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Olympic Delivery Authority

Freedom of Information Policy Equality Impact Assessment



MAYOR OF LONDON



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1. Introduction

The purpose of this Equality Impact Assessment (EqIA) is analyse the baseline evidence which exists in relation to the impact of the ODA Freedom of Information Act (the Act or FOIA) and Environmental Information Regulations (EIR) process on the equality and inclusion target groups.

The EqIA will provide detailed information about the FOIA and EIR process and the likely impact upon equality and inclusion (E&I) target groups, which refer to groups of people that traditionally experience discrimination or disadvantage, these groups, are:

- **age:** children, young people and older people (50+);
- **disabled people:** as defined by the Disability Discrimination Act 1995, 2005, including sensory or mobility impairment; people with mental health needs, people with long term illnesses/conditions;
- **gender:** women, men and transgender people (who are often seen as a separate group). The focus is generally on women and transgender because of traditional discrimination; however, it is just as important to consider needs and issues which are faced by men;
- **race/ethnicity:** black, Asian and minority ethnic people (BAME), and includes Travellers and Gypsies, asylum seekers, and refugees
- **sexual orientation/identity:** lesbians, gay men and bisexuals
- **religion and belief:** people of different religions and faiths including people who are atheists or agnostic

Other people who traditionally experience exclusion or barriers to participation and can be excluded are:

- homeless people
- unemployed people
- people employed on a part-time, temporary or casual basis
- lone parents
- people with caring responsibilities
- people with drug and alcohol problems
- ex – offenders
- people with unrelated convictions

The EqIA assessment will:

- identify the issues which may cause disproportionate impacts to people in the equality and inclusion target groups;
- provide evidence of how these impacts have been addressed; and
- impacts which have not been addressed as part of the EqIA will be developed into an action plan and framework to address issues going forward

The EqIA contributes towards the Olympic Delivery Authority's (ODA) fulfilment of its statutory duties to promote race, gender and disability equality, by ensuring that identified positive impacts are promoted and celebrated; that any potential adverse impacts are identified and highlighted as an issues which require action.

For more information about the ODAs EqIA Programme and projects please refer the Corporate EqIA on the London 2012 website.

2. Programme of work details

This is an assessment to see how the ODA's statutory Freedom of Information process, complies with the ODA's statutory obligations on equality and inclusion. Please note that while this document refers specifically to the FOIA process, we have interpreted the FOIA process to include requests for information made under or reviewed in terms of the EIR. As such, when referring to the FOIA, the document will also be referring to the EIR and its process. There is an important distinction between the FOIA and EIR, but for the purposes of this EqIA ODA believes that it would be appropriate to consider the different statutory regimes simultaneously.

3. Associated programmes of work

As a non-departmental Government Body the ODA is subject to the Freedom of Information Act of 2000 and is listed in Schedule 1 of the Act. As such the ODA's Freedom of Information process is linked to all aspects of ODA work, across all directorates and in all departments. The FOIA process is governed by statute and policed by the Information Commissioner's Office (ICO) as well as the Information Tribunal.

All requests for information under the FOIA (whether received by post or e-mail) are directed to a central point of contact for logging, allocation and eventual response. Most requests for information come straight to the ODA's Information Officer via e-mail¹, however some information requests are received via the postal service and are often addressed to the Freedom of information Officer or the ODA legal department. All FOIA requests are managed on a day-to-day basis by a single person. Requests received are logged and allocated a unique identifier and then, depending on the nature of the request, allocated to a Director or Head of Function for the collection and collation of the relevant information. As such, depending on the nature of the request, any aspect of the ODA's work may have to deal with a request for information. Once the information has been collected, collated and reviewed, a response is drafted and sent to the requestor from the Information Officer, normally by e-mail, but if necessary via the postal service. Where required, responses to FOIA requests may be communicated in accordance with the ODA's Accessible Communications Policy².

When an FOIA request has been allocated to a particular Directorate or Department for collection and collation of the information, regular reminders are sent to the relevant people informing them of timescales for the collection and collation of information. This is done to ensure compliance, as far as reasonably possible, with responding to requests and providing information within the 20 working day time limit as set out in the FOIA.

In some instances, due to the nature of the ODA Programme of work and the nature of a given request, it may be necessary for the ODA to contact other stakeholders about a given FOIA request. This may be because the information is jointly held or because the information being requested may have an effect on another stakeholder as it relates to the ODA's Programme. This stakeholder management is handled by the ODA's Information Officer or, where necessary, a member of the ODA legal team. The relevant stakeholders include, but are not limited to, the Greater London Authority, the London Development

¹ information.officer@london2012.com

² Appendix 1: ODA Accessible Communications Policy

Agency, the Department for Culture Media and Sport, Transport for London, the London Organising Committee for the Olympic Games and Paralympic Games.

As the FOIA process involves the dissemination of information it is important that the Information Officer works with the ODA's Communications team. This is done to ensure that the Communications team are kept well informed of the information being provided under the FOIA in the event that there are any follow up questions resulting from the release of information under the FOIA. As such the ODA Communications team is made aware of all FOIA requests which are received, as well as the responses to these requests. This ensures a streamlined approach to FOIA responses; follow up questions resulting from those responses; and enables the ODA to act in a transparent and open manner given the high profile nature of the project.

4. Programme outcomes

Desired outcomes

- 100% of all FOIA requests logged and allocated or transferred to the relevant authority for a response;
- 100% of all FOIA request responded to;
- 90% of all FOIA request responded to within the statutory time period or an agreed extension; and
- effective use of the ODA's Accessible Communications policy together with the FOIA process ensuring timely responses to all FOIA requests and ensuring inclusion of all target groups.

Success measures

- meeting the above targets would mean that we have been successful in our programme of work.

Achievement measured

- Annual assessments of FOIA request are conducted and biannual status updates are provided to the ODA's Audit committee regarding the performance of the ODA's FOIA process.
- Updates and assessments are based on the numbers of FOIA requests received in a given year, or 6 month period and measure the performance of the ODA's FOIA process in relation to the current FOIA requests against the above desired outcomes.
- Should the ODA be meeting these targets we will know that we are achieving our goals and have been successful in this programme.

5. Measuring impact

The ODA is obliged under the FOIA to treat written requests for information in a specific way and respond to these requests within a set time frame. We are also obliged to advise and assist requestors in terms of the FOIA.

In terms of the FOIA all requests for information must be made in writing. Where the cost of gathering the information and responding to the FOIA exceeds the time cost limit as regulated under the FOIA the ODA may require a fee for processing and providing the information. The current limit is £450.

In terms of the FOIA we are also required to give preference, as far as reasonably possible to the form or format in which a requestor asks for information to be delivered. In

assessing whether it is reasonably possible to communicate information in the manner requested, we are obliged to have regard to all the relevant circumstances, including the cost of doing so.

Should the ODA be able to comply with the above FOIA statutory obligations and provide information to a requestor, we will ensure that any member of the public who made a similar request is provided with the same information, this includes the ODA's E&I target groups. To the extent that members of the target groups are able to access information from the ODA under the FOIA in as easy and efficient a manner as those members of the public not within the target groups, then this will also be a good measure of the success of this programme of work. To date, all responses and correspondence relating to FOIA requests have been exchanged in English.

The ODA's Information Officer has received several hundred for information under the FOIA (and EIR). The Information Officer has, in the past received some e-mails which were not in English. In order to determine whether these e-mails are requests for information under the FOIA, general enquiries or unsolicited "junk mail", we conduct translations of these-mails to determine the nature of the e-mail and then deal with the e-mails accordingly. All requests will initially be answered in English to ensure compliance with our obligations under the FOIA, specifically the 20 working day timeframe for responses to FOIA requests.

FOIA processes currently do not fall within the scope of the ODA's Accessible Communications Policy as they constitute neither printed corporate publications aimed at UK media and political stakeholders, nor are they printed community publications. Rather, FOIA responses are responses to requests in accordance with the Act. The FOIA imposes a statutory obligation on the ODA to be "requestor blind" when handling a request for information. In essence the FOIA obliges public authorities to take no notice of the identity or characteristics of the person who is making the request, but only to answer the question asked. While the need to 'requestor blind' is understood, the ODA also recognise that people from the E&I target groups may require some assistance in making and being given access to information held by the ODA.

The ODA will, where appropriate, apply the ODA's Accessible Communications policy in relation to FOIA responses, to ensure that members of the identified target groups are provided access to information. The process for a response to an FOIA request to be translated into one of the listed languages, or into another format, will require the Information Officer to consider the circumstances of the particular request, including, but not limited to cost and time considerations, and discuss the matter with the ODA Communications Department in order to consider the possibility and reasonableness of the request.

Full and accurate responses to requests for information under the FOIA are not just beneficial to the target groups, but to the public at large and a robust internal FOIA process (including, but not limited to regular reminders regarding the processing of FOIA requests and thorough reviews of all information relevant to a given request) will ensure that FOIA requests are answered in a full and accurate manner.

Although the ODA is a public authority covered by the FOIA, it is noted that the only references to the ODA's FOIA process and means of making an FOIA request are contained on the London 2012 website and therefore in electronic or soft form and not in print. Further work needs to be done to establish if it would be appropriate, for accessibility reasons, for the ODA to provide this information to the public in a printed or hardcopy

format, which specifically focus on how to submit an FOIA request to the ODA see item 7 below.

6. Benefits of programme of work

The ODA is statutorily obliged to comply with the FOIA. Ensuring compliance with our obligations under the FOIA will provide the public with confidence that the ODA is acting in an open and transparent manner, especially given the high profile nature of the ODA Programme of work and the amount of public funding which is going into the programme and is therefore important from a reputational point of view.

A robust FOIA programme and procedures will ensure that the ODA complies with its obligations under the FOIA in:

- an efficient and effective manner;
- responses being handled in the most appropriate manner; and
- requests being assessed and responded to in an accurate and timely fashion.

A robust internal FOIA process together with guidance from the Information Commissioner's Office provides the ODA with a good process and guidelines for the most appropriate treatment of FOIA requests. Combining this robust FOIA process with the ODA Accessible Communications Policy, when it is reasonably practical to do so will assist all people, including people within the E&I target groups, to make requests to and receive information from the ODA.

7. Action plan

The ODA Information Officer along with the Communications Team will review the appropriateness where necessary for the ODA to provide FOIA information to the public in accordance with the Accessible Communications Policy as well as how best to advertise, in printed or hardcopy format, the means by which the public can submit FOIA request to the ODA. This will involve researching the best and most efficient means of making this information available in hard copy.

Date action to be completed / reviewed: Q2 2009

8. Appendix 1: ODA Accessible Communications Policy

Guidance for the provision of translations and alternative formats of London 2012 documents

It is vital that our communications are accessible to different groups within the UK and in particular local communities in London with different ethnic backgrounds for whom English is not a first language.

Domestic

Printed corporate publications aimed at UK media and political stakeholders (such as annual reports, corporate plans, business plans, design, health & safety policies, media leaflets) will carry the following statement in English only:

This publication is available on request in other languages and formats. To obtain a copy please quote reference number

For ODA publications:

ODA 2008/xxx:

Email: ODApublications@london2012.com

Phone: 0808 100 2012

For LOCOG publications:

LOCOG 2008/xxx

Email: enquiries@london2012.com

Phone: 020 3 2012 000

Upon receipt of a request from a UK resident we will translate into the languages as listed below.

Printed community publications and publications for the local London community on plans and progress of Games preparations for LOCOG and ODA (e.g. community newsletters your Park, your Games, SME/BAME supplier guide, equality & inclusion audiences/interest groups, notification of works, public consultation materials (reserved matters planning materials, policy consultations) will offer translation into the following languages:

Albanian; Arabic; Bengali; Chinese (Mandarin or Cantonese); French; Gujarati; Hindi; Polish; Punjabi; Somali; Spanish; Turkish; Urdu; and Vietnamese.

International

Any materials for an IOC or international sports audience will be available in English and French (with occasional translation and Spanish or Chinese if appropriate).

Alternative formats

London 2012 will offer the following alternative formats on request:

Braille, large print, easy read, word and audio files.

Selected documents will be published in their original format and in easy read.