practices, putting together the publication scheme or designing systems to handle requests received after January 2005. As discussed in Sections 2.2.1 and 2.2.3, some colleges began with a team approach, and were still deciding the roles that each member of that team would play. Sometimes the person delegated to attend training and investigate FoI requirements would not necessarily be the one to oversee the publication scheme or conduct the survey of records management procedures.

Box 5: Is it realistic to have a records manager in a small or sixth form college?

In Sixth Form College G, the Principal and other staff explained the efforts they had put into co-ordinating their response to Data Protection and were confident they would be able to meet the requirements of FoI. They could, however, see no alternative to allocating responsibility for records management to the Principal, since the college could not justify having a records manager:

If it is overarching, who is responsible for all records, it has got to be me. ... But it also affects the CIS team, so it may not be a named person, it may be one or two people, who together are responsible because I have the overarching responsibility and I would give that out to delegated people. (G1)

Here, and in some other colleges, the language and recommendations of the MAP were perceived to be suited to a large University, rather than a small college:

In certain organisations of a different size, you would expect to have the same outcome, but you would manage it differently. There has to be some flexibility, doesn't there, in what works and what is practical and sensible in a small organisation. (G1)

2.3.3 Submitting a publication scheme

The deadline for submitting a publication scheme was the only one with legal force behind it, and it was not surprising that towards the end of the project, it became the principal preoccupation of colleges in their preparation for FoI. Although very few people interviewed in the early stages of the project had read the Model Publication Scheme in detail, almost everyone was confident that their college could submit this in time. The only two people who aired anxieties were concerned an impending inspection, a more compelling priority, and the possible difficulties of collating information in a college spread over several sites. In most colleges, however, comments made indicated that a senior management team could take this sort of requirement in its stride:

We are ... confident we are not a million miles from what we should have done. (H1)

We know there are lots of peripheral requirements on the college as an organisation. (B4)

I can't think of a lot of things that we would not want to show people, and most of it is publicly available anyway. (J1)

Senior staff in three colleges went even further, stating that they would have wanted to do this anyway, even without the legal requirement. One manager, in a college where there were other reasons for reducing and rationalising record-keeping, said that producing a publication scheme was in line with what they had to do anyway:

... I mean, it would be useless putting a document system in that did not allow the indexing of the various data structures in an appropriate way for access afterwards. (A3)

One college Principal saw it as a way of encouraging the reduction of bureaucracy, 'not having unnecessary systems which require maintenance' (G1). Elsewhere, a senior manager clarified that his college was producing its scheme 'not just to meet the law, but to provide an access to useful information' (N4).

The delays to the approval and publication of the final version of the Model Publication Scheme meant, of course, that almost all of the above views were expressed in anticipation of putting a scheme together, rather than as a comment on a completed task.

2.4 Concerns about FoI

All the interview transcripts were analysed to identify concerns expressed about FoI. Some emerged spontaneously in the interviews, others in response to the closing question, which elicited any other concerns. While qualitative analysis of the substance of the areas of concern will be most useful in this context, Table 5 is an attempt to quantify the concerns.

Table 5: Concerns about FoI

<i>Category of concern</i>	<i>Number of colleges where concerns expressed</i>
Costs, both financial costs and staff time	12
Understanding the requirements of FoI	11
Colleagues' records / attitudes towards records management	10
Difficulties of implementing records management	9
Dealing with difficult queries in 2005	7
Meeting tight deadlines for implementation	4

In nearly half of the colleges, at least one manager commented on the financial **costs** or the fact that no additional funding was being provided by the government or LSC to support the review of records management which FoI required. Human resources for the exercise appeared to be an even wider concern: in colleges large and small, managers commented on the difficulty of finding a staff member with the time and the skills to take on the responsibility. Box 6 illustrates some resourcing issues raised.

Box 6: Concerns about resourcing FoI, in a large college with competing priorities

In College B, one of the largest FE colleges in the region, several staff drew attention to the financial and human resourcing cost of FoI. A senior manager had little enthusiasm for the process of compliance:

Well, clearly, it is a legislative issue and it has to be done, and it is just fitting it in and maintaining it, because it is another overhead for which we are not being funded. (B1)

A colleague confirmed that the exercise did not fit in well with the college's current priorities:

We already run what I believe is a very tight ship, we are very lean at the moment and this additional workload – and I appreciate that you could argue it is about working smarter, not harder – but it is still extra work on top of what we are already trying to achieve as a management team and I think that additional burden is probably not that welcome. (B4)

A third manager confirmed how hard it was to find someone with time to take on yet another initiative:

You just have not got somebody who is not doing anything and can say “OK, that is yours, take it away.” You have to squeeze it in alongside other things. (B5).

As noted early in this report, levels of awareness of FoI were lower than anticipated and concerns about **understanding the requirements** were diverse. Some factual queries could be answered easily, by the researcher or by reference to documents available on the internet; more complex questions were listed to be referred to the JISC InfoNet Records Management Consultant or dealt with by expert panels at the workshops. The most common query was about the relationship between FoI and data protection legislation, while questions about commercially sensitive information, the many other exceptions in the Act and the consequences of non-compliance were also raised in several colleges. As Box 7 illustrates, some concerns were less specific, suggesting that interviewees were having difficulties in finding the advice and guidance they needed. Several staff, especially personnel professionals, contrasted the high profile of the legal requirements of the Data Protection Act (1998) in the professional and general press when it was first introduced, with the perceived dearth of publicity about FoI.

Box 7: Understanding the requirements of FoI

Although JISC leaflets and an Association of Colleges circular had been sent to all colleges, many interviewees said they had had relatively little information about FoI so far:

We get lots of information from our employers' body about developments in employment law and whatever, but not a lot has come my way on this. (H2)

Practical queries, about exceptions, penalties, or dealing with requests, could be dealt with in workshops or passed to the JISC InfoNet Consultant so that replies could be posted on the internet. Some interviewees voiced fears that lack of experience - amongst college staff, inspectors and auditors - might lead to unforeseen problems; others thought they understood the Act, but worried about their interpretation of it:

Possibly there are lots of hidden nasties ... it would be helpful to have pointed out in advance the pitfalls, traps that might lie down the road that we are currently blissfully unaware of (A1)

Obviously we have got the overview ... and we have also got the detail in some respect, but the interpretation of the detail is where we are lacking. It is like with every legalistic document that you get, I need someone to tell me what it means ... (A3)

Expectations of **colleagues' attitudes and behaviour** were also causing concern for many administrators and managers interviewed. As noted in Section 2.2, those interviewed had more confidence in their institution's centrally-held student, finance and personnel records than those held in teaching departments. Although several colleges could describe efforts to discourage the keeping of 'duplicate' records in departments, primarily in order to comply with data protection legislation, no-one was confident that they knew exactly what was being kept and for how long. Combined with this uncertainty about what records were kept by teaching staff was an awareness that a drive to improve records management was not likely to catch the imagination of teaching staff, whose priorities were their students. Box 8 illustrates some of these concerns.

Box 8: Concerns about attitudes of teaching staff

Administrators in several colleges anticipated problems in persuading teaching colleagues, seen as 'resistant to bureaucracy and interference', to take records management seriously. A senior manager, interviewed early in the project expressed mild trepidation, tempered with optimism:

I think there has been an attitude shift - they are more positively supportive of the need for management information and maintaining records, we have had all those battles. But I sometimes wonder, if we go back to them again and want to know what they are holding and why, what sort of response are we going to get? (D1)

Elsewhere, a manager of student records feared that records management was not always valued:

Some people just do not make the connection between the student sitting in the classroom and not being on my database and therefore us not getting money for them. There are still some people who don't see the importance of enrolment. (N3)

In a third college, a manager described past efforts to encourage teaching staff to prioritise record keeping, and to keep student records and registers securely, but showed understanding of colleagues' perspectives:

It is the nature of their work - they are interested in helping students and they see this as secondary, they always do. We know that, because we bear the brunt of that - their teaching is the most important thing and all the paperwork and all the rest of it is just something that they are forced to do by people like ourselves. (E2b)

In all these colleges, awareness-raising for all staff was therefore seen as a priority in the year ahead.

Accepting the need to raise awareness of the implications of FoI throughout the college, since FoI requests could be directed to any member of staff, some managers were worried about getting the message across to colleagues, especially part-time staff who were not always available for

training sessions, and about ensuring that those who had been trained, acted on that training. One manager observed thoughtfully that

Knowing what to do is one thing, but getting people involved is another ... There is a difference between making them aware and actually getting them to buy in. I think one problem we have in college is getting people to act on it. That is always the difficulty: staff will say, "All right", but they have other things to do and the worry is for me that it is going to fall to the bottom of the pile if that happens. (O2)

Moreover, some of the three other categories of concerns raised, about **difficulties of implementation, dealing with queries** which might arise in 2005 and **meeting tight deadlines**, reflected managers' awareness that the co-operation and commitment of a wide range of staff would be required to achieve and maintain compliance with FoI legislation. Several were worried about setting up complex systems to deal with queries, before they could possibly know what the nature and level of these queries might be. A senior manager described the dilemma:

I don't want to build a superstructure and spend hours of time getting it right for an eventuality which never arises, but on the other hand we do need to cover ourselves and make sure that we have the control of the situation if that eventuality arises ... So it is - how do we comply without distorting the activities of the organisation? (L1)

The above discussion of concerns is not intended to give the impression that all colleges were finding compliance a very difficult or impossible task. Some interviewees took the opportunity to say they had a tradition of making information available when requested: making openness a legal obligation rather than a management choice was sometimes seen as 'overkill', but would not represent a great change in their practice. Few expressed concerns about further education colleges becoming the target for vexatious or voluminous requests under FoI. For colleges obliged to comply with so many other pieces of legislation, compliance with FoI was simply something that had to be done:

I regard it as a bureaucratic barrier which, along with 150 other things, the college will just have to get over. I think it is true to say we are not bursting with enthusiasm, it is really a matter of just conforming with what is required (C1)

Like everything else, we will always do what we have to do to meet the requirements. (G1)

We will take this on. We will make it work. (D1)

In some colleges, particularly where space was at a premium or where records disposal had not been approached systematically in the past, some positive enthusiasm was expressed for an initiative which would encourage colleagues to dispose of records which were unused and possibly unusable. Good records management was seen as an important aspect of the good management of the college, and would be worth undertaking even without the impetus of the FoI Act. One manager welcomed the prospect of change:

I don't mind the Freedom of Information Act. It will help us to make things available to everybody who needs it. If we can set up systems where things are located sensibly, where people can find it, from my point of view, it makes my life easier. (C3)

More frequently, however, interviewees expressed some weariness at having another complex piece of legislation to implement, when they were still waiting for some of the codes of practice for the Data Protection Act (1998) and were also coping with the implications of the disability discrimination and human rights legislation. Colleges generally had many other priorities to juggle. One senior manager acknowledged the possibility of using management information to

improve the quality of the business, but suggested that college was unlikely to be able to take full and immediate advantage of that potential, commenting:

It's like the story of the King at the Battle of Agincourt, a machine gun salesman comes knocking on the door of the tent, and he says "Go away, I am too busy fighting a war!" (B1)

2.5 Support and guidance sought

As noted earlier in the last section, detailed queries have been passed to the Records Management Consultant so that replies can be posted on the Internet. This section seeks merely to identify the areas in which further support was sought in 2003, and is likely to be needed in 2004 and beyond.

Model action plans, policies and case studies were generally seen as a very useful starting point. A senior manager welcomed them:

instead of everybody doing all of the research and development and trying to invent things, having things like model policies and case studies – if there is someone like JISC who is identifying problem areas and helping you to respond to them. ... (O1)

It is difficult to understand why so many colleges did not discover these tools before the research visit. One possibility suggested was that information sent to colleges from JISC might have been assumed to be about computing, and forwarded to the wrong department. Although they had some reservations about the language of the MAP, interviewees were generally very appreciative of such documents, especially the model publication scheme.

A questionnaire circulated to participants at the June conference also identified such publications as the most useful form of external help. Other help requested by over 50% of participants was in the areas of designing and conducting a survey of records, opportunities to share ideas with colleagues in other colleges, advice and training in records management and more time to work on implementation. This information was fed back to JISC and to college managers in the interim report. At the October workshop, feedback from a groupwork exercise suggested there is also an ongoing demand for:

- clarification of exceptions to the FoI Act, such as commercial confidentiality;
- the development and sharing of generic documents and policies;
- the sharing of good practice;
- feedback on records management systems and availability; and
- staff development and training at all levels.

At both the June and October workshop, participants were asked about areas presenting most difficulty in their preparations for FoI. In June, ensuring adequate resources was seen as most difficult; in October, groups of participants were invited to discuss and use a weighted voting procedure to identify the most difficult issues from a list based on difficulties which individual interviewees has mentioned. The 12 votes were cast as follows:

- engaging all staff by raising their awareness of FoI and records management (4)
- identifying content for the publication scheme (2)
- staffing at strategic and operational level (2)
- understanding what is required in the production of a publication scheme (2)

- understanding the relationship between FoI and other legislation (2).

Reviewing the data collected in the workshops together with the interview data, there are still clear support and guidance needs to be met in the months before FoI becomes law. The majority of colleges visited were still drawing together their records management policy and the contents of their publication scheme, which must be ready by the end of February 2004. The relatively small number of senior and administrative staff involved in this exercise are fairly confident that they know what to do, and, in the words of one manager in early December 2003, 'are just ploughing through it.' Thereafter, attention will turn to setting up systems to ensure that queries received after January 2005 will be handled appropriately, and to involving a far greater proportion of college staff in tightening up records management procedures and awareness-raising about the implications of FoI.

Even if the awareness-raising training is delivered internally by managers in each college, there are still several sets of training needs which might benefit from outside assistance, from JISC or other bodies:

- those who are leading the exercise are likely to still have queries about the minutiae of the Act and its exceptions;
- both at the strategic and the operational level, there will be scope for further training in records management;
- in smaller colleges where the operational level role will have to be shared, because no-one can be released to take on the full role, there are also likely to be difficulties in releasing staff for training, and therefore the provision of learning opportunities in the workplace may be essential;
- colleges will be setting up systems to deal with future queries, and until the Act becomes law, no-one can be sure of the likely volume or content of these queries, and there is no case-law to study. FoI officers will have to learn on their feet in 2005. It therefore seems sensible to provide local networking opportunities for these people in the year ahead, building on the networking opportunities which the workshops for this project provided.

3 CONCLUSIONS

In this chapter, the findings of the project are reviewed briefly in terms of meeting the declared aims, before formulating some questions for further consideration concerning the future support of records management in further education colleges.

3.1 Reviewing the findings

Beyond doubt, managers in the colleges where the MAP was being used found it a helpful tool as they moved towards compliance. Most criticism of it centred around semantics, rather than the substance of the action steps which were suggested. Colleges saw a need to adapt the elements of the MAP to their own circumstances, particularly in smaller colleges. In particular, the appointment of a qualified records manager was widely seen as unrealistic: even if colleges had the resources to employ an additional professional, qualified records managers simply do not exist in sufficient numbers to fill the vacancies which would arise if all further education colleges sought to appoint them. Nevertheless, consideration of the elements described in the MAP - a process which colleges were going through in their internal management meetings, and which was mirrored in the structure of the research interviews - did serve to heighten awareness of the skills required and the need not just to *keep* records, but to *manage* them proactively. What cannot be assessed at this point is how colleges will act on that awareness in the twelve months ahead, or indeed whether colleges which used the MAP will achieve full compliance with FoI more easily than those which have not used it.

In assessing the value of the MAP, however, it is necessary to comment on the low level of awareness of its existence, and indeed of the need to prepare for compliance with FoI. JISC had sent leaflets to colleges, but they had often not reached the appropriate people. Some colleges became fully aware of what they had to do almost by chance, perhaps a reference at a meeting or indeed because they received the project leaflet for this research or were asked to become part of the sample. While we cannot know what was happening in other regions, it seems likely that managers in many colleges remained unaware of the existence of the MAP until quite late in the year. Certainly, after the summer, once the JISC InfoNet Records Management Consultant was appointed and communications from the Information Commissioner about the need to submit a publication scheme began to arrive in colleges, the likelihood of colleges remaining unaware of their impending responsibilities lessened. By then, however, time was very short to follow through all the steps suggested in the MAP. It seems necessary to ask whether more could have been done, in 2002 or thereafter, to draw attention to the existence and value of the MAP.

This project aimed to uncover potential difficulties or obstacles to compliance. At the time of writing, colleges appear to be overcoming the problems of understanding what is required in the production of their publication scheme and identifying its content. They do, however, face ongoing difficulties in resourcing, particularly in staffing their records management function and conducting a full survey of records, and in engaging all staff in the exercise by raising their awareness of FoI and records management. The awareness-raising exercise was generally seen as something which could and should be handled without outside help: managers in further education are well accustomed to introducing staff to new legislation (as Box 3 demonstrates) and to managing change in ways which work with the culture of their college. Where external

assistance will be helpful is in raising knowledge and skills in records management for those who are leading the process, and in providing further tools and models to help staff upgrade their records management.

We cannot claim to have achieved the aim of identifying alternative methods of achieving compliance. Although in a few colleges, some staff felt they could have produced a publication scheme which was better than the Model Publication Scheme, we are not aware of any college which has chosen to submit a bespoke scheme, unless for a subsidiary.

Turning to the list of aims relating to the practical strand of this project (see p.1-2), we believe the project has had considerable success in awareness-raising and we have certainly tried to help college staff identify the strengths and weaknesses of their own current position. Because of the appointment of the Records Management Consultant, less time has been spent providing practical help. Feedback to JISC colleagues during the project, and this final report, will, we trust, support planning for the future in relation to records management and FoI preparation.

In our interim report, we identified some discernible differences between the colleges we visited, in the areas of

- approaches to getting started on preparations for FoI
- levels of knowledge about FoI and records management
- degrees of enthusiasm for the Freedom of Information Act
- level of confidence in the college's ability to meet the MAP deadlines
- degree of synergy with other developments within the college.

We speculated that it might, at some stage, be possible to see a correlation between the early findings in a college and that college's eventual success in compliance with the requirements of FoI or development of records management. As colleges reach the milestone of submitting their publication schemes, however, none of these factors appears to be critical to their success so far. For example, some of the first to produce full publication schemes have been small colleges where just one or two senior administrators or managers have taken responsibility for the exercise, but others which have used a team approach have also met this deadline.

What we cannot so easily measure, however, is the progress being made towards improving records management throughout the colleges. Data discussed in Section 2.2, and in particular in Section 2.2.6, suggest that some colleges have, both for cultural and for historical reasons, further to travel than others. Tools which they can adapt to local circumstances, if, for example, they have a particular problem with retention of records, will clearly help them travel faster. If managers can draw on the expertise of JISC and the Records Management Consultant through the provision of models, they will avoid wasting time on the design of processes, and instead focus on implementation improving their chances of success. Provision of learning packages for records management, such as the one currently being developed by Catherine Hare and colleagues at Northumbria University, as part of Theme 3 of the JISC national programme, will help equip staff to drive forward improvements to their systems. The individuals given responsibility for records management cannot, however, achieve success in this without widespread support, from senior management and from all colleagues in their colleges. Perhaps the critical factor for ultimate success in compliance in 2005 and beyond will prove to be the one which so many interviewees mentioned and the October workshop participants identified as the most difficult issue ahead of them: making colleagues aware of the implications of FoI and gaining their commitment.

3.2 The way forward: questions for consideration

Rather than making formal recommendations, we offer the following questions for consideration by JISC, at national and regional level, and indeed by any other training providers who seek to support the progress of further education colleges towards compliance with FoI.

1. The MAP and other models provided have proved most useful to those who discovered them in time. What more could be done in future to ensure that such tools are brought to the attention of those who could benefit? Although some of the MAP deadlines have now passed, is there value in reissuing a checklist of the action points, or even a 'fast-track' approach for late starters?
2. What additional models and tools can be provided to help the work which lies ahead in 2004: electronic records management training packages, retention schedules, such as those in the lifecycle study (JISC, 2003c), adapted for further education colleges, model documents for setting up a system to handle FoI queries in future?
3. This project has shown how much those who are managing change in colleges in preparation for FoI have appreciated opportunities to network, sharing ideas and experiences with their opposite numbers in local colleges. How can this networking be supported in 2004 and beyond, as these people may face considerable ongoing difficulties in awareness-raising and gaining the commitment of colleagues to improving records management?

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