

Own-Initiative Investigation - 8
Website Investigation Report
28 November 2016

Executive Summary

In this investigation the Information Commissioner's Office (ICO) examined the web presence of public authorities in the Cayman Islands in order to determine if the internet is being effectively used to promote transparency and disseminate information to the public under the *Freedom of Information Law (2015 Revision)* (FOI Law).

While the FOI Law does not require that public authorities specifically maintain a website or promote FOI on their website, they do have statutory duties relating to proactively publishing certain information about themselves and the records they hold, and about the FOI requests they have received and granted. Therefore, given the importance of the internet as a communications tool, public authorities are encouraged to use the internet for these purposes.

Public authorities can increase their overall efficiency and improve public understanding of their policies, procedures and services by using a website. It is therefore important that certain information is made available online, and that such information is accurate and up to date, to ensure that the public is accessing correct and current information.

This investigation evaluates the websites of 89 public authorities (excluding the ICO itself) using a number of criteria such as:

- whether they have a website, and whether FOI is signposted on the homepage;
- whether it includes guidance on how to submit an FOI request and internal review; and,
- whether it includes a current version of the authority's publication scheme and disclosure log.

The public authorities were then rated and ranked from '1' to '5' ('1' being "excellent"; '5' being "poor"), with the following results:

- 2 were ranked as '1'
- 55 were ranked as '2'
- 18 were ranked as '3'
- 6 were ranked as '4'
- 8 were ranked as '5'

The present investigation follows a similar study completed by the ICO in 2011, which is used as a benchmark for comparison. It concludes that there have been marked improvements in the intervening

years across the board as more public authorities have taken advantage of the internet to communicate with the general public about themselves, the records they hold, and FOI. However, serious problems remain, such as a lack of regular updates of various types of information and access tools such as publication schemes and disclosure logs.

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A. INTRODUCTION

The FOI Law supports governmental accountability and transparency, and encourages public participation in national decision-making, by granting the public a general right to access records held by public authorities. Apart from this general right of access granted by the FOI Law, under the provisions of the FOI Law, the public specifically has the right to be informed about each public authority's purpose, function, records, reasons for decisions, name and contact information of each Information Manager, and have access to up-to-date disclosure logs which provide - minimally - details of all FOI applications that were granted.

Under section 39(b) of the FOI Law, the Information Commissioner is responsible for monitoring and reporting on the compliance of public authorities with their obligations under the FOI Law. In order to fulfill this responsibility, the ICO from time to time conducts investigations in accordance with section 46 of the FOI Law, which states that the Commissioner may conduct an investigation into any matter on his own initiative.

In February 2011, the ICO conducted an own-initiative investigation into legal compliance and practical implementation of the FOI Law of a random sample of ten public authorities (PAs). The investigation found that,

...many PAs are insufficiently making use of the opportunities offered by the web to publicize FOI and increase its efficiency... PAs should recognize the importance of the internet and embrace the available technology to empower the user and increase the efficiency of their services, including FOI, by raising awareness and making tools such as the publication scheme and the

*disclosure log easily and widely available... Inaccurate information can in fact be harmful, since it makes FOI seem less relevant and serves only to frustrate the public who is seeking information.*¹

The internet is increasingly the first (and for some people the only possible) port of call for seeking information about a public authority, whether relating to its opening hours, the services it provides, the decisions it makes, or records it holds on various topics.

A good website should contain meaningful, up-to-date information, and be intuitive and easy to navigate. This will increase usability, pre-empt the need for many formal requests for information, and help make the public authority more accountable to the public who, in effect, pays for its existence. Outdated or incorrect information undermines Government's engagement with the public, risks frustrating individuals who are seeking information by raising suspicions of bureaucratic indifference, and weakens the understanding, relevance and intent of the FOI Law. We suspect that a large part of the decrease in numbers of FOI requests noted in the ICO's last Annual Statistics Report (2015-16) may be caused by a trend towards increased proactive publication and upon-demand disclosure outside the FOI Law (and thus unreported).² In any event, it is essential that public authorities have an effective presence on the internet, and that such presence include adequate advice on individuals' information rights.

Prior to the FOI Law coming into force, in 2008 Computer Services Department (CSD) created a basic FOI webpage template with assistance from the Government Information Services and the FOI Coordination Unit, for use and completion by each public authority. In some cases these templates remain in use today, whether in modified form or not.

In July 2011 the ICO conducted a website survey which found that the majority of public authorities were not taking advantage of the internet to promote Freedom of Information³. It has been over five years since the ICO's last website survey was published, and almost eight years since the FOI Law came into effect in the Cayman Islands. Public authorities have now had more than sufficient time not only to develop and establish procedures and best practices in relation to dealing with outward communications, proactive publication and access through FOI, but also to improve on the results of the last survey, including their usage of the internet for the above purposes.

At the end of the 2011 investigation report the Information Commissioner made the following recommendations:

- (A) Each public authority should have a direct link from their main webpage to their FOI webpage, so that individuals have 'one' click access to FOI information;
- (B) Each public authority's FOI webpage should provide ICO contact details that are correct and up to date;
- (C) Each public authority's current year's publication scheme (currently 2011) should be accessible from its FOI webpage;
- (D) Although a simple disclosure log meets the legal requirements, it is suggested that the log should provide further useful information and a link to the actual responsive records, where appropriate in redacted form;

¹ Information Commissioner's Office *ICO Investigation 4. Anonymous Requester Investigation Report* 4 February 2011 p.17 [http://www.infocomm.ky/pubdocs/file/May%202011/2011%20Publication%20Scheme%20List%20\(FINAL\).pdf](http://www.infocomm.ky/pubdocs/file/May%202011/2011%20Publication%20Scheme%20List%20(FINAL).pdf)

² *Information Commissioner's Office ICO Annual Statistics Right to Know Week 2016* <http://www.infocomm.ky/foi>

³ Information Commissioner's Office *ICO Investigation 4. Own-Initiative Investigation - 4 (Investigation 13 (Website + IM contacts survey))* \Own-Initiative Investigation Report - 4 Website Survey (FINAL).pdf

- (E) Each public authority should regularly review and frequently update its online information in order to make full use of the potential of the internet for proactive publication and meaningful communication with the general public.

These recommendations are further analyzed below, in the light of the present (2016) study.

Following the 2011 investigation the ICO arranged a number of meetings with CSD. In consideration of the poor results of the investigation and the many questions received from public authorities intending on improving their websites, the ICO also developed a fact sheet with the “Top 10 things you can do to improve your website”, which was widely distributed to Information Managers.

The results of the current investigation are intended to provide a further impetus for public authorities to continually evaluate and update their outward communications in terms of information rights, and make further improvements where called for.

B. METHODOLOGY

This investigation evaluates and rates the websites of public authorities against a range of criteria relevant to the FOI Law, both in terms of compliance with the Law and ensuring that individuals' information rights are adequately conveyed.

In accordance with regulation 25 of the *Freedom of Information (General) Regulations, 2008* (the Regulations) a list of public authorities subject to the FOI Law is created and regularly updated by the Cayman Islands National Archive.⁴ The present investigation encompasses all 89 public authorities included on the current version of the Archive's listing (excluding the ICO itself).

In order to allow meaningful comparisons, the present study examines and evaluates websites using the same criteria as the 2011 study, as follows:

1. Website address;
2. FOI webpage address;
3. Whether the FOI webpage is signposted on the main webpage;
4. Whether the FOI webpage is the standard CSD FOI webpage;
5. When the FOI webpage was last updated;
6. Whether the FOI webpage contains FOI contact details;
7. Whether the FOI webpage contains guidance on how to submit a request;
8. Whether the FOI webpage contains guidance on how to submit a request for internal review;
9. Whether the FOI webpage contains ICO contact details;
10. Whether the FOI webpage contains the public authority's updated publication scheme;
11. The public authority's publication scheme web address;
12. Comments on the public authority's publication scheme;
13. Whether the FOI webpage contains a listing of classes of information;
14. Whether the FOI webpage contains the public authority's disclosure log, and date of last update;
15. General positive comments;
16. Suggested improvements; and,
17. Overall rating.

⁴ For the latest listing, see <http://www.infocomm.ky/foi>

Items 1 through 14 are factual in nature, while items 15 and 16 are subjective and provide a short summary of the findings for each public authority. Item 17 provides an overall summary rating for each public authority's FOI webpage based on the categories above. The overall rating ranges from 1 (excellent) to 5 (poor), as follows:

1. All relevant information is present and up to date with only minor elements missing such as the ICO contact information, or the disclosure log has not been updated recently.
2. All relevant information is present, but it is not up to date. For example, the disclosure log and/or the publication scheme are over one year out of date.
3. The website has been updated since it was created by CSD but not all relevant information is present.
4. The website has not been updated since it was created by CSD in 2008.
5. No information relating to FOI can be found on the public authority's website, or the public authority does not have a website.

For a ranking of all public authorities, see the Appendix below.

When evaluating the websites, a distinction was made between "basic" and "useful" information. It was noted that CSD created a standard FOI web template for all authorities prior to the FOI Law coming into force in 2009. This template included the following standard headings and topics, although each topic was initially not necessarily populated with actual, meaningful information or kept up to date:

- Document Library
- Disclosure Log
- Classes of Information
- Making a Request
- Right of Appeal

The presence of the above information was taken as a starting point for our evaluation, with higher ratings granted when, for instance, a copy of the public authority's publication scheme was included, and, if so, whether it was the current 2015/2016 version of the publication scheme. Most relevant was whether the website is regularly being updated, and whether it includes an up-to-date disclosure log which contains not only a list of requests and whether the request was granted, but also the actual responsive records (except where the request involved personal information), on the webpage. For instance, if a website includes the public authority's disclosure log and it has been updated within the last year, then that website was given a higher rating than another website with an up-to-date publication scheme but no disclosure log.

In order to ensure that the review was completed from the perspective of a member of the public trying to find information on a public authority and FOI, the search engine Google was used to find each public authority, rather than accessing the websites through the internal network of the Government. The authority's FOI webpage was then examined and evaluated as described above. If the public authority's website could not be found via Google, the general web portal⁵ for the Cayman Islands Government was used to locate the relevant authority.

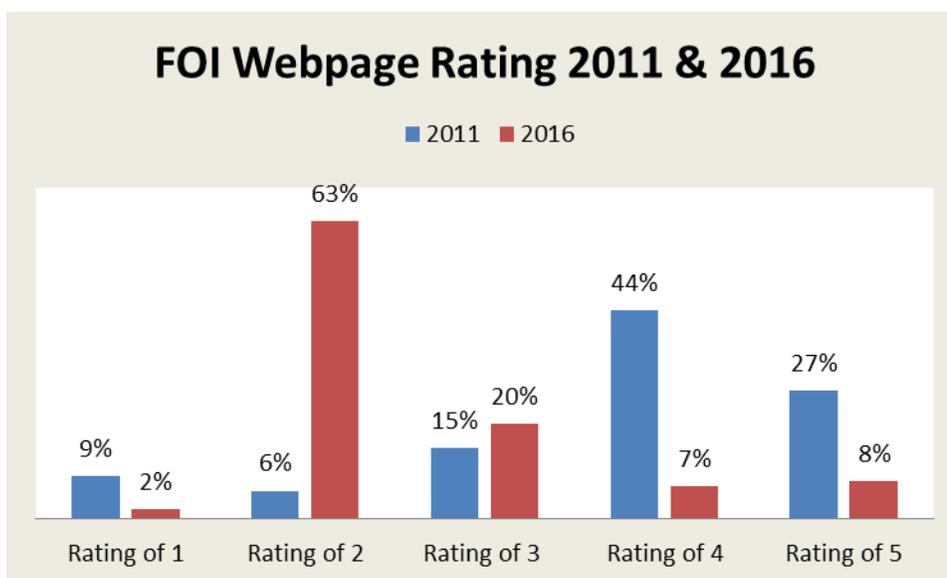
⁵ www.gov.ky

C. FINDINGS

While serious problems remain, the overall results of this investigation are encouraging: the presence of FOI-related information in the majority of websites has significantly increased since the last study in 2011. Since then, many more public authorities have been making use of the opportunities offered by the internet to publicize FOI, and to increase overall efficiency by engaging the public proactively in regard to its policies, procedures, services and the records and information it holds.

Nonetheless, essential types of information contained in access tools such as publication schemes and disclosure logs needs to be updated much more regularly.

The chart below depicts the overall ratings of public authorities (90 in 2011 and 89 in 2016) conferred in our 2011 and 2016 investigations. It shows the overall improvement made by Government over the last 5 years:



FOI webpages signposted on main websites

Since the FOI Law has been in effect for almost 8 years and it is important for authorities to have a strong web presence, the ICO considers it best practice that information on FOI should be readily accessible, i.e. directly linked from the top of each homepage.

It is positive to note that the majority of authorities' websites have FOI signposted on their homepage. Out of 89 public authorities 68 (76%) have a link to their FOI webpage accessible on the main webpage, 22 webpages (25%) are only accessible indirectly, under 'about us' links or 'contact us' links. There are only a few public authorities with links to FOI in fine print at the bottom of the page making it more difficult to locate.

This compares well with the 2011 data, which indicated that at that time only 27 homepages (30%) had direct links to FOI.

Contact details for ICO and Information Managers

Without contact details for the ICO individuals requesting records under FOI may be uncertain how an appeal can be made, or where to turn if they have questions about the application of the Law.

There are 75 public authorities (84%) with up-to-date contact details for the ICO. This is a significant improvement over the 2011 study which found that only 11 authorities (12%) had contact details for the ICO on their webpage.

Incorrect contact information for IMs can lead to significant delays in responses being given to FOI requests. The publication of an IM's "name, function, contact details and such other information relating to the information manager as the authority may consider necessary or expedient" is a legal requirement under section 49(2) of the FOI Law. There are 81 public authorities (91%) with up-to-date contact details for their Information Manager. The other 8 public authorities (9%) either do not have an FOI webpage or their FOI contact information needs to be updated.

Publication Schemes

Section 5 of the FOI Law requires each public authority to update their publication scheme containing specified types of information⁶ every year. Since the purpose of the publication scheme is to publish the types of information which should be available without making an FOI request, as well as certain types of information a public authority holds, it seems highly ineffective for public authorities not to publish their publication scheme on their own website, particularly since publicizing such information may preempt many FOI requests, and guides the general public in finding the right public authority to direct a request to.

Nonetheless, only 41 (46%) of the 89 authorities have placed their publication scheme online, of which only 15 (17%) are the current (2015-16) version and 26 (29%) are not updated. A full 48 (54%) do not have a publication scheme uploaded to their website at all.

While this clearly leaves plenty of room for improvement, it actually represents progress over 2011 when only 23 (26%) public authorities had an online publication scheme, of which only 9 (10%) were current.

Disclosure Logs

Regulation 21(f) of the Regulations requires that a disclosure log be "maintained" by each public authority's Information Manager. The Regulations are not prescriptive as to the contents of the log, except that it must contain a record "of all applications granted". The majority of public authorities have a single list with a summary of what was requested and whether the record was disclosed or not. Although compliant, such a simple list does not provide sufficient details to inform potential applicants when specific requests were made, or whether specified records were disclosed or partially disclosed.

The ICO considers it best practice for the disclosure log to show the actual response to each request, and provide a link to actual responsive records (redacted as necessary, and excluding disclosures of personal information to data subjects) on the authority's FOI webpage.

⁶ For a government-wide version of the publication schemes, see:

However, out of 89 public authorities, only 3 (3%) have a disclosure log that is up to date, 44 (49%) have a disclosure log but it has not been updated, and 42 (47%) have no disclosure log at all.

Public Authorities such as the Cayman Islands National Archives and the Water Authority have excellent websites in relation to FOI. The ICO would like to encourage other authorities to look to such organizations in order to make improvements.

C. RESULTS BY RANKING

For a full listing of public authorities and ratings, please see the Appendix.

Website rated as '1'

The FOI webpages that fall within this rating contain the majority of required information about FOI, and are reasonably up to date. Each FOI webpage has an up-to-date publication scheme and the disclosure log has been updated.

This investigation ranked only 2 of the 89 public authorities (2%) as '1', in comparison to 8 (9%) in 2011. It is of course disappointing that the number of public authorities receiving the highest ranking has decreased. This is largely due to the lack of updates to publication schemes and disclosure logs on otherwise good websites.

Specific point to note:

- The Water Authority⁷ has maintained their number 1 position since 2011. Their website not only outlines the FOI processes well, but also provides an updated publication scheme and disclosure log. Meanwhile, the Cayman Islands National Archive⁸ was rated a '4' in 2011 and has greatly improved in terms of updating its disclosure log and publication scheme.

Websites rated as '2'

Websites rated as '2' contain relevant information but are not completely up to date. It is gratifying to note that 56 (63%) of the 89 public authorities are ranked as a '2', in comparison to only 5(6%) in 2011.

By making relatively small improvements to their websites, e.g. by regularly updating their publication schemes and disclosure logs, the majority of these public authorities could quite easily rise to a ranking of '1'.

Specific points to note:

- The Department of Commerce and Investments (DCI)⁹, Cayman Islands National Insurance Company (CINICO)¹⁰, and Civil Aviation Authority (CAA)¹¹, to name a few, were rated '4' in the 2011 study. These entities have since then significantly improved their websites by updating their publication schemes and disclosure logs, establishing links to the ICO webpage, and, in the

⁷ <http://www.waterauthority.ky/freedom-of-informations>

⁸ <http://www.gov.ky/portal/page/portal/cnahome/foi>

⁹ <http://www.dci.gov.ky/portal/page/portal/ivbhome/foi/appeals>

¹⁰ <https://www.cinico.ky/foi>

¹¹ <https://www.caacayman.com/about-us/freedom-of-information/>

case of the DCI, including links to the actual records that have been disclosed. However, these websites were last updated in 2014, with the exception of CINICO which has an up-to-date publication scheme but no disclosure log.

- The Cayman Islands Monetary Authority (CIMA)¹² website is easy to use, there are contact details for the ICO as well as a link to the website, the 2015 Revision of the FOI Law is uploaded and an up-to-date publication scheme. However, the disclosure log is out of date, with the last update having been undertaken in 2012.
- There are a number of public authorities which still have the standard webpage created by CSD but could nonetheless easily be rated as '1' if their webpages were being updated regularly, particularly the disclosure logs and publication schemes. However, in most cases the publication schemes were not even uploaded and the disclosure logs were not up to date. Some public authorities such as the Cabinet Office¹³ which was rated '1' in the 2011 study, dropped to a rating of '2' due to the lack of an updated publication scheme and a disclosure log last updated in 2014. The Ministry of Education, Employment & Gender Affairs¹⁴ has a good webpage, including a section for Frequently Asked Questions on their FOI webpage, and an uploaded publication scheme. However, it is unclear when it was last updated, and the disclosure log dates from 2010.
- The Department of Public Safety Communications¹⁵ has a very good FOI webpage which includes an updated publication scheme. However the disclosure log with links to actual records disclosed was last updated in December 2014.
- The fact that some public authorities have not received any FOI requests was taken into consideration where the disclosure log is concerned. These authorities were rated on the other criteria listed above.

Websites rated as '3'

Websites rated as '3' are considered to contain some relevant information, but the majority of the information is not up to date or not present. Only 18 (20%) of the 89 authorities received a ranking of '3'. This number was 13 (14%) in the 2011 study.

Most of the websites that fall within this rating have basic information about FOI and some updated information, but other key information such as publication schemes and disclosure logs are out-of-date or not present.

- Cayman Airways¹⁶ has maintained a rating of 3 since 2011. Their FOI webpage contains some information on FOI including its 2016 publication scheme. However, the FOI link is buried under 'my Airline', there is no guidance on how to submit an internal review request, there is no link to a disclosure log and the last time it was updated is unknown.

¹² http://www.cimoney.com.ky/about_cima/about.aspx?id=44

¹³ <http://www.gov.ky/portal/page/portal/cabhome/foi>

¹⁴ <http://www.education.gov.ky/portal/page/portal/mehhome/foi>

¹⁵ <http://www.gov.ky/portal/page/portal/emchome/foi>

¹⁶ <https://www.caymanairways.com/freedom-of-information>

- The National Roads Authority website¹⁷ is relatively good and includes their 2016 publication scheme. There is some relevant information on the webpage including links to some board minutes. However, the majority of information is contained only in the publication scheme, there is no link to a disclosure log, nor any guidance on how to submit a request for internal review.
- Of specific note are the Department of International Tax Cooperation¹⁸ and the Cayman Islands National Weather Service¹⁹ websites, which are quite good. The former's FOI webpage is accessible from their homepage, and is clearly laid out and includes the correct contact details for the ICO. However the disclosure log needs to be updated indicating the date of last update, the publication scheme is not available and some links do not open. The National Weather Service has the standard CSD FOI webpage which is very well laid out; there are links to the ICO and FOI Unit's websites. This public authority was rated a '5' in the last website review and has made significant improvements. However, there is no publication scheme document uploaded and the webpage appears to have been last updated in 2009.

Websites rated as '4'

Websites rated as '4' have not been updated since CSD created the FOI website templates in late 2008. The majority of websites have basic information, such as contact details, guidance on how to submit a request and a request for internal review, however little or no further information is available.

Fortunately, only 6 (7%) of the 89 public authorities websites are rated as '4,' in comparison to 38 (42%) in 2011.

CSD was contacted as part of this investigation and ICO was informed that the majority of public authorities have been given accessibility by CSD to make necessary and uncomplicated changes to their websites themselves, including pages dealing with FOI. CSD offers training in this area to ensure self-sustainability and to avoid delays when websites need to be updated. Therefore, unlike in 2011, the onus is now placed on public authorities to update or make changes to their websites themselves. Nonetheless, some authorities still appear to have to request changes to their website through CSD, for example, General Registry²⁰, Customs Department²¹, and the Legislative Assembly Department²² to name a few.

Websites rated as '5'

Public authorities rated as '5' either do not have a website, or have no information at all about Freedom of Information on their website. In comparison to an astonishing number of 23 (26%) in 2011, our 2016 investigation found that only 7 (8%) of the 89 authorities fall into this lowest category.

The following 5 public authorities have no websites:

1. Cayman Islands Cadet Corps
2. Children & Youth Services (CAYS) Foundation

¹⁷ http://caymanroads.com/index.php?option=com_deeppockets&task=catShow&id=62&tid=62&Itemid=142

¹⁸ <http://www.tia.gov.ky/html/request.htm>

¹⁹ <http://www.weather.gov.ky/portal/page/portal/nwshome/foi>

²⁰ <http://www.ciregistry.gov.ky/portal/page/portal/reghome/foi>

²¹ <http://www.customs.gov.ky/portal/page/portal/cushome/foi>

²² <http://www.legislativeassembly.ky/portal/page/portal/lq/home/foi/appeals>

3. Commissions Secretariat
4. Department of Counselling Services
5. Her Majesty's Cayman Islands Prison Service

In comparison, our 2011 investigation also found 5 public authorities with no website, of which only 1 remains as a part of the list above, namely the Cayman Islands Prison Service²³.

The Cayman Islands Cadet Corps²⁴ apparently had an up-and-running website, however, we were unable to locate it. The Cadet Corps has since advised that their website is currently being refurbished and will be up and running in a few weeks. The website of Children and Youth Services (CAYS)²⁵ has been under construction for some time, and it only lists contact information for the entity's managers. The Commissions Secretariat's web link²⁶ takes you to the Ministry of Home Affairs website which has an FOI link, but it is unclear if FOI requests should be submitted through the Ministry of Home Affairs. The other 2 public authorities simply do not have a website.

D. CONCLUSIONS

The results of this investigation are relatively encouraging as the presence of meaningful FOI-related information on the majority of public authorities' websites has significantly increased since the ICO's previous investigation on this topic in 2011.

In the 2011 investigation report the Information Commissioner made five specific recommendations.²⁷ This present study has reached the following conclusions on the points that were raised there:

1. Links to FOI from homepages

The 2011 investigation report recommended that "each public authority should have a direct link from their main webpage to their FOI webpage, so that individuals have 'one' click access to FOI information". This point was raised because at that time only 27 (33%) of 90 public authorities had such linkages in their websites.

In comparison, in 2016 68 (76%) of the 89 public authorities have their FOI webpages prominently signposted on their homepage.

2. ICO contact details

The 2011 investigation report recommended that "each public authority's FOI webpage should provide ICO contact details that are correct and up to date". At that time only 11 (12%) of 90 public authorities' websites did so.

In 2016 Government is doing much better on this point, with 75 (84%) of the 89 public authorities having ICO contact information on their websites, although some need to update the ICO's physical and mailing address.

²³ <http://www.gov.ky/portal/page/portal/cighome/find/organisations/azagencies/pri>

²⁴ <http://www.gov.ky/portal/page/portal/cighome/find/organisations/azagencies/cad>

²⁵ <http://www.cays.org.ky/>

²⁶ www.pie.gov.ky

²⁷ See the listing of 2011 recommendations in the Introduction, above.

3. Publication schemes on websites

The 2011 investigation report recommended that “each public authority’s current year’s publication scheme... should be accessible from its FOI webpage”. This issue was raised because at that time only 23 publication schemes (26%) were available on public authorities’ websites, of which only 9 (10%) were up to date.

In 2016 still only 41 (46%) of the 89 public authorities have their publication scheme on their website, of which only 15 (17%) are up to date.

4. Disclosure logs on websites

The 2011 investigation report also recommended that “although a simple disclosure log meets the legal requirements, it is suggested that the log should provide further useful information and a link to the actual responsive records, where appropriate in redacted form”. At that time only 11 websites (12%) included an up-to-date disclosure log, and 6 (6%) more needed to be updated.

In 2016 almost half of public authorities still do not have a disclosure log on their website. Most of the entities that do have one need to update it and include links to the actual documents that have been disclosed. There are 42 public authorities (47%) with no disclosure log, and 44 (50%) with a disclosure log that has not been updated. Only 3 (3%) have an actual, up-to-date disclosure log.

5. Regular updates of FOI webpages

The final recommendation from the 2011 investigation report was that “each public authority should regularly review and frequently update its online information in order to make full use of the potential of the internet for proactive publication and meaningful communication with the general public”.

Based on the information above, in 2016 there are still far too many public authorities which do not regularly update their websites when it comes to information relevant to individuals’ rights under the FOI Law.

In conclusion, in the last five years public authorities have clearly made better use of the opportunities offered by the internet to publicize FOI, and to educate the public about their rights under the FOI Law.

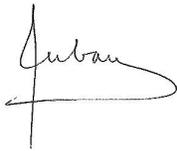
Nonetheless, serious weaknesses remain, which should urgently, and as a matter of routine on an ongoing basis, be addressed. These weaknesses include a significant lack of proactive publication and updating of publication schemes and disclosure logs on entity websites. These are key access tools which are intended to facilitate - and in many cases preempt – the FOI process by proactively publishing information about Government entities and their records, and previous requests made to entities. The weaknesses in the maintenance of these tools undermine effective, proactive communication between Government and the general public, and decrease the efficiency of the FOI process.

E. RECOMMENDATIONS

The results of this investigation are intended to provide a further impetus for public authorities to evaluate their outward communications in terms of information rights, and make continual improvements and updates where they are called for.

Based on the above analysis and conclusions, the following recommendations are made:

1. Public authorities should regularly evaluate their websites and update all information relevant to FOI as a normal part of the business process.
2. Specifically, contact information for Information Managers should be kept up to date as a matter of routine, including email addresses, phone numbers and physical addresses.
3. As well, each public authority should publish their most recent publication scheme on their website whenever it is updated, at a minimum on an annual basis as required by law.
4. Finally, each public authority should have an up-to-date disclosure log on their website, and if no request was received for the year should ensure that this is captioned in the log. Dates of receipt and resolution of FOI requests should be indicated, as well as disclosure decisions and links to actual responsive records (with necessary redactions, and excepting cases where the information is personal information released to the individual who is the subject of the records).



Jan Liebaers
Acting Information Commissioner
28 November 2016

APPENDIX*

The websites of all 89 public authorities subject to the FOI Law (excluding the ICO), as they relate to FOI, have been ranked as follows:

Websites ranked as '1'

Cayman Islands National Archive
Water Authority-Cayman

Websites ranked as '2'

Cabinet Office
Cayman Islands Fire Service
Cayman Islands Government Office in the United Kingdom (London Office)
Cayman Islands Monetary Authority (CIMA)
Cayman Islands National Insurance Company (CINICO)
Cayman Islands Public Library Service
Civil Aviation Authority of the Cayman Islands (CAACI)
Computer Services Department
Department of Agriculture (DOA)
Department of Children & Family Services
Department of Commerce and Investment (DCI)
Department of Community Rehabilitation
Department of Environment
Department of Environmental Health
Department of Health Regulatory Services
Department of Immigration
Department of Labour and Pensions
Department of Planning
Department of Public Safety Communications (Formerly: C. I Emergency Centre and Electronic Monitoring)
Department of Tourism
Department of Vehicle and Drivers' Licensing
Department of Vehicle and Equipment Services
Director of Public Prosecutions
District Administration Department, Cayman Brac
Economics & Statistics Office
Electricity Regulatory Authority
Government Information Services (GIS)
Hazard Management Cayman Islands
Health Services Authority (HSA)
Information and Communications Technology Authority (ICTA)
Judicial Administration

Lands and Survey Department
Maritime Authority of the Cayman Islands (MACI)
Ministry of Community Affairs, Youth & Sports
Ministry of District Administration, Tourism and Transport
Ministry of Education, Employment and Gender Affairs
Ministry of Finance and Economic Development
Ministry of Planning, Lands, Agriculture, Housing and Infrastructure
Mosquito Research and Control Unit MRCU
National Housing Development Trust NHDT
Needs Assessment Unit
Office of the Auditor General
Office of the Complaints Commissioner
Office of the Deputy Governor
Office of the Premier
Port Authority of the Cayman Islands (PACI)
Portfolio of Legal Affairs
Portfolio of the Civil Service
Public Works Department
Radio Cayman
Royal Cayman Islands Police
Sunrise Adult Training Centre
Tourism Attraction Board
Treasury
University College of the Cayman Islands (UCCI)
Youth Services Unit

Websites ranked as '3'

Cayman Airways
Cayman Islands Airports Authority (CIAA)
Cayman Islands Cadet Corps
Cayman Islands National Museum
Cayman Islands National Weather Service
Cayman Islands Postal Service
Cayman Islands Stock Exchange
Cayman National Cultural Foundation (CNCF)
Department for International Tax Cooperation
Department of Sports
Elections Office
Financial Services Secretariat
Governor's Office
Ministry of Financial Services, Commerce and Environment
Ministry of Home Affairs, Health and Culture: Health and Culture
Ministry of Home Affairs, Health and Culture: Home Affairs
National Gallery of the Cayman Islands
National Roads Authority (NRA)
National Workforce Development Agency

Websites ranked as '4'

Cayman Turtle Farm (1983) Ltd.
General Registry
Her Majesty's Customs
Legislative Assembly Department
National Drug Council
Public Service Pensions Board

Websites ranked as '5'

Cayman Islands Cadet Corps
Cayman Islands Development Bank (CIDB)
Children & Youth Services (CAYS) Foundation
Commissions Secretariat
Department of Counselling Services
Department of Education Services
Her Majesty's Cayman Islands Prison Service

**Every effort has been made to ensure the accuracy of the data used in this study. However, public authorities are encouraged to advise the ICO (on info@infocomm.ky) if they dispute the ranking they have been allocated, and provide reasons and comments in support.*