

**Transparency at the Parish Pump: A Field Experiment to Measure the Effectiveness of  
Freedom of Information Requests in England<sup>^</sup>**

Ben Worthy\*, Peter John+ and Matia Vannoni+

\*Department of Politics, Birkbeck, Gower Street, London

+Department of Political Science, University College London, The Rubin Building,

29/31 Tavistock Square, London, WC1H 9QU,

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## **Abstract**

*How effective are systems of transparency, such as Freedom of Information (FOI) requests? The ambitious aims of FOI laws hinge on whether requests produce the desired information for the citizens or groups that use them. The question is whether such legally mandated requests work better than more informal mechanisms. Despite the high hopes of advocates, organisational routines, lack of awareness or resistance may limit legal access and public bodies may seek to comply minimally rather than behave in concordance with the spirit of the law. This paper reports a field experiment that compared FOI requests and informal non-legal asks to assess which is more effective in accessing information from English parish councils. The basic premise of statutory access is borne out. FOI requests are more effective than simple asks and the size or pre-existing level of openness of a body appears to make little difference to their responsiveness. FOI requests are more effective in encouraging bodies to do more than the law asks (concordance) than encouraging more minimal levels of legal co-operation, when a body simply fulfils its obligations to varying degrees (compliance). This finding indicates high levels of support for FOI once it is within the system.*

## **Introduction**

If we do not yet live in a transparent society we at least are in a time of unparalleled openness (Birchall 2014). Transparency is now a central tenet of democratic societies and, it is hoped, a vehicle for increased citizen oversight of government (Hood 2010; Grimmelikhuijsen and Meijer 2012). Citizens now have numerous means to access better quality information through a mixture of regulations and voluntary disclosures, ranging from sector based targeted transparency mechanisms and open data, all built around wide-ranging access to information laws. In the United Kingdom for example, the centrepiece of the numerous transparency reforms is the Freedom of Information (FOI) Act 2000, which mandates a general right to request information from public bodies, subject to exclusions. Together, these laws and regulations create a growing transparency ecosystem (Kreimer 2008). As well as providing information, it is hoped that such systems can have a transformative effect on the health of democratic systems, triggering a wide array of instrumental benefits that range from greater accountability to increased trust (Fenster 2015).

Much rests on whether FOI systems actually work and are superior as information gathering devices to alternative methods. FOI laws, known elsewhere as Right to Information or Access to Information laws, entrench a public right to request information within a set timeline (20 working days in the UK), subject to a set of restrictions or exemptions, with an independent appeal mechanism for complaints. Laws often enshrine both pro-active publication, for example of meeting minutes or spending, and the requirement that bodies respond to requests from users. In the UK, the legislation now sits alongside laws regulating access to meetings and environmental information, and a broad array of online data published as part of the UK's Open Data initiative (Cabinet Office 2013). The hope of many reformist governments is that an array of such tools will cause a chain reaction, leading to successively greater levels of openness. This claim relies not only on the legal force of the law but also on

the agency giving priority to an information request as a result of internalising this norm into its organisational procedures (Burt and Taylor 2010). The underlying research question is whether an agency is more responsive to legally-mandated requests for information than a simple non-binding ask.

The question might at first seem to be naïve, given the clear legal framework of FOI and the evidence of support for the principles of openness across bureaucracies, whether motivated through fear of non-compliance or support for the ideal of openness. However there are circumstances in which public authorities might be unwilling or unable to reply to even a legally mandated request. In the regulation literature there has been a large amount of consideration of the extent to which public authorities may resist information requests by those outside (Bardach and Kagan 1982). Recent criticisms by politicians have painted FOI regimes as misused, abused or subject to counter-productive effects (Blair 2011; Raag/CES 2014; Independent Commission 2015). Research has also pointed to the fragility of the requesting process, which can be undermined by resource constraints, street-level divergence and, at the far end of the scale, outright adversarialism and resistance (Roberts 2015; Bauhr and Grimes 2014). Once within the system, requests may be subject to entropy, resistance or attention decay as they move through complex or unseen internal processes (Meijer 2014; Snell 2001).

This paper aims to test whether and under what conditions local government is more responsive to an FOI request than to an informal ask for information. Simply measuring quantitatively the numbers of responses might overstate the supply of information (Snell 2001: OSJI 2006). To measure effectiveness, the posing of an FOI request needs to be compared with a non-legal or informal ask, which can only be done in a field trial. With a few notable exceptions (Lewis and Wood 2012), tests of the responsiveness to information requests remain relatively rare.

Our findings show that overall FOI requests are more effective than informal asks and that the size or pre-existing level of openness of the targeted local authority makes little difference to responsiveness. A crucial distinction lies between various degrees of legal compliance and broader concordance. Compliance with the law means putting in place processes designed to meet the basic legal requirements, such as the creation of publication schemes or systems to answer requests. This can be done to different degrees of sophistication and with very different amounts of enthusiasm (Burt and Taylor 2009). This array of minimal approaches can be set against concordance, a wider willingness to work with ‘the spirit of the intentions of the FOI Act’ by moving beyond a legalistic approach to embrace the broader principle of being open (Richter and Wilson 2013, 181). Findings show that FOI requests trigger more concordance than compliance, in relative terms.

The structure of the paper is as follows: the first section reviews the literature on transparency and the effectiveness of FOI; it then sets out the research site, explains the experimental design, reports results and finally discusses the implications of the findings for transparency initiatives.

### **Transparency and Freedom of Information: Transformative or Trapped?**

The debate around the impact of transparency is divided between transparency optimists, who point to the positive benefits, and pessimists, who highlight the political and logistical obstacles to making any system truly work (Grimmelikhuijsen and Meijer, 2014). For the optimists, FOI carries intrinsic, normative benefits and positive instrumental repercussions that make it superior to any informal channel (Heald 2006; Hood 2006). First, on a symbolic level, the mere presence of FOI legislation can compel legal compliance out of either simple obedience to the law or support for the principle of openness. Research across a number of FOI regimes have pointed towards consistent bureaucratic support for the abstract ideal of greater openness

(Meijer et al. 2012; Kimball 2012; Hazell et al. 2010; Sharma 2015). Second, FOI laws are accompanied by a machinery of enforcement, including a statutory duty to ‘advise and assist’ requesters and an independent appeal system which, though it deals with only a small percentage of all cases, has a powerful influence in ruling and policing the law (Hazell et al. 2010). Finally, the fear of damaging secrecy scandals and anxiety over the consequences of non-compliance may negatively motivate bodies towards greater openness, especially ‘where information management techniques are apt to be portrayed as excessive secrecy or cover-ups’ (Snell 2001, 188). This mixture of gradual institutionalisation, support and pressure creates a positive dynamic, increasingly formalising procedures for making more information available and, by setting precedents, encouraging officials to be more inclined to provide it in the future (Prat 2006; Bauhr and Grimes 2014). According to optimists, in this way FOI eventually triggers a growing concordance that moves, over time, beyond simple compliance to legal rules. In such a ‘virtuous cycle of transparency’ sustained popular efforts to monitor public officials could lead to ‘mobilization, accountability...and institutional reform’ that would then serve to improve ‘the quality of government’ (Bauhr and Grimes 2014, 295).

Pessimists present a series of counters to this positive picture. FOI sits across overlapping bureaucratic, legal and political dimensions that can make operation problematic (Terrill 2000; Snell 2001; Fenster 2015). The first pessimistic counter-argument concerns the strength of the process itself and the capacity of institutions. The program logic of FOI between request and answer is long and ‘there are many points at which the necessary sequence of events could break down’ as requests could go unanswered, ignored or be delayed (Roberts 2015, 3). Bauhr and Grimes (2014, 295) point out that the idea of a smooth process of requesting, disclosure and positive outcomes is highly idealised and the links in parts of the chain are tenuous. Problems around administrative capacity can also seriously undermine the operation and any consequent benefits (Roberts 2012; 2015). The knowledge and availability

of staff with the resources to deal with requests is crucial to the success of any FOI law is. In a number of countries a lack of trained personnel or resources have simply starved and gridlocked FOI systems (Roberts 2012; Snell 2001).

Second, uncertainty over the process is compounded by a lack of knowledge about exactly what happens inside organisations: when a body receives a request it enters a black box (Meijer 2014). The exact response of an agency to a request may depend on the context and the issue at stake (Piotrowski 2010; Welch 2012; Wilson 2015). Institutional reaction can vary from enthusiastic embrace through grudging compliance to outright resistance (Pasquier and Villeneuve 2007; Kimball 2012). This reaction in turn may then determine the strength of response to the request, and the extent to which any FOI maintains momentum through the organizational chain or is lost to entropy and attention decay (Roberts 2015).

Table 1 draws on the debate between optimists and pessimists and previous research to set out a series of possible responses to information requests and the type of ‘information behaviour’ associated with each. The distinction hinges upon a difference between various types of *compliance* (doing as the law asks to varying degrees) and *concordance* (behaving in ways that move beyond the law and doing more than it asks).

**Table 1: Responses to Information Requests and Information Behaviours**

<b>Response Type</b>	<b>Definition</b>	<b>Information Behaviour</b>
Non-Compliance	Lack of adherence to the law	No response to an information request

Lesser Compliance	Some attempt to comply with the law	Generic answer or simply reply with no or non-specific information
Partial Compliance	Systematic compliance with the law but sometimes ad hoc or informal	A partial response to the information request
Full Compliance	Creation of procedures and systems, work to legal rules, strict fulfilling of legal obligations, with a technocratic, rational approach aimed at 'front office performance'	Minimal obedience to request detail, answering to maximum time limit, compliance e.g. existence of publication schemes
Concordance	Support and embrace of principles beyond legal requirements, working towards the 'spirit' of the law	Pro-active disclosure of information

(Adapted from Richter and Wilson 2013, Burt and Taylor 2009)

In terms of measuring the outcomes between FOI requests and asks, evidence of *compliance* would find stronger differences in responsiveness at the minimal levels of compliance in terms of non, lesser or partial compliance (Richter and Wilson 2013, Burt and Taylor 2009). Greater *concordance* for the principles of the law would find greater differences for higher levels and actions that embraces the spirit of the law around promoting greater

openness and public access (Richter and Wilson 2013; Bauhr and Grimes 2014). Table 2 below sets out how we incorporate these measures into the analysis.

It is not clear to what extent FOI regimes move from compliance to concordance over time. The relatively short life-span of most FOI regimes mean there are few longitudinal analyses of behaviour change. Roberts' (1998) examination of more than a decade of regional state-level Canadian access laws found difficulties around poor compliance, resistance and adversarialism, reinforced by inadequate resourcing and deficient record-keeping. Snell's exploration of Australian state level laws identified a cycle of optimism giving way to a pessimism, with the operation of laws shaped by a similar lack of 'administrative compliance' and a 'disappointing return on democratic dividends' (2001, 343). Looking at South African local government, Berliner (2015) concluded that the operation was severely limited by poor resources and a lack of external monitoring, though political competition acted as a spur.

Across the literature, the question of whether FOI works, and how it develops over time, remains open. Optimists claim transparency laws trigger a virtuous cycle of transparency as recipients internalize openness and transparency norms. FOI laws then become part of the organizational culture of recipients as bodies move from compliance to concordance (Richter and Wilson 2013). Pessimists question the operability of the complex chain of a request and point to the political and resource obstacles that can undermine the system and stymie any hoped for effects.

### **The Experimental Site: Local Democratic Government in England**

District and county councils, the primary units of local government in England, are estimated to be the recipients of somewhere between 70 and 80 per cent of all FOI requests since the Act was implemented in 2005 (Worthy 2013; Worthy and Hazell 2016). Local government has been praised for its efficiency and support for FOI amid growing volumes of requests and

severe budget cuts (Justice 2012; Richter and Wilson 2013). So far, research suggests FOI processes have begun to change information flows and norms, though the precise internal systems vary from formalised procedures to relatively ad hoc approaches (Richter and Wilson 2013; Burt and Taylor 2009). English local authorities are held to be generally transparent and accountable, with FOI now forming one part of an array of surveillance and regulatory mechanisms keeping them in check (Worthy 2015).<sup>1</sup> In 2014, for example, central government reforms allowed filming and use of social media during council meetings while successive transparency codes have pushed proactive publication of spending and contract data (House of Commons Library 2014).

Local parish and town councils, which operate as the lowest democratic unit of local government, were chosen as the focus for requests for a number of reasons.<sup>2</sup> First, they are numerous and the nearly 10,000 councils across England offered a wide sample, an important consideration given the anticipated low response rates to the FOI request and ask (House of Commons Library 2014a; Pearce and Ellwood 2002). Second, unlike other parts of local government many parishes appear relatively untouched by FOI (Hunt 2010). This meant, on a practical level, there was less risk of any requests being caught amid the increasing volumes found in other public bodies or slowed by the involvement of legal teams or strategies designed to delay or mitigate fallout of the kind seen in more politicised and experienced organisations (Lewis and Wood 2012; Burt and Taylor 2009). Finally, parishes represent an important case study with the potential, on the one hand, for street-level divergence as bodies furthest from

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<sup>1</sup> For the purposes of the study the focus is upon England. Responsibility for the administration of local government in Scotland, Wales and Northern Ireland lies with the respective devolved bodies. In the case of Scotland, there is a separate Freedom of Information Act, the Freedom of Information (Scotland) Act 2002 and the Scottish equivalent of parish councils, called Communities, have no statutory power.

<sup>2</sup> Legally speaking no difference is present between parish and town councils. The latter simply serve a town, though town councils are held to be generally larger than parishes.

the centre and oversight but, on the other, as agencies on the democratic frontline and closest to the public.

Compared with other parts of the UK political system little is known about parish councils (Pearce and Ellwood 2002). They are the lowest unit of local government in the UK, long established systems located at the town or village level that date back to the middle ages. They primarily cover rural areas and deal with local environmental, community and amenity issues, with additional discretionary powers over raising tax via a small precept (Wilson and Game 2011; House of Commons Library 2014a). It is estimated there are some 9,500 councils and 95,000 councillors across England, covering approximately 30% of the population, normally over areas with a density of less than 10,000 people (House of Commons Library 2014; Pearce and Ellwood 2002). Recent governments have encouraged the creation of new parishes and offered increased powers in a bid to drive grassroots democratic renewal (House of Commons Library 2014a; Pearce and Ellwood 2002). This renewal reflects the desire of successive governments to decentralise more activities to the lowest elected democratic unit and re-energise local communities (Ellwood et al 2000; John 2014). Despite this renewed democratic emphasis there has been no increase in resources.

Beyond this any information about the detailed role and operation of parishes is scarce and they have been described as the ‘Cinderella’ of local democracy (Pearce and Ellwood 2002; Briggs 2011). There is no central database on parish councils in England so very little is known about the composition or structure of individual bodies. Generally parishes vary in their size, in their use of powers and even their composition, as some appear to have a greater proportion of elected councillors, while others are reliant on co-option when elections fail to supply sufficient candidates-though what data exists on levels of co-option are incomplete (Briggs 2011). Party politics appears to be rare as, when last measured in 2002, only 10 per cent of councillors declared a party affiliation and only 4 per cent of parish councils were run on party

lines, though again there is no recent data (Pearce and Ellwood 2002). The public is fairly indifferent to participation in parish politics, in either the polls or the annual public meetings each parish must hold by law (Pearce and Ellwood 2002; Briggs 2011).

### *Parishes and FOI*

Parish councils are covered by FOI as well as other openness laws and regulations. Under FOI, all bodies must have a publication scheme, a publically available document which details the standardised information that is to be made proactively available (House of Commons Library 2014). Other informational duties and obligations outside of FOI includes annual public meetings (a statutory requirement), the publication of minutes and agendas (either online or via a public noticeboard) and the right, should the populace wish, to hold a poll on parish issues, though these are rare due to lack of resources (Pearce and Ellwood 2002). In addition, parish councils with a gross income above £25,000 must comply with the Local Government Transparency Code revised in 2015 covering the publication of spending over £500, organisation charts, and senior salaries (DCLG 2015). There exists a ‘draft lighter-touch transparency code’ covering audit, expenditure and councillor responsibilities of those parishes with income under £25,000 (House of Commons Library 2014a). Little is known about the extent to which these codes, that carry at present a quasi-legal force, are understood or being adhered to and there is no centralised data on parish income to measure which parishes fall into what category.

The effect of FOI on other parts of UK government have been studied in considerable detail. Research has been conducted at central government level (Hazell et al. 2010; Worthy and Hazell 2016) at the higher reaches of local government in England (Worthy 2013; Chapman and Hunt 2013; Richter and Wilson 2013) in the separate regime in Scotland (Taylor

and Burt 2009: 2010) as well as on particular institutions such as Parliament (Hazell et al. 2012). There is almost no data on the effect of FOI at the parish level (see Hunt 2010).

Parishes are at the centre of local networks, acting as channels for both receiving and disseminating information (Pearce and Ellwood 2002). The traditional characterisation of parish politics is of councillors being contacted by telephone or in the street, shop or bar rather than via formal mechanisms such as FOI (Hunt 2010). The only research into parish council transparency found that of the sample studied ‘none of the parish or town councils contacted had received any FOI requests’ and that, as seen elsewhere, clerks, who are in administrative charge of the parish and deal with FOI, were generally supportive of the ideals of the law but pressed for time and resources in practice, especially as some jointly run more than one parish council (Hunt 2010, 50). The last attempt to monitor publication of minutes found only a third of parishes complying, though this was far back in 1991 (Pearce and Ellwood 2002).

Consequently, how parishes react to the arrival of FOI is unclear. Outside of their legal obligations, parishes are more naturally reliant on local informal information networks (Hunt 2010). The proximity of parishes to citizens, within the same village or community, may make for stronger pressures for openness than a large-scale organisation, with less room for delay or resistance—as shown below attempts to avoid requests for information could become problematic (BBC 2013). However, parish councils are also far from the reach of regulation or monitoring, and this, combined with meagre resources, few staff and a lack of use, may make compliance low (Hunt 2010). For parishes openness may also be easier but the politics may be more intense—as in 2012 when a parish council resigned en masse over a stream of FOI requests following claims of the local community being excluded from meetings on new housing development (BBC 2012; BBC 2013). In such controversial and unusual cases, how a parish

reacts to FOI may depend very much on its local context, though randomisation in the experiment reduces the effect of local context.

## **Theory and Hypotheses**

By building on the literature reviewed above, we test experimentally whether parish councils are more responsive to an FOI request than an informal ask for information. We also test for a series of relevant factors, namely prior transparency, openness, and size, which could influence the responsiveness to a request and then examine whether FOI is more effective at various levels of compliance or in concordance, as defined in Table 1. In so doing, we offer an insight as to where FOI sits in relation to the competing claims of optimists and pessimists.

*Hypothesis 1: Local authorities will be more responsive to an FOI request than to an informal ask*

As outlined above, FOI laws should carry more force than a simple ask. Various studies have pointed towards widespread support for the principles of FOI and openness among officials (Hazell et al. 2010; Richter and Wilson 2013). This may also be compounded by the fear of the consequences of non-response, whether through personal blame or criticism from oversight bodies. Whether it is the symbolism, principled support or fear of the consequences of not complying, it is likely that FOI carries a greater power to create a response than an informal request.

*Hypothesis 2: Local authorities with an FOI publication scheme or with published budgets and minutes will be more responsive to an information request*<sup>3</sup>

Not all public bodies begin from the same level of openness. In the UK local government had long been a laboratory for openness experiments of various kinds. Overall, local authorities have dealt better and more efficiently with a larger volume of FOI requests than central government (Justice 2012). The presence of a mandated publication scheme or the publication of statutory information can be taken as proxy of awareness. This is, however, only an approximate measure as research has shown how the schemes at all levels of government are subject to minimal compliance and neglect. As a somewhat analogue age device in an age of search engines, they are rarely used by the public and rarely updated by public bodies (see Hazell et al. 2010; Worthy 2013).

Previous research points to the fact that bodies with greater experience of transparency are better placed to move from formal procedure to embedded norms. In the UK, local government's long history of statutory openness has made it better able to deal with FOI (Worthy 2013). Local authorities have been recognized as a site of innovation and experimentation, moving beyond compliance through` greater proactive disclosure and a series of innovations such as online searchable request logs (Richter and Wilson 2013). Political make-up appears to have little effect on an authority's attitude to FOI, though any such political effects are more complex in parishes, given that members can be co-opted and parishes are much less overtly political (Worthy 2013; Pearce and Ellwood 2002).

*Hypothesis 3: Local authorities with larger population sizes will be more responsive than smaller authorities*

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<sup>3</sup> The study design was registered at the Evidence in Government and Politics (EGAP) repository, <http://egap.org/registration/764>. Hypothesis 2 was added afterwards because of the availability of data on prior compliance that was not known about at the time of registration.

As well as the symbolic potential, the practical issues of whether there are sufficient resources, awareness or processes in place are key to whether a regime functions (Lewis and Wood 2012; Roberts 2015). Bodies with greater resources and more staff are likely to have a greater awareness and capacity to deal with any formal requests than those without.

### **Previous Experiments with FOI**

FOI legislation has become a common tool for experimental designs, and has been used to examine both the impact on the institutions subject to it and the recipients of the information (Grimmelikhuisen and Meijer, 2014). Requests have been used to assess the effectiveness of transparency laws by making standardized requests across different regimes (OSJI 2006), different political institutions, such as in the EU Commission (Access Info Europe 2014) and in studies of multiple levels of government in, for example, India (RaaG/CES 2014) and Brazil (Michener and Rodriguez 2015). In the US Lewis and Wood (2012) sent a series of FOI requests to 132 US Federal agencies composed of one innocuous and one potentially sensitive question. They found that the greater the political accountability of an agency, the less its direct democratic accountability. They concluded that greater politicization led to less responsiveness to FOI, especially as, comparatively, agencies proved far more responsive to similar questions from the House Committee on Oversight and Government Reform, the Congressional committee which oversees Federal agencies. Research in New Zealand by Price (2005) using the Official Information Act found that the law worked well as a means of gathering information but there were serious issues around timing and quality of some responses.

Other research has looked at the effects of identity and wording to test compliance. A study in Mexico used parallel requests from a non-descript and an ostensibly well connected family name to test for partiality in bureaucratic response (Lagunes 2006) and another in the US used a series of parallel aggressively and politely worded formulations to test the effectiveness of

different approaches (Cuillier 2010). Michener and Rodrigez (2015) also examined possible bias in responses to requests based on identity in Brazil.

As well as measuring FOI regimes themselves, other studies have used requests to measure and initiate behavior change. A series of ground level randomized controlled trials (RCT) have drawn on India's Right to Information (RTI) Act 2005 (Peisakhin and Pinto 2010; Peisakhin 2012; Bhatnagar and Jain 2013). One experiment used RTI requests to help process voting registration and found that the use of a request 'results in dramatically faster processing times' and is 'almost as effective as bribery' because officials feared non-compliance would hinder their career (Peisakhin 2012, 12). Another examined the link between access to information and corruption deterrence, highlighting the rather nuanced consequences across different groups of beneficiaries (Shankar et al. 2011). Experiments measuring transparency in different policy areas, via controlled exposure to varying levels of information, have found considerable differences in impact depending on the policy area, context or recipient (Grimmelikhuisen and Meijer, 2014; de Fine Licht 2014).

## **Research Design**

The results and lessons from the studies above shaped this design. Across the experiments certain patterns are clear. First, the design relies on certain assumptions and ideas as to how the process works, which may not be reflected in the black box of varied institutional reactions (Michener and Rodrigez 2015; Lewis and Wood 2012; Price 2006). Second, response rates are almost always either low or very low and, within this, the quality of response and timing can be poor (Cuillier 2010; Michener and Rodrigez 2015).

We use a randomized controlled trial to test whether local parish councils are more responsive to an FOI request than an informal ask. Parish councils were sent either an FOI request or an informal ask for the organization chart of the parish council. The choice of an

organisation chart reflected the UK government's emphasis on publishing basic organisational information that could serve as building blocks to create a better understanding of government. An organization chart was defined as a list of councillors with names and responsibilities (at very least specifying who is the Chair and the Vice-Chair within a body). It was chosen as a relatively innocuous and piece of information easily accessible by the public body (Lewis and Wood 2012). It was hoped that the publication would have a democratic benefit for local residents and would require minimal resources to carry out.

The request consisted of two separate parts: parishes were asked to provide the information required in compliance with FOI rules, and then asked to make that information publicly available, a step beyond what FOI rules demand, towards concordance.

### *Sample*

We sent via email an FOI request, labelled as such, to the treatment group and a standard informal request stating explicitly it was not an FOI to the control group. These were sent to 4,300 English parish councils drawn from 19 English counties, the organisational unit in which parishes are grouped (see Table A1 for a detailed breakdown in Appendix A).<sup>4</sup> The sample was large, given the expected low compliance and likelihood of a high number of potential lost requests due to blocking or error. Counties were selected on the basis of geographical spread, with the choice driven by the need to obtain a broadly equal dispersion across all of England at all four points of the compass. The selected counties encompassed Cornwall in the South West of England to Durham in the North West near the Scottish border, though some countries had to be excluded.<sup>5</sup> The population density of each area was also variable, from 74 inhabitants per square kilometre in Cumbria to 324 in Staffordshire. As there was no centrally held single

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<sup>4</sup> Note that on the total of 5,023 parish councils sampled roughly 4,300 have functioning e-mail addresses and hence could be included in the experiment.

<sup>5</sup> Five English counties had to be excluded due to an ongoing experiment.

list of parish contact details, the list of parishes was drawn from the official websites of the relevant county councils and local districts. Several pieces of information for each parish were collected: the contact details of the clerk (normally an email rather than a physical address), the parish's website URL, and whether the FOI publication scheme, financial information, meeting minutes and the organization structure of the council were all publicly available. Parish council size was added as a control variable. Since this information was not available, we associated the value 0 to parish councils and the value 1 to town councils. Although some exceptions exist, the former are far smaller than the latter in terms of population.<sup>6</sup>

Our sample represents roughly half of the population and is drawn from different counties in terms of population and geographical position (a detailed breakdown is provided in Table A1 in Appendix A). Overall, 79 per cent of parishes either have a website or use a separate webpage that is part of a community/county website and 89 per cent publish a contact e-mail address. There was high variation in online presence between counties. In the county with the highest online presence more than 99 per cent of parish councils had a website and more than 89 per cent a contact e-mail address, whereas in the county with the lowest only 47 per cent of parishes had web presence and 48 per cent displayed a contact e-mail address. This variation may be due to lack of resources and the fact that most staff are part time.

Other studies of FOI point to support and awareness of the law as a good predictor of more open behaviour in the future: so past openness should predict current levels (Hazell et al 2010; Richter and Wilson 2013). Measuring this is problematic so a series of proxy measures were used, namely whether a parish already published a publication scheme and other data such as meetings or expenses (Hazell et al. 2010, ICO 2014). 16 per cent of the parishes sampled had

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<sup>6</sup> This information is available only for roughly half of the sample. We employed another proxy for size, namely the amount of council tax precepted on parish councils, available via the Department for Communities and Local Government. For this proxy, similarly, information is only available for half of the sample.

a publication scheme on their website, 25 per cent pro-actively published their expenses, 58 per cent their meeting minutes and 10 per cent the organization chart. No high variation was found across counties in this case. In the best (worst) performing county 21 (12) per cent had a publication scheme, 63 (62) per cent published minutes, 10 (7) per cent already publish an organization chart and 34 (28) per cent detailed expenses on their websites.<sup>7</sup>

## **Measures and Treatments**

Although FOI legislation is purportedly and legally ‘requester blind’, research has shown that bodies can react differently according to the identity, or perceived identity, of requesters (Cuillier 2010; Hazell et al 2010; Michener and Rodrigez 2015). The requests and asks were made from an NGO/campaign body called ‘Making Parishes Better Places’.<sup>8</sup> To avoid deception, it was branded as a collaboration between the named researchers and the NGO. The researchers believed in the objectives of the NGO and addresses and contact numbers were in evidence on the website: but it was also clear it was a research project. There was concern that if it were branded solely as a research project, it would bias responses positively, as awareness may encourage greater compliance, or alter responses in other ways. Given the sample size and power calculations, the likelihood of low response rate and concern that bodies respond differently to different requesters, we did not vary the identity as other studies have-though we would be keen to try this in future (Lagunes 2007; Cuillier 2010)

Parish councils were block randomized within counties. We allocated the same treatment to parishes with shared clerks. Although multiple FOI request or asks did not constitute a problem, in order to avoid the situation where the same clerk receives an FOI and an informal ask, the randomization followed a clear procedure. All the observations were

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<sup>7</sup> Table A2 in Appendix A shows the results of the balance tests.

<sup>8</sup> Details available from the corresponding author.

collapsed to unique county-clerk values to obtain a sub-sample and the treatment was randomly allocated to 50 per cent of the observations within each county. The sub-sample was then merged with the initial one and each parish-county duplicate was associated to the value the respective unique parish-county received in the randomization before. The distribution between treatment and control group was then checked across counties and the overall sample.

Clerks responsible for overseeing FOI or answer questions were asked to (i) send by email the organization chart of the parish council and (ii) to proactively publish this information either via their website or other medium, such as on a parish notice board/newsletter or notation in their meeting minutes (see Appendix B). A positive response to (i) would mean full compliance and to (ii) would be seen as evidence of concordance and transparency beyond what is legally required. Although such pro-active publication is not required by the law, the government's Local Government Transparency Code highlights the need to publish certain data, and a reference was made to this (DCLG 2015). However, it is not known to what extent bodies are aware of the code or the extent to which it may influence behaviour (Worthy 2015). Distinguishing between an FOI and non-FOI request is problematic in the UK as requesters do not need to mention the law for it to be treated as such and discretion exists with the recipient. The 'ask' thus clearly stated that 'this is not an FOI'.

## **Measurement**

The emailing of the FOI requests and asks were managed via Qualtrics and the emails received back from the parish were manually coded. Requests and asks were sent on 2 June 2015 and the coding was conducted on a rolling basis. Only one email was sent with no follow up, though discussions were begun with some of the parishes that responded. This was in part due to lack of data beyond parish email addresses (i.e. physical location), and in part over the desire not to

be seen to be adding to what some claim is a 'burden' that answering FOI requests impose on public authorities (Justice 2012; Independent Commission on FOI 2015).

Measuring and assessing responses to requests is difficult and nuanced, with different studies using varied approaches (see FOIA Project 2015; Darch 2013; OSJI 2006). Although the legal time period to reply to a FOI request is 20 working days, responses were coded up until the 1st August 2015, covering almost two months after the request. The coding was conducted by a single coder and then blind cross checking was carried out on a sub-sample: Cohen's Kappa varies from 0.65 to 0.85, depending on whether the ordinal character of the coding is considered or not.

Coding FOI responses is fraught with difficulty and involves clearly delineating what may be nuanced answers (OSJI 2006). Other research demonstrates the difficulty of precise categorisation of what can be a wide variety of responses (OSJI 2007; Cuillier 2010; Michener 2015). For example, finding clear evidence for resistance or attempted non-compliance is problematic and assuming that a slow response equals resistance ignores the fact that delay is endemic to all FOI regimes and that smaller or less requested bodies generally have fewer resources and less experience with the practice of the law (Hazell and Worthy 2010). Before deciding on the coding frame numerous iterations were tried and tested, some of which proved too unwieldy and others too succinct. While no analysis is perfect, we felt that the code used came closest to serving as usable approach that combined brevity with sufficient flexibility to capture the nuance in response. The responses were coded on a five scale ordinal variable that could capture fairly the nuances of responses between a non-response and an answer of varying obligation and usefulness: Table 2 shows the coding scheme, making reference to the categories used in Table 1 above.

**Table 2: Coding Scheme for Responses**

<p>0: <b>No reply.</b> We coded 0 those parish councils which did not reply to the request by email. [non-compliance]</p>
<p>1: <b>Reply.</b> We coded 1 those parish councils which replied to the request by email, but which did not provide the organization chart or any detailed information. We also coded 1 those who sent a link only to their website (unless the organization chart, as defined above, is on the homepage) or those who only made general reference to the website. [lesser compliance]</p>
<p>2: <b>Link or background.</b> We coded 2 those parish councils which replied to the request by email with links directly to the organization chart or background data (where the information must be clearly visible by clicking the link they provided) or provided a generic link along with exact instructions where to find the information. [partial compliance]</p>
<p>3: <b>Send chart.</b> We coded 3 those parish councils which provided the organization chart itself, whether as an attachment or in the body of the email. [full compliance]</p>
<p>4: <b>Make public.</b> We coded 4 those parish councils which sent us the organization chart <i>and</i> which explicitly stated the intent to publish it in the public domain as a result of our request (in the website, in notice boards, minutes) <i>or</i> where it was already public.[concordance]</p>

This scale was re-operationalized into two dichotomous variables, measuring respectively minimal legal compliance and concordance in order to test the relative effect of an FOI request compared with an ‘ask’. Compliance was measured with a dichotomous variable assuming value 1 for the category Give Location and Send Chart and value 0 for all the remaining categories. For concordance, instead, we associated value 1 to Make Public and value 0 to the remaining categories.

## Results

As with other studies using FOI, the overall response rate was low (Cuillier 2010; Michener and Rodrigez 2015). Before the experiment a 10 per cent response rate was estimated. Overall, 637 parishes replied from a total of 4,312 contacted, a slightly higher than predicted successful response rate of almost 15 per cent, which is comparable with previous studies (Cuillier 2010). The high degree of non-compliance may be down to the fragile nature of parts of the requesting process, from the accuracy of e-mail addresses to the blocking or loss of requests in junk folders. Perhaps the most important reasons for the low response rate lies with the fact that parish clerks, working part-time with few resources, may simply find that answering an FOI may be ‘a long way down the list of pressing activities’ at a time of scant resources (Hunt 2010, 49).

However, taking this basic measure, parishes contacted through an FOI were more than twice as likely to respond than those that were simply ‘asked’, with 438 FOIs answered against 199 asks: 20.62 per cent against 9.21 per cent. Cross-tabulation of the responses shows a statistically significant difference in the reply to a FOI request with respect to an informal ask ( $p < .001$ ). Table 3 contains the percentages for the different kinds of reply. Across each category, the FOI request is more effective than the informal ask. The relationships between each of these categories and all other responses are statistically significant when cross-tabulated with the treatment ( $p < .001$ ).

**Table 3: Effects of Requests on Responsiveness**

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<i>Response</i>	<i>Normal</i>	<i>FOI</i>	<i>Total</i>
	<i>(Treatment=0)</i>	<i>(Treatment=1)</i>	

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<b>No reply (0)</b> <b>[Non-compliance]</b>	90.79	79.65	85.23
<b>Reply (1)</b> <b>[Lesser compliance]</b>	4.63	8.36	6.49
<b>Link or background (2)</b> <b>[Partial compliance]</b>	1.44	2.60	2.02
<b>Send chart (3)</b> <b>[Full compliance]</b>	2.82	7.81	5.31
<b>Make public (4)</b> <b>[Concordance]</b>	0.32	1.58	0.95
<b>Total</b>	100.0	100.0	100.0
<b>N</b>	2,160	2,152	4,312

This relationship is confirmed by the ordinal regression presented in Table 4. Model 1 shows the results of the regression analysis (with standard errors clustered across counties), which controls for the current levels of transparency in the parish. Model 2, Model 3 and Model 4 show the same regression analysis as in Model 1, but respectively add size as control variable and interaction terms between size and treatment and size and FOI. Size is used as a proxy for supply side differences such as resources available and FOI as a proxy of current openness. Unfortunately, the proxy used is available only for half of the sample. As can be seen, a statistically significant and positive relationship is present between the treatment and the dependent variable that is robust across different models. In other words, those parish councils that receive an FOI request are more likely to be more responsive than those that receive an informal ask. This finding shows that FOI requests trigger more responsiveness than non-legal asks: H<sub>1</sub> finds empirical support.

H<sub>2</sub> hypothesised that previous levels of transparency might affect parish councils' current openness. Whether the parish council publishes an FOI publication scheme, expenses and minutes might affect its level of responsiveness. A statistically significant and positive relationship is present between the dependent variable and the level of previous transparency. However, this relationship is not robust across models: only the relationship between whether the parish council publishes expenses and the dependent variable remains statistically significant across models and its significance is also reduced. Surprisingly, whether the parish council already publishes an organization chart does not affect responsiveness. This finding is puzzling since those councils that already have an item of information available are presumably more aware of the law.<sup>9</sup> This may, at least in part, be due to the fact that the law mandates that agencies notify the requester of the existence of already published information (e.g. through a web link) but does not ask that they supply the document itself. Finally, size is not statistically significant across models either. Consequently, neither the degree of pre-existing transparency, as a proxy for awareness, nor the size of a parish council, as a proxy for resources, influences responsiveness when interacted with the treatment. In conclusion, H<sub>2</sub> and H<sub>3</sub> are not confirmed: neither the pre-existing degree of openness of the parish council nor its size has significant effect on its responsiveness.<sup>10</sup>

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<sup>9</sup> We investigated whether having a chart on the website is correlated to any of the categories of the ordered dependent variable. We find that there is a significant relationship between having already the chart published and giving its location, and it is a positive one though, interestingly, there is no relationship is present between having a chart already and sending it. This may be down to the law itself in relation to previously published information, as described above.

<sup>10</sup> These results are confirmed also when we cluster standard errors according to shared clerks (see Table A3 in Appendix A) and when we use a different proxy for size (see Table A5 in Appendix A). Robustness checks using the other proxy for size show that findings are the same, regardless of the different proxy for size used in the analysis. The only different is that, when we use the other proxy for size, the treatment is significant in Model 3 only when interacted with the variable measuring whether the parish council has a publication scheme.

Table 4: The impact of FOI on Parish Council Responsiveness (Ordered Probit)

VARIABLES	Model 1	Model 2	Model 3	Model 4
FOI	0.123** (0.0493)	0.104 (0.0666)	0.103 (0.0692)	0.138 (0.121)
Expenses	0.136** (0.0616)	0.163* (0.0955)	0.170* (0.0993)	0.163* (0.0954)
Minutes	0.135* (0.0709)	0.00513 (0.0445)	0.000511 (0.0466)	0.00520 (0.0445)
Organization Chart	0.0592 (0.0494)	-0.0160 (0.0731)	-0.0125 (0.0732)	-0.0156 (0.0733)
Treatment	0.509*** (0.0471)	0.481*** (0.0516)	0.443*** (0.0715)	0.492*** (0.0547)
Size		0.162** (0.0740)	-0.0447 (0.187)	0.161** (0.0727)
Treatment#Size			0.341 (0.258)	
Treatment#FOI				-0.0554 (0.130)
Cut1	1.501*** (0.0805)	1.374*** (0.0738)	1.350*** (0.0835)	1.381*** (0.0829)
Cut2	1.856*** (0.0831)	1.731*** (0.0708)	1.707*** (0.0751)	1.737*** (0.0781)
Cut3	2.009*** (0.0901)	1.870*** (0.0728)	1.847*** (0.0785)	1.876*** (0.0787)

Cut4	2.851***	2.719***	2.697***	2.726***
	(0.0910)	(0.0740)	(0.0775)	(0.0777)
Log pseudo-likelihood	-2476.4247	-1349.0944	-1347.7167	-1349.034
Observations	4,312	2,257	2,257	2,257

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Robust standard errors in parentheses  
\*\*\* p<0.01, \*\* p<0.05, \* p<0.1

The final test aims to provide insights into the area of compliance versus concordance. Table 5 shows the results of two probit models respectively on the variable measuring legal compliance and the variable measuring concordance.<sup>11</sup> As H<sub>1</sub> suggests, FOI requests are more effective than an informal ask in both cases.

The effect of an FOI request is stronger for concordance than compliance in relative terms.<sup>12</sup> It is possible to see the difference in responsiveness from the observed responses for each category: in terms of full (legal) compliance 9.2 per cent responded to the informal ask and 20.6 per cent responded to the FOI, so an FOI is 2.2 times more likely to elicit a response than the ask. For concordance, only 3.2 per cent responded to the informal ask and 9.4 responded to the FOI, making the FOI three times more effective. By comparing the level of responsiveness in regressions, using the change in predicted probabilities, FOI requests are twice as effective as an ask for lower levels of compliance, but four times as effective as an ask for higher levels. The probability of compliance with an informal ask is 5 per cent, compared to a 10 per cent probability with an FOI request. The probability of concordance with an informal ask is 0.3 per cent whereas with an FOI request it is 1.4. FOI requests are more effective than informal asks, but effectiveness is not influenced by pre-existing openness or the

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<sup>11</sup> The variable measuring concordance can be conceived as measuring rare events. In this vein, we carried out robustness checks with various rare events logistic regression models. Results do not change from the analyses shown in the text. Rather, the effect of FOI requests on responsiveness is found to be stronger in absolute terms: see Table A7 in Appendix A.

<sup>12</sup> This is confirmed also in the robustness checks in Appendix A. The same analysis is run by using the other proxy for size mentioned above, namely the amount of council tax raised from the parish, and by clustering standard errors for clerks: results prove to be robust. See Appendix A Table A4 and A6.

availability of resources. Furthermore, FOI is more effective at the higher levels of concordance than it is at levels of compliance.

Table 5: Parish Council Responsiveness to FOI - Legal Compliance and Concordance

(Probit)

VARIABLES	Legal	Legal	Concordance	Concordance
	Compliance	Compliance		
	<i>Model 1</i>	<i>Model 2</i>	<i>Model 1</i>	<i>Model 2</i>
FOI	0.144*	0.130	0.0376	-0.280
	(0.0750)	(0.0966)	(0.204)	(0.313)
Expenses	0.110*	0.0750	0.0622	0.283
	(0.0629)	(0.123)	(0.174)	(0.234)
Minutes	0.137*	-0.00951	0.168	0.205
	(0.0806)	(0.0804)	(0.130)	(0.157)
Organization Chart	0.108*	0.0382	-0.00512	-0.517
	(0.0642)	(0.104)	(0.189)	(0.361)
Treatment	0.470***	0.370***	0.581***	0.506***
	(0.0713)	(0.0769)	(0.141)	(0.171)
Size		0.367***		-0.249
		(0.0850)		(0.402)
Constant	-1.901***	-1.729***	-2.872***	-2.773***
	(0.112)	(0.0993)	(0.180)	(0.132)
Log pseudo-likelihood	-1084.845	-593.754	??????	??????

Observations	4,312	2,257	4,312	2,257
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Robust standard errors in parentheses

\*\*\* p<0.01, \*\* p<0.05, \* p<0.1

## Conclusions

FOI requests do work when compared to an informal ask. Given the many potential pitfalls and criticisms, from politics to resources, this finding is important. As a system and policy, FOI carries numerous pitfalls and unintended consequences, but it is clearly superior to informal access. Parishes receive relatively few requests and would be likely candidates to seek to avoid the law, given their scant resources and low profile (Gofen 2014). Against the presumption of attention decay and entropy, FOI requests are relatively more effective at higher levels of concordance than at lower levels, a seemingly counter-intuitive finding. When compared to an informal ask, a FOI request becomes more effective than asking as it moves through the process, gathering rather than losing force as the requests move up graduations of compliance. FOI has an impact outside the boundaries but within the ‘spirit’ of the law. FOI requests, it appears, are not perceived by local authorities as mere legal instruments to be ‘minimally complied’ with, but carry some further weight, most likely support for the principle of openness seen in organisations elsewhere (Hunt 2010; Richter and Wilson 2013). The concordance is likely to be mutually reinforcing as a growing commitment to the principles of openness and shifting information flows within public bodies work together, a change identified in other local government studies in the UK (Richter and Wilson 2010; Burt and Taylor 2010). Rather than requests becoming lost amid internal bureaucracy, the bottleneck appears to be at the beginning of the chain. Emphasis should be on getting FOI requests over the first hurdle of a response.

Against the evidence from elsewhere, pre-existing levels of transparency did not determine the type of response, though publication schemes and website mentions represent an imperfect measure and others could be sought (Worthy 2013). Nor did size matter. While evidence from elsewhere points to larger and more resource rich organizations being generally more receptive, it is possible that the relative difference between parishes is simply too small to register (Roberts 2015). But it does show the responsiveness can happen right across the administrative system and is not confined to experienced authorities.

However, the low response rate demonstrates how brittle the program logic of FOI may be in practice (Roberts 2015). While there is impressive evidence of a willingness to move beyond the law once a request is responded to, there may be serious difficulties with the area of minimal or less than minimal compliance (Richter and Wilson 2013). A complex mixture of technical and resource obstacles, not least the reliance of parishes on voluntary part-time administrators, can act as a powerful brake on the openness of a system at the point of a request arriving (Hunt 2010). As transparency legislation spreads across the world, this may offer food for thought in a country where the Act is generally held to be working well, and is often cited as one of the better examples of a successful FOI regime (Justice 2012; Worthy and Hazell 2016).

The findings offer a first insight into the workings of openness laws at the lowest level, furthest from the focus of the media and nearest to the community (Hazell et al. 2010). The findings did not, of course, tell us exactly why requests were responded to and what mixture of duty, diligence or obligation pushed the process. It may be that some bodies do view information interaction as an ‘inherently administrative task’ while others that see it as ‘a catalyst for organisational change’ or part of a ‘fundamental’ shift...within the democratic system’ (Burt and Taylor 2009, 185). Future research could examine how FOI fits as an

information channel within local organisations and how the law fits alongside more informal modes of communication. It also added to our understanding of FOI's use as an experimental tool and its limitations. As with other attempts design was difficult, particularly as basic information was unavailable. Response rates were also low and demonstrated a varied understanding of the question and law, perhaps reflecting the different ad hoc or more formalised approaches to answering requests (Burt and Taylor 2009). In spite of these limitations, we have provided evidence that these transparency devices do work and give relevant information that can help governance and provide important democratic information to the public.

More experiments need to be done to extend the findings to other jurisdictions and levels of government. Future research could experiment with different requester identities and approaches, as tried elsewhere to examine whether, for example, a journalist, a campaigner or an aggrieved local resident obtained different levels of help or also use of varying approaches, from a physical letter to email (Cuillier 2010; Lagunes 2007). There could also be the opportunity to contact further the bodies to examine their experience and information environments and how FOI fits with the possibly local and informal 'information ecosystems' that exist (Kreimer 2008).

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## APPENDIX A

**Table A1: Parish Councils in the Sample**

<b>County</b>	<b>Number of parish councils</b>	<b>Region</b>	<b>Population</b>	<b>Population Density (people per km<sup>2</sup>)</b>
Cornwall	212	South West	536000	151
Devon	403	South West	1135700	114
Somerset	403	South West	910200	154
Dorset	273	South West	413800	163
Gloucestershire	119	South West	598300	225
Wiltshire	252	South West	684000	196
Cumbria	267	North West	499800	74
Warwickshire	208	West	545474	277
Shropshire	148	West	473900	136
Cheshire	217	West	1028600	439
Staffordshire	187	West	849600	324
Isle of Wight	33	South East	138400	364
Surrey	81	South East	1135500	683
Durham	40	North East	902500	332
Northumberland	151	North East	316300	63
Norfolk	381	East	859400	160
Lincolnshire	474	East	104200	150
Derbyshire	250	East	770600	303
Yorkshire	924	East	5284000	343
Total	5023			

**Table A2: Balance Tests**

<i>Control Variables</i>	<b>Control (0)</b>	<b>Treated (1)</b>	<b>Total</b>	<b>N</b>
<i>FOI=0</i>	50.27	49.73	100.0	3,533
<i>FOI=1</i>	49.29	50.71	100.0	779
<i>Expenses=0</i>	49.64	50.36	100.0	3,078
<i>Expenses=1</i>	51.22	48.78	100.0	1,234
<i>Minutes=0</i>	48.70	51.30	100.0	1,497
<i>Minutes =1</i>	50.83	49.17	100.0	2,815
<i>Organization Chart=0</i>	49.97	50.03	100.0	3,810
<i>Organization Chart=1</i>	51.00	49.00	100.0	502
<i>Size=0</i>	49.58	50.42	100.0	2,037
<i>Size=1</i>	52.73	47.27	100.0	220

**Table A3: Ordered Probit FOI on Parish Council Responsiveness – SE Clustered by Clerks**

VARIABLES	Model 1	Model 2	Model 3
FOI	0.123* (0.0678)	0.104 (0.0953)	0.177 (0.136)
Expenses	0.136** (0.0628)	0.163* (0.0876)	0.169* (0.0880)
Minutes	0.135** (0.0613)	0.00513 (0.0795)	3.61e-05 (0.0796)
Organization Chart	0.0592 (0.0725)	-0.0160 (0.0956)	-0.0109 (0.0959)
Treatment	0.509*** (0.0520)	0.481*** (0.0685)	0.464*** (0.0790)
Size		0.162 (0.107)	-0.0682 (0.171)
Treatment#Size			0.377* (0.214)
Treatment#FOI			-0.121 (0.162)
Cut1	1.501*** (0.0560)	1.374*** (0.0700)	1.362*** (0.0733)
Cut2	1.856*** (0.0590)	1.731*** (0.0744)	1.720*** (0.0767)
Cut3	2.009*** (0.0616)	1.870*** (0.0761)	1.859*** (0.0787)
Cut4	2.851*** (0.0842)	2.719*** (0.101)	2.710*** (0.103)
Log pseudo-likelihood	-2476.425	-1349.094	-1347.443
Observations	4,312	2,257	2,257

Robust standard errors in parentheses

\*\*\* p<0.01, \*\* p<0.05, \* p<0.1

**Table A4: Probit FOI on Parish Council Responsiveness - Legal Compliance and Concordance - SE Clustered by Clerks**

VARIABLES	Legal Compliance Model 1	Legal Compliance Model 2	Concordance Model 1	Concordance Model 2
FOI	0.144* (0.0842)	0.130 (0.121)	0.0376 (0.169)	-0.280 (0.277)
Expenses	0.110 (0.0782)	0.0750 (0.110)	0.0622 (0.157)	0.283 (0.212)
Minutes	0.137* (0.0755)	-0.00951 (0.0969)	0.168 (0.174)	0.205 (0.197)
Organization Chart	0.108 (0.0900)	0.0382 (0.121)	-0.00512 (0.178)	-0.517 (0.360)
Treatment	0.470*** (0.0645)	0.370*** (0.0846)	0.581*** (0.143)	0.506*** (0.177)
Size		0.367*** (0.124)		-0.249 (0.380)
Constant	-1.901*** (0.0717)	-1.729*** (0.0858)	-2.872*** (0.170)	-2.773*** (0.174)
Log pseudo-likelihood	-1084.845	-593.754	-220.477	-120.872
Observations	4,312	2,257	4,312	2,257

Robust standard errors in parentheses

\*\*\* p<0.01, \*\* p<0.05, \* p<0.1

**Table A5: Ordered Probit FOI on Parish Council Responsiveness – Different Size Proxy**

VARIABLES	Model 1	Model 2	Model 3
FOI	0.123** (0.0493)	0.0728 (0.0885)	-0.180 (0.181)
Expenses	0.136** (0.0616)	-0.00475 (0.0869)	-0.00600 (0.0875)
Minutes	0.135* (0.0709)	0.133 (0.142)	0.130 (0.143)
Organization Chart	0.0592 (0.0494)	0.182** (0.0733)	0.173** (0.0809)
Treatment	0.509*** (0.0471)	0.596*** (0.0967)	0.521 (0.694)
Size		0.0489 (0.0300)	0.0509 (0.0640)
Treatment#Size			-0.00198 (0.0760)
Treatment#FOI			0.415** (0.190)
Cut1	1.501*** (0.0805)	1.937*** (0.313)	1.896*** (0.615)
Cut2	1.856*** (0.0831)	2.306*** (0.324)	2.266*** (0.627)
Cut3	2.009*** (0.0901)	2.464*** (0.324)	2.424*** (0.612)
Cut4	2.851*** (0.0910)	3.284*** (0.400)	3.249*** (0.656)
Log pseudo-likelihood	-2476.425	-815.528	-813.411
Observations	4,312	1,390	1,390

Robust standard errors in parentheses

\*\*\* p<0.01, \*\* p<0.05, \* p<0.1

**Table A6: Probit FOI on Parish Council Responsiveness - Legal Compliance and Concordance - Different Size Proxy**

VARIABLES	Legal Compliance	Legal Compliance	Concordance	Concordance
	Model 1	Model 2	Model 1	Model 2
FOI	0.144* (0.0750)	0.0265 (0.115)	0.0376 (0.204)	0.498*** (0.164)
Expenses	0.110* (0.0629)	0.00876 (0.100)	0.0622 (0.174)	-0.321** (0.141)
Minutes	0.137* (0.0806)	0.232 (0.185)	0.168 (0.130)	-0.0108 (0.208)
Organization Chart	0.108* (0.0642)	0.107 (0.124)	-0.00512 (0.189)	0.481*** (0.100)
Treatment	0.470*** (0.0713)	0.550*** (0.101)	0.581*** (0.141)	0.711*** (0.260)
Size		0.0510 (0.0347)		-0.0591 (0.0992)
Constant	-1.901*** (0.112)	-2.431*** (0.289)	-2.872*** (0.180)	-2.358** (1.143)
Log pseudo-likelihood	-1084.845	-348.593	-220.477	-74.834
Observations	4,312	1,390	4,312	1,390

Robust standard errors in parentheses

\*\*\* p<0.01, \*\* p<0.05, \* p<0.1

**Table A7: Probit FOI on Parish Council Responsiveness - Legal Compliance and Concordance – Firth logit**

VARIABLES	Legal Compliance Model 1	Legal Compliance Model 2	Concordance Model 1	Concordance Model 2
FOI	0.279* (0.163)	-0.627 (0.641)	0.135 (0.435)	-0.627 (0.641)
Expenses	0.214 (0.155)	0.712 (0.505)	0.151 (0.403)	0.712 (0.505)
Minutes	0.300* (0.153)	0.471 (0.524)	0.420 (0.401)	0.471 (0.524)
Organization Chart	0.215 (0.172)	-0.940 (0.883)	0.0926 (0.463)	-0.940 (0.883)
Treatment	0.969*** (0.128)	1.247** (0.488)	1.550*** (0.404)	1.247** (0.488)
Size		-0.277 (0.874)		-0.277 (0.874)
Constant	-3.482*** (0.148)	-5.595*** (0.546)	-6.007*** (0.457)	-5.595*** (0.546)
Log pseudo-likelihood	-1072.231	-116.660	-214.064	-116.660
Observations	4,312	2,257	4,312	2,257

Standard errors in parentheses  
 \*\*\* p<0.01, \*\* p<0.05, \* p<0.1

## **Appendix B**

### *Treatment Letter*

From: Making Parishes Better Places

RE: FOI Request

Dear Sir or Madam,

We represent a group called Making Parishes Better Places contacting you as part of a research project examining the impact of FOI on openness in local government. As part of our commitment to opening up parishes we ask under the Freedom of Information Act 2000 for a copy of an organisation chart detailing the structure of the council and the committee membership for \*. Please email it to: #.

In line with the government's 2015 Local Government Transparency Code, we also ask that you publish the information on the homepage of your own website or, if you do not have a website, display it in a public place or note it in your meeting minutes.

If you have time, please let us know what you intend to do: \*

Please contact us if you require further clarification at #.

Yours Faithfully,

Making Parishes Better Places

*Control Letter*

From: Making Parishes Better Places

RE: Request

Dear Sir or Madam,

We represent a group called Making Parishes Better Places contacting you as part of a research project examining the openness in local government. As part of our commitment to opening up parishes we ask you for a copy of an organisation chart detailing the structure of the council and the committee membership for \*. Please email it to: #.

Please note that this is not an FOI request.

In line with the government's 2015 Local Government Transparency Code, we also ask that you publish the information on the homepage of your own website or, if you do not have a website, display it in a public place or note it in your meeting minutes.

If you have time, please let us know what you intend to do: \*

Please contact us if you require further clarification at #.

Yours Faithfully,

Making Parishes Better Places