

ACCESS TO INFORMATION TRAINING APPROACHES FOR GOVERNMENT OFFICIALS

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Abstract

The following brief note describes different approaches that governments in the process of implementing access to information (ATI) legislation to ensure that public officials are prepared for such implementation. It is the result of initial research on four case studies: Chile, India, Mexico and United Kingdom. These cases highlight some trends in training approaches and draw some preliminary conclusions about them.

1. Introduction

As with any other legislation, access to information (ATI) laws, in order to be implemented and complied with, must first be widely known. Knowledge about this legislation and its implications is critical for its effective implementation, particularly among public officials concerned. In addition, international standards have highlighted the importance of government support in preparing public officials for the implementation of ATI legislation³. ATI training of government officials should be a key element of ATI implementation plans. While building the capacity to implement ATI legislation, training can also promote openness toward overcoming a culture of secrecy.

Countries have used different approaches to address the question of training. Evidence suggests that lack of training is one of the major obstacles to implementing ATI legislation (Alianza Regional, 2009). Training, for the purposes of this note, is understood as those activities undertaken by governments or third parties on behalf of governments “to teach so as to make fit, qualified or proficient” their officials in issues regarding ATI legislation implementation. This includes increasing public officials’ awareness of their responsibilities, as well as developing their capacities and skills to implement ATI. Training is a process that involves assigning training responsibility to a given agency, developing relevant contents, and delivering and

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The WBI Access to Information Program seeks to connect key ATI stakeholders to jointly identify, prioritize, and implement actions for effective ATI adoption and implementation. The program aims to improve in-country capacity for the formulation, implementation, use, and enforcement of ATI legislation through regional knowledge exchange and networking, and by fostering the capacity of multistakeholder coalitions to undertake effective ATI reforms.

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³ CJ/RES 147, principle 10; Carter Center, Atlanta’s Declaration, paragraph 6b, paragraph 15; Article 19, The Public Right to Know, principle 3. Also, the Inter American Court on Human Rights stated in *Claude Reyes vs Chile* that “The State should train the public bodies, authorities and government officials in charge of receiving the information requests on the legislation that regulates the right to know”. The Brisbane Declaration del World Press Freedom Day (2010) of UNESCO also calls member parties to provide training to civil servants. More recently, the OAS’ General Assembly approved a Model Law on Access to Information that recognizes the importance of training.

evaluating the training programs.

Literature on ATI training for public officials is rather limited thus the note aims to provide an overview of some governments' methods for implementing ATI legislation. At the same time, it examines more in depth certain aspects to raise issues for further consideration. The selected cases are those of the United Kingdom, Chile, India and Mexico.

There are important differences between ATI legislations including training aspects. For example, in some countries, legislation explicitly provides for ATI training for government officials, while in other countries it does not. In Latin America (Alianza Regional, 2009), Chile,⁴ Ecuador,⁵ Guatemala,⁶ Honduras,⁷ México,⁸ Nicaragua,⁹ Dominican Republic,¹⁰ and Uruguay¹¹ include explicit provisions for training of government officials in their ATI laws. Another distinction regarding ATI training is whether or not the legislation assigns the responsibility of training to specific bodies. In some countries, the laws assign the responsibility of training to a nodal authority or agency within the Executive branch or an oversight body (Central Policy Unit in Ireland, IFAI in Mexico, Council for Transparency in Chile, Access to Information Unit in Jamaica), while in others the responsibility lies directly on mandated public agencies (Banisar, 2006). The explicit mention of training in the legislation does not guarantee the development of training programs. In many cases, even when the law includes specific provisions on training for government officials and designates specific agencies to carry out such duties, these obligations are not implemented systematically (Alianza Regional, 2009).

As international experience suggests, though training is crucial for ATI implementation, it has been sometimes neglected. In several countries around the world, assessments conducted by government or civil society organizations stressed civil servants' limited awareness of and preparedness for ATI legislation implementation (Banisar, 2006). Most recently in India, both the People's RTI Assessment and the government RTI assessment commissioned to PricewaterhouseCoopers identify training as a key area for improvement (RTI Assessment and Analysis Group, 2009; PricewaterhouseCoopers, 2009).

This note is based on information gathered through desk research and interviews with key stakeholders; it provides an overview of selected country case studies to illustrate the different approaches governments have used to provide ATI training (section 2). The note will then highlight emerging trends and commonalities regarding institutional arrangements and key features of training programs (section 3). Finally, drawing lessons from the case studies, the note will reflect on a series of recommendations to enhance training for strengthening ATI implementation.

2. Training experiences

The description of the selected cases is divided in two sections: (a) the institutional setting, i.e. the set of norms regulating the training and institutions in which it takes place; and (b) the main features of the different ATI training programs.

With regards to institutional arrangements, the note focuses on the training provisions established by ATI laws; the institutional design for ATI implementation; the extent to which ATI training is incorporated into the civil service; and the incentives in place for government officials to attend training. Regarding the training programs, the note describes their main characteristics in terms of target audience, goals,

⁴ Act 20285, article 33g.

⁵ Law on Transparency and Access to Information Nº 24, article 8 and Transitory Disposition Nº 6.

⁶ Law on Access to Information, article 51.

⁷ Law on Transparency and Access to Public Information, article 6.

⁸ Law on Transparency and Access to Government Information, article 37.

⁹ Law on Access to Information, article 14, 43, 44, 45.

¹⁰ Law on Access to Information, article 42, 43, 44.

¹¹ Law on Access to Information, article 20.

regularity, delivery modes, and evaluation mechanisms.

The four cases vary in terms of the concentration/dispersion of responsibilities for training. On the one hand, legislation in some countries does not clearly identify a government agency to undertake training, thus following a disperse approach. On the other hand, there are countries where the law designates clearly which agency is to be responsible for training and such agency is involved in the whole training process. Rather than two opposite sides, this needs to be seen as a spectrum where training approaches can be somewhat dispersed or somewhat concentrated. The cases are presented starting with a somewhat disperse model, the UK, and then moving along the spectrum, describing the Chilean and Indian cases, and toward higher degrees of concentration to finish with the Mexican case.

2.1 United Kingdom

The UK passed its Freedom of Information Act in 2000¹², which came into force in 2005. Three bodies are in charge of the implementation and enforcement of the legislation: the Information Commissioner Office (ICO)¹³, in charge of overseeing and enforcing the law; the Information Tribunal (IT)¹⁴, in charge of solving appeals of ICO's decisions; and the Ministry of Justice—formerly the Department of Constitutional Affairs (DCA) and, prior to that, the Lord Chancellor's Department¹⁵—which is the agency in charge of coordinating implementation and monitoring the legislation for the central government (Banisar, 2006).

Training activities were carried out over three different periods of time. During the first, pre-FOI adoption period, the Civil Service College (now the National School of Government) ran regular courses on the Open Government Code with the collaboration of Campaign for Freedom of Information. During the second period, between the adoption of the FOIA and its coming into force, the then Lord Chancellor's Department, later renamed DCA, was in charge of preparing the public authorities for the entry into force of the legislation in 2005. The third period, ongoing since the full implementation of the law in 2007, has seen the current Ministry of Justice develop training activities.

The second period can be further divided into two stages. The Lord Chancellor's Department undertook training during the first stage and the DCA led work during the second. The Lord Chancellor's Department was the first body to deal with training-related activities concerning the wide-ranging legislation and covering approximately 70,000 public authorities. Activities included a series of road-shows aimed to raise awareness of the Act with participation of members of the Advisory Group on Implementation of the Freedom of Information Act¹⁶. Given Whitehall's recognition of the importance of involving various ranks within the administration, a Senior Group on Freedom of Information and Data Protection was created and its members were trained by officials from both the Lord Chancellor's Department and the Information Commissioner. Other activities included employee training plans prepared by agencies.

The second stage began with the creation of the Department of Constitutional Affairs in 2003. The DCA's approach included the elaboration of the Model Action Plan and training guides, as well as training public officials. The Model Action Plan for the Implementation of the Freedom of Information Act 2000 (DCA, 2003a) set out steps public authorities should follow to be ready for the full implementation of the Act. The Plan had five objectives the second of which compelled the public authorities "to ensure that staff are trained to an appropriate level to respond to requests for information, and that all staff are aware of their

¹² <http://www.opsi.gov.uk/acts/acts2000/20000036.htm>

¹³ <http://www.ico.gov.uk/>

¹⁴ <http://www.informationtribunal.gov.uk/>

¹⁵ The Lord Chancellor's Department was renamed in 2003, becoming the Department of Constitutional Affairs, which in turn, in 2007 was renamed as the Ministry of Justice <http://www.justice.gov.uk/>

¹⁶ Initially, the Advisory Group consisted of the following members: The Local Government Association, The National Association of Local Councils, The Association of Chief Police Officers, The British Medical Association, The Health Service Confederation; Universities UK, The National Association of Governors and Managers and the special contribution of individual experts such as Maurice Frankel, Christine Gifford, Robert Hazell and Dilys Jones.

responsibilities and obligations before and after implementation of the Act” (DCA, 2003a; 3). In order to fulfil this goal, the DCA recommended that public authorities: “Develop an internal communications strategy to ensure that all staff are aware of the Act (...), Analyze training needs and draw up and implement a training plan (...), Review progress on training and follow up as necessary” (DCA, 2003a, 4). According to this document, the DCA was not in charge of the training programmes itself but delegated to each of the agencies the responsibility to conduct them. To facilitate this task, the DCA developed a training framework to provide guidance to the public authorities. This framework was summarized in a guide (DCA, 2003b) that explained how to design a general strategy for training on ATI in each agency. Meanwhile, the DCA continued organizing road-shows. DCA’s major development was the 2004 launch of the Freedom of Information website¹⁷ where many resources for assisting in the implementation of the act were available.

As mentioned, the third period ranges from 2007 to the present. During this period, the Ministry of Justice (MoJ) developed training activities. The MoJ’s website has a section exclusively devoted to the Freedom of Information Act¹⁸. This section provides public authorities with guidance on how to deal with requests, charge fees, procedural guidance, working assumptions, exceptions, among other issues. Additionally, the MoJ and the University of Northumbria have developed the Information Rights Programme¹⁹ aimed “...to respond to the specific needs of information rights practitioners, providing a structured framework within which they can acquire and update knowledge while gaining a qualification that recognizes their specialist expertise”.

Finally, it is worth mentioning the activities undertaken by the Information Commissioner Office (ICO) to guide public officials in the implementation of the legislation. The ICO website has a section²⁰ with tools and resources to provide assistance and guidance for the proper interpretation of the act and adequate management of requests. The Tick Tock video²¹, a training program on DVD that aims to raise awareness among public authorities about their responsibilities under the Freedom of information Act and the Environmental Information Regulations, is an interesting resource available.

The UK experience has highlighted some interesting points. A significant number of agencies engaged in the development of training activities throughout the three periods. The Civil Service College, the Lord Chancellor’s Department, the DCA, the MoJ and the ICO all played a role, though at different moments and for different audiences. With the exception of the Civil Service College, which ran regular training courses, all of those institutions provided guidance to public authorities for developing training programmes. As a result, it is quite difficult to identify the main features of the training programmes, because each agency separately chose how to conduct its own training. Additionally, it is possible to identify many training initiatives conducted by NGOs or private organizations²².

2.2 Chile

In 2008, Chile adopted Law No. 20.285 on Access to Public Information²³ that mandates all public bodies and creates the Council for Transparency (Consejo de la Transparencia),²⁴ an autonomous body responsible

¹⁷ www.foi.gov.uk

¹⁸ <http://www.justice.gov.uk/guidance/freedom-of-information.htm>

¹⁹ <http://www.northumbria.ac.uk/?view=CourseDetail&code=DTDIRL6>

²⁰ http://www.ico.gov.uk/tools_and_resources/document_library.aspx

²¹ http://www.ico.gov.uk/upload/images/flash_test/ico_tick_tock.mpg

²² For example: Campaign for Freedom Information <http://www.cfoi.org.uk/> ; Article 19’s handbook on ATI <http://www.article19.org/pdfs/tools/foitrainersmanual.pdf> ; Act Know’s training <http://www.actnow.org.uk/> ; Information Management Training Services <http://www.im-ts.co.uk/> ; Privacy Data Protection <http://www.privacydataprotection.co.uk/foi/workshops/> ; University of Edinburgh <http://www.recordsmanagement.ed.ac.uk/InfoStaff/FOIstaff/UoEAwareness/FOIAwareness.htm>.

²³ The legislation is available at <http://www.leychile.cl/Navegar?idNorma=276363>

²⁴ <http://www.consejotransparencia.cl/>

for enforcing compliance with the legislation. The Claude Reyes case at the Inter-American Court of Human Rights (IACHR)²⁵ was important not only for promoting the adoption of ATI legislation but also for underscoring the need to provide appropriate training for public officials to fulfil their ATI obligations. The ruling established that the State was responsible to train its government officials on ATI: “The State shall, within a reasonable time, provide training to public entities, authorities and agents responsible for responding to requests for access to State-held information on the laws and regulations governing this right; this training should incorporate the parameters established in the Convention concerning restrictions to access to this information...” (IACHR, 2006; 61). Because of this ruling, it is possible to find training experiences²⁶ even before the passing of ATI legislation. Additionally, this sheds light on why different governmental actors are involved in the development of training programs: the National Civil Service Directorate (DNSC)²⁷, the Commission on Probity and Transparency (CPT) and the Council for Transparency (CT).

The DNSC is a decentralized body that aims to promote and contribute to the modernization of the State by strengthening the strategic management of the public administration’s human resources. It has developed a series of training programs on probity and transparency - including a four-hour module on access to public information -with the collaboration of non-governmental organizations (NGOs) and academic institutions. The training’s target audience was personnel from specific areas within government agencies, such as administration and finance, human resources and supervision. The DNSC was responsible for the trainings’ program design and content development, while delivery was delegated to third parties after a competitive public tender bidding process. The NGO Pro-Acceso was one of the organizations that delivered this training, delivering 25 face-to-face workshops across the country.

Inter-institutional coordination was instrumental: the DNSC contacted each agency’s human resources department to identify the officials that would participate in the course and jointly developed planning of the training programs with those departments.

The incentive structure embedded in the DNSC training was noteworthy. The training activities were part of the government’s Management Improvement Program (PMG), requiring each agency to fulfil yearly objectives to obtain a budget increase. Thus officials were required to attend trainings not only because of their professional development but as a contribution to the agency’s fulfilment of the PMG organizational goals. Therefore, including ATI in the PMG made ATI training almost a compulsory activity for public officials, placing individual incentives as secondary.

The Commission on Probity and Transparency (CPT) is also involved in ATI training activities. The CPT is an advisory body that supports the Ministry General Secretariat of the Presidency –*Ministerio Secretaría General de la Presidencia*. It is in charge of implementing the transparency agenda set by former President Michelle Bachelet in 2006. Additionally, once the ATI law was passed, the DNSC created a national network of more than 800 governmental officials responsible for the implementation of the law across the country. These officials were trained on the content of the law. Before the law came into force, the CPT conducted 15 regional training seminars and a national training seminar to prepare government officials for the law’s implementation. As a result of these activities, more than 3,200 officials from regional governments, health services, police and security forces, among others, were trained on the contents of the law and received guidance and tools for its proper implementation. (CPT, 2009)

The Council for Transparency (CT), the ATI oversight body in Chile, is responsible for training, according to the ATI Law. The CT’s duties include “... [developing], directly or through third parties, training activities for

²⁵ The case is available at <http://www.elaw.org/system/files/ReyesvChile.pdf>

²⁶ Before the law came into effect, training activities had already been developed by the NGO Pro-Acceso for the Ministry General Secretariat of the Presidency.

²⁷ The website is <http://www.serviciocivil.cl/>

public officials on transparency and access to information.”²⁸ In this context, the CT has developed various training programs for government officials, designed according to their needs as well as their organizational roles in the implementation of the law. The target audience of these programs consisted of public officials from central and local government and of NGOs. The CT delivered training through face-to-face activities, and developed all relevant materials.

According to the officers in charge of training, the courses proved to be an effective means for government officials to discuss the main obstacles they had faced when implementing the legislation, and provided a forum to exchange good practices and experiences. The officers reported that their need to handle information requests properly and their interest in knowing the CT’s perspective on the resolution of controversies motivated them to follow the training courses. A participant satisfaction survey, filled at the end of the activities, serves as means of evaluation of the training programs.

2.3 India

The Right to Information (RTI) Act 2005 regulates ATI in India. The Act covers Indian Public Administration at-large, including public agencies at the central and state levels. The Act provides for the appointment, within each agency, of a Public Information Officer (PIO) tasked with handling of information requests. The Act also provides for the creation of a Central Information Commission (CIC) and state Information Commissions (SICs). These commissions are responsible for overseeing and enforcing the RTI Act at the central and state levels, respectively. The Department of Personnel and Training (DoPT) is the nodal agency coordinating implementation throughout the Indian Public Administration.

According to the RTI Act, the obligation to provide training on ATI issues lies on the DoPT, which, through its Institute of Secretariat Training and Management (ISTM) has incorporated ATI into its training offerings for public agencies.

India has dealt with the issue of incorporating ATI into the civil service and providing other incentives for government officials to undertake training on ATI through various means. For instance, ISTM has included ATI training as part of the curricula for mid-level government officials to qualify for promotions. In addition, the Lal Bahadur Shastri National Academy of Administration—which is the training institution for top-level officials—has made ATI one of the subcomponents within its year-long basic course. The Academy also offers specialized training on ATI. The Act provides for harsh sanctions—oftentimes monetary—when the Act is not properly implemented, creating an incentive for government officials to train on the proper implementation and avoid such sanctions.

Though the DoPT has undertaken the responsibility of providing training for public officials on the RTI Act mainly through the ISTM, training is quite decentralized and carried out through training institutions at the national and state level. These include the National Institute of Rural Development, which provides training for Panchayats (local level government), and, at the state level, Administrative Training Institutes and State Institutes of Rural Development.

In order to decentralize training, the central government built the capacity of such training institutions by organizing training courses for trainers. The pool of trainers within state-level training institutions then adapted the curricula to each state’s context and delivered training programs.

The rationale for this decentralization lies in the great size of the Indian Public Administration, and the differences from state to state in terms of language and other regional considerations. Given the number and spread of public officials in India, it is difficult for one agency to reach all of them. Furthermore, given the different languages, centralizing training in one hub would significantly increase costs. Thus, by decentralizing training to state-level institutions it was possible to reach a wider number of civil servants in a cost-effective fashion.

²⁸ Own translation of article 33.g.: “Realizar, directamente o a través de terceros, actividades de capacitación de funcionarios públicos en materias de transparencia y acceso a la información”.

In India, training courses target civil servants at large as well as PIOs and information commissions staff. The trainings have focused on issues related to the handling of information requests as well as compliance with *suo-motu* provisions. Additionally, most of those training programs were conducted face-to-face, with some online support, such as guidelines for PIOs and public servants, uploaded in government websites²⁹. Furthermore, the DoPT has also started to deliver training using distance-learning technologies.

There are limited systematic efforts to put in place follow up and evaluation mechanisms to assess the impact of training programs on the effective implementation of the RTI Act in India. However, two recent assessments of the RTI Act implementation (PricewaterhouseCoopers, 2009; RTI Assessment and Analysis Group, 2009) found that training was still a challenge. Only a small portion of public servants was aware of the RTI Act and of their corresponding responsibilities.

The Indian experience suggests that a possible alternative to address ATI training is to rely on already available training infrastructure (e.g. national training institutions) to reach a wider audience. The DoPT through the ISMT has coordinated with other government training agencies to deliver training courses. In doing so, the DoPT is leveraging already available centers to reach more government officials.

2.4 Mexico

Access to information in Mexico is regulated by the Federal Law on Transparency and Access to Public Government Information (Ley Federal de Transparencia y Acceso a la Información Pública Gubernamental). This law was approved in 2002 and came into effect in 2003.

The Law stipulates the creation of the Federal Institute of Access to Information (IFAI, Instituto Federal de Acceso a la Información). This autonomous body is responsible for fostering, overseeing and enforcing the effective implementation of the Law among Executive branch agencies at the federal level. In addition, the Law mandates that each agency is responsible for appointing a public information officer or officers (PIO) in charge of handling information requests submitted to the agency.

Article 37 of the Law mandates IFAI to provide training for public officials in general, and PIOs in particular, on how to comply with the ATI Law. Training is only mandatory for PIOs.

Furthermore, ATI is not formally incorporated into the civil service training. At the individual level, knowledge or training on ATI issues is not a requisite for promotion. At the agency level, effective implementation of the ATI Law is not linked to performance indicators.

Despite this institutional setting—no legal obligation for public officials to pursue ATI training and no incorporation of ATI into the civil service training—by September 2010 IFAI had trained 30,000 out of 100,000 public officials.³⁰

In order to fulfil its mandate, IFAI has worked closely with human resources or training departments within public agencies to offer training. By working in close coordination with agencies and offering ATI trainings free of charge, IFAI has succeeded in having ATI trainings incorporated as part of those agencies' offered training programs. Additionally, as the implementation of the ATI Law advances, demand for information increases and transparency becomes a salient topic, public officials, not only PIOs, are perceiving ATI as part of their everyday work, thus taking advantage of training opportunities in this regard.

In contrast with other experiences which relied on other organizations such as academic institutions or NGOs, IFAI undertook the task of developing content and delivering training programs. IFAI's various departments develop content pertaining to their areas while the training department is responsible for managing the trainings.

In general, IFAI provides two main kinds of training: one for public officials which aims to raise awareness on the culture of transparency, broad aspects of the implementation of the Law and its importance; and another for PIOs on specific issues related to the day-to-day implementation of the Law. In addition, and upon request from federal agencies, IFAI provides training on specific issues such as classification of

²⁹ See for instance the guides available for public servants at: <http://www.rti.gov.in/>

³⁰ Information provided by IFAI officials

information, proactive transparency or personal data.

IFAI has relied extensively on the use of distance-learning technologies. To deliver the general training on transparency and the training for PIOs, IFAI developed the e-FAI distance-learning platform. Through this platform public officials can access the training program from their computers either at work or at home.

IFAI decided to make use of this kind of technology due to the very large size of the Mexican public administration and limited resources available, as its training department consisted of only three people. This platform allowed IFAI to reach a greater number of officials as opposed to the limited reach of face-to-face training.

Some of e-FAI's advantages are the standardization of training programs, as public officials receive the same training regardless of where and when the program is delivered; greater reach; replicability, as the delivery of additional trainings only requires minimum resources; low operation costs. On the other hand, relying on e-FAI has potential disadvantages: insufficient availability of infrastructure in some agencies and the related high initial costs; poor distance-learning capacities among public officials who might not be used to this kind of training.

However, not all of IFAI's training is done through e-FAI. Some specific training programs developed at agencies' request are delivered through a more traditional face-to-face approach. In this case, IFAI works closely with the agency to assess its needs, develop the content and deliver the training.

Finally, there have been limited systematic efforts to evaluate the effectiveness of IFAI's training conducted in the past years.

3. Institutional Arrangements and Key Features

This section highlights various issues related to ATI training approaches mentioned in the cases. First, it will focus on the institutional arrangements, and then it will depict issues related to key aspects of training models.

3.1 Institutional arrangements

Incorporating training provisions into main legislation or secondary regulation and into implementation plans enhances ATI effectiveness. These should include specific provisions on training, agencies responsible for such training, etc. Several of the recent ATI laws include such provisions; this is an important element of the regulatory framework that could contribute to effective ATI implementation. Additionally, implementation plans and key implementation guidelines should also include those types of provisions. For instance, in the United Kingdom, the DCA's implementation plan gave specific instructions on training. In Mexico, IFAI's Training Department prepares a yearly strategic plan that guides its activities.

ATI regulatory frameworks that include training contribute to clearly define responsibilities and improve resource allocation, therefore enhancing training efforts. On the one hand, it sheds light on responsibilities as this framework oftentimes establishes which agency must lead training efforts, thus reducing overlapping among various agencies. On the other hand, the allocation of resources for training is considered in early stages of planning.

Designating the agency responsible for providing training is a key aspect of the institutional arrangements for ATI training. In Mexico and in Chile, for instance, the law states that the oversight bodies are responsible for providing training. In India, this responsibility lies with the nodal agency, the DoPT. However, ATI laws or other regulations are not always that clear, as the case of the United Kingdom illustrates.

Furthermore, just because a law establishes which agency is responsible for training does not necessarily follow that such body will provide training. In India, the DoPT has overall responsibility for training, however government training institutions deliver training with a significant degree of decentralization. The

case of Chile is more complex. Three agencies provide training, and one of them, the DNSC, outsources the development and delivery of training. In the United Kingdom, training is outsourced to private firms and NGOs such as the Campaign for Freedom of Information. To summarize, on one side of the spectrum lies Mexico's highly concentrated model, where IFAI is responsible for the entire training process. On the opposite side lies the United Kingdom's highly dispersed model, where several actors are involved in the process. Chile and India lie somewhere between these two extremes.

All the models that lie along this concentration-dispersion spectrum carry their own advantages and disadvantages. There is no clear-cut "best" option, as this will depend on the context. Broadly speaking, a highly concentrated model such as the Mexican one has the advantage of low coordination requirements, as interaction is mostly between mandated agencies and IFAI, without intermediaries. Dispersed models should then pay special attention to coordination between relevant agencies, in order to avoid overlapping and waste of resources that might hinder the effectiveness of training. On the other hand, a dispersed model can have a wider reach—especially in cases where the ATI law also applies to the sub-national level, which is the case in Chile or India. This is particularly true given the considerable size of the latter's bureaucracy. Overall, two main functions or roles can be identified in the four cases: a training management role, and a training implementer role.

The incentive structure to motivate public officials to participate in training programs is another important factor influencing the effectiveness of training. The likelihood that civil servants would request, attend and benefit from ATI training depends, to a certain extent, on the incentives offered. As illustrated in the case studies, the variety of incentives can be formal or informal, and they can be agency- or individual-oriented. In Chile, formal incentives include the incorporation of ATI into the DNSC's Management Improvement Program, which requires civil servants to attend training in order to fulfill the agency's performance goals. In contrast, the sanctions for non-compliance foreseen in the RTI Act in India become an incentive for individual civil servants to undergo training in order to avoid sanctions.

The Mexican and the India models provide examples of informal incentives. In the case of Mexico, the increasing demand for information was instrumental in motivating public officials to follow training courses. Officials are beginning to perceive ATI as part of their everyday work and see training as a way to simplify their work.

3.2 Key components

Training programs have a number of key components, such as target audience, goals, frequency, delivery modes and evaluation that define how training actually takes place.

As the case studies suggest, **audiences** fall into two main categories: public officials at large and PIOs. The target audience oftentimes determines the training program's **goals**. For instance, general training for public officials in Mexico or in India aims to provide an overview of the ATI legislation, and illustrate the benefits of transparency and are therefore quite basic in terms of content. On the other hand, training for PIOs aims to provide knowledge on specific aspects related to the implementation of ATI legislation. These trainings cover various topics, such as the handling of information requests, proactive transparency provisions, and classification of information. Given the level of staff turnover among public officials, it is important to highlight that training should not take place only at the beginning of the of ATI legislation's implementation period but should be carried out on a regular basis to ensure that incoming public officials are aware of the legislation and capable of implementing it.

The delivery mode is another key component of ATI training. There are two delivery modes: face-to-face and e-learning. Mexico's IFAI relies heavily on e-learning through its e-FAI platform, whereas the other countries reviewed focus mainly on face-to-face training.

Both models have their pros and cons. E-learning has the advantage of being standardized, and every trainee will receive the same training. It is also highly replicable and far-reaching. In terms of resources, the operational costs of these e-learning tools can be quite low once the infrastructure has been set up. However, infrastructure barriers can be significant, particularly in places where internet penetration

remains low. Furthermore, public officials' capacity to adapt to an e-learning environment might lessen the training's effectiveness.

On the other hand, face-to-face training does not require as much infrastructure as e-learning— at least initially. Additionally, in many instances public officials have no experience with e-learning and prefer the face-to-face training approach they are used to. However, face-to-face training is limited in terms of outreach potential, requiring more resources to scale up for larger bureaucracies. In addition, standardization is more difficult to achieve through face-to-face training.

Finally, **evaluation** of training programs is another key feature. Regular evaluations are necessary to determine the effectiveness of training programs. However, this area needs improvement. Some of the training programs include participant evaluations, but this is insufficient. Evaluations should be geared to assessing the extent to which training programs enhance the implementation of ATI legislation. These assessments will in turn help improve training programs.

4. Conclusions

This brief note reviewed four case studies of Governments developing training programs for public officials on the proper implementation of ATI legislation. As previously mentioned, the fledgling nature of the study served to draw some preliminary lessons from the countries' experience and further study and analysis on the matter is necessary. However, the institutional arrangements and key features of each case study illustrate the following recommendations for ATI legislation-mandated oversight bodies and public authorities:

- A comprehensive **policy** on ATI that includes training is the cornerstone for proper training of public officials. The elaboration of an overall ATI policy requires the inclusion of training provisions that identify the authority in charge of training. A training plan is a key element for the organization and coordination of the training activities, definition of target audiences, and design of contents and delivery of the training. Such ATI training plans should include evaluation mechanisms to assess not only the performance of trainers and/or the satisfaction of trainees, but also the impact of the courses.
- **Inter-agency coordination** is critical for the success of a training program. The authority in charge of the training should foster adequate coordination with civil service's training institutions and public agencies within the administration. PIOs together with human resources or personnel departments within agencies could assist in this coordination.
- **Overall oversight:** as mentioned, there are different institutional arrangements for organizing the training programs (concentrated vs. dispersed models). In both cases, it is vital that the goals set in the ATI policy and the training plan are met, and that the authority responsible of the training oversees its different phases. This serves to guarantee common standards in the delivery of the courses.
- **Incentives:** a comprehensive training plan should consider using incentives to effectively manage training of governmental officials on the implementation of the ATI legislation. Incentives at the individual level, such as professional development, need to be reinforced with incentives at the agency level.
- **Key components:** training components should be defined considering the general context of the country: area, language diversity, size of public administration, availability of resources, among other factors. The components should also have certain flexibility to adapt to the changing circumstances in which the ATI legislation is applied. They should consider, for example, new modules or contested issues related to the implementation of the ATI law.

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