

NCVO Submission to the DCA Select Committee

1. NCVO is the largest general membership body for charities and voluntary organisations in England. NCVO has sister councils in Wales, Scotland and Northern Ireland. Established in 1919, NCVO gives voice to almost 5000 organisations. NCVO champions voluntary action, our vision is of a society in which people are inspired to make a positive difference to their communities. A vibrant voluntary and community sector deserves a strong voice and the best support. NCVO works to provide that support and voice.
2. The Freedom of Information Act is a potentially powerful tool for citizens, communities and the organisations that work on their behalf. By giving people the right to know what government is doing in their name, the Act can promote more informed debate about public policy issues. For voluntary and community organisations, it can support their campaigning and advocacy work, drawing attention to the debates surrounding their cause.
3. In 2005 NCVO and Ashridge Business School undertook a survey to assess the extent to which voluntary and community organizations (VCOs) were aware of and/or had used the Act at that time. More than half of respondents said that they could see the value of using the Act to support their work, although only nine per cent of respondents had actually done so at that time. However, an overwhelming number of respondents (85%) said they needed more help and support to be able to understand how the Act works and how they could make use of it. This is in line with findings from the Constitutional Affairs Select Committee, which similarly concluded that there 'appears to be a lack of clarity and some under-use of the existing provisions'¹.
4. Although anecdotal evidence suggests that the number of VCOs familiar with and using the Act has increased since then, nevertheless a lack of awareness or understanding of the legislation is of greater concern than so-called 'frivolous' requests for information. In our view the Act should be made more accessible, not less.
5. As the Constitutional Affairs Committee has argued, the legislation has benefited a wide range of individuals and organizations, who have been able to use information released under the Act in a positive and constructive way. We agree with this and with the Committee's conclusion that there is no need to change the fees regulations. The proposed changes would severely curtail the ability of individuals, organisations and the media to hold government and other public authorities to account.
5. We are also concerned that the consultation being run is in breach of the Compact, the agreement between government and the voluntary sector. The consultation is not meaningful it asks for comment on the impact of the regulations being in place rather than if they should be in place or not. The Compact consultation code of good practice 5.3 states:

¹ Constitutional Affairs Select Committee, 2005, *The Freedom Of Information Act One Year On*

'Consultation has to be a meaningful process if it is to command credibility. Government should make clear in the consultation process those matters which are open to change and those on which it has made a firm decision.'

6. We do not think that this consultation has been set up in a meaningful way. The Government has not made clear whether the proposals themselves are open to change, or even to being abandoned outright, should there be a strong negative response to the new regulations. It is therefore not Compact compliant. For this reason we would like to see the current consultation reissued so that both the process and content are meaningful and credible.
