

## Accepted Manuscript

Please cite this article as: Sáez-Martín, A., López-Hernández, A. M., & Caba-Pérez, C. (2021). Municipal size and institutional support as differential elements in the implementation of freedom of information legislation by Spanish local governments, *Public Management Review*, 23:1, 70-90. The final authenticated version is available online at: <https://doi.org/10.1080/14719037.2019.1668466>

## Municipal size and institutional support as differential elements in the implementation of freedom of information legislation by Spanish local governments

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### ABSTRACT

The aim of this article is to contribute to the literature on the implementation of worldwide freedom of information (FOI) laws, as observed in Spanish local governments, by hypothesizing and obtaining empirical evidence that municipal size and institutional support are differentiating elements in the implementation process. This evidence also reveals that factors such as municipal budget surplus, low levels of borrowing, the brevity of time elapsed from promulgation of the law to its implementation and political support from the mayor's office are all positively associated with the level of institutional support for local governments' implementation of FOI laws.

**KEYWORDS** FOI; transparency; implementation

### 1. Introduction

In recent years, social pressures to address increasing demands for greater transparency and good governance have led to governments adopting new practices to enhance the legitimacy of their management (Ruijter and Meijer 2016; García-Tabuyo, Saez-Martin, and Caba-Perez 2017), fundamentally through the adoption of freedom of information (FOI) laws (Berliner 2014). To date, 119 countries have passed FOI laws (freedominfo.org). Spain was one of the last countries in the European Union to approve FOI legislation, doing so under Act 19/2013, of 9 December, on Transparency, Access to Public Information and Good Governance (henceforth, FOIA). As in other European countries, a transitional period was established for its full implementation, which concluded at the end of 2015 (SáezMartin, Caba-Perez, and Lopez-Hernandez 2017a). FOI laws vary in content and scope from one country to another. In some cases, legislation is very general, while in others a detailed specification is given of the type of information that should be provided, what should be considered confidential (Islam 2006), which subjects are addressed by the law (i.e. distinguishing between different levels of government) (Burt and Taylor 2009; Chapman 2010), whether the information should be disclosed online or offline, and whether the

disclosure should be proactive or reactive (García-Tabuyo, Saez-Martin, and Caba-Perez 2017). According to Ruijter and Meijer (2016), FOI legislation varies because it is strongly influenced by the institutional framework and culture of each country; some place more emphasis on standards, while others refer more to principles. In this regard, the Spanish FOIA is one of the strictest in terms of the number of information items that must be provided online; moreover, it applies to all levels of government, regardless of the size of the public entity (Sáez-Martin, CabaPerez, and Lopez-Hernandez 2017a). The FOIA does not establish a programme to subsidize implementation, but merely defines the schedules and deadlines for compliance corresponding to different levels of government (Garrido-Rodríguez, LópezHernández, and Zafra-Gómez 2018).

Since the publication of the first FOI laws, various studies have observed that obstacles to their adoption and implementation may arise if they are weakly drafted, i.e., if they contain textual ambiguities regarding questions such as whether the information provision should be online or otherwise, and proactive or reactive (Islam 2006; Ruijter and Meijer 2016). Factors such as an inadequate application policy and the lack of political will may also impede the implementation (Pasquier and Villeneuve 2007; Worthy 2010). Moreover, government capability, i.e. human and material resources, together with the necessary outlook and resolve (Honadle 2001), is essential to the effective application of FOI laws (Welch 2012; Worthy 2013).

FOI issues are increasingly considered of great importance to society (Roberts 2010), and Dragoş, Neamţu, and Cobârzan (2012) reported that FOI provisions in Romania tend to be universal for all public local authorities, regardless of size and capability. This is also the case in Spain and therefore it would be useful, to better understand the application of the FOIA, to determine whether local government heterogeneity is relevant to its implementation.

Literature on local government implementation of FOI requirements remains inadequate. Most previous research in this field has attempted to provide a qualitative explanation (Roberts 2010; Burt and Taylor 2009), and few studies have taken a quantitative approach (Taylor and Burt 2010; Dragoş, Neamţu, and Cobârzan 2012; Worthy 2013). In short, there is a need for empirical study, in line with Piotrowski et al. (2009), to address the question of whether local government capability and the support received are crucial to the successful implementation of the FOIA, and constitute a differentiating element in the process.

In view of these considerations, Spain is taken as a case study to explain how contextual conditions may shape the implementation of the FOIA (Cucciniello, Porumbescu, and Grimmelikhuijsen 2017; Sáez-Martín, López-Hernandez, and CabaPerez 2017b), and in particular whether inadequate support for FOIA implementation corresponds to a shortage of resources or to a failure in its design by central government (Puron-Cid 2014). Spain is a very suitable country for studying these questions, for three main reasons: a) the diversity of Spanish municipalities, in terms of size, b) the stringent requirements of the FOIA in Spain c) and the fact that the implementation period ended recently and can readily be evaluated.

The present study has two main objectives: first, to determine the extent to which municipal size and institutional support are differentiating elements in the implementation of FOIA requirements by local governments; second, to obtain empirical evidence on the organizational, political and economic factors that may influence the institutional support received.

This article makes a novel contribution to the literature on the capability of local governments to implement the FOIA. In particular, we examine a previously unexplored area of research, namely the influence of certain factors on the institutional support received by local governments to comply with FOI legislation. Furthermore, the results presented may raise awareness among public managers about key issues that affect FOIA implementation, such as: a) the need to review legal requirements taking into account the diversity of local governments and b) the often inadequate level of resources and support with which to implement the law.

## **2. Key issues in local government implementation of the FOIA**

In the policymaking process, governments often focus too narrowly on creating a legislative framework and neglect the importance of its application, which may thus become a missing link in the implementation of public management reforms (Dunn, Staronova, and Pushkarev 2006). Studies have highlighted the importance of governmental capabilities to implement, develop and innovate in the area of transparency (Tolbert, Mossberger, and McNeal 2008; Grimmelikhuijsen and Welch 2012) and FOI (Worthy 2013). Furthermore, the application of FOI laws produces additional costs within government (Holsen 2007), and the severe budgetary cuts imposed over the past decade have put transparency systems at risk across the world (Worthy 2013). Furthermore, political commitment at the highest level is required to allocate sufficient resources to ensure the effectiveness of this legislation (Neuman and Calland 2007; Cherry and McMenemy 2013).

Piotrowski et al. (2009) and Worthy (2010) identified key issues that must be addressed to achieve the successful implementation of FOI laws: (a) the choice of an appropriate body or individual to implement the new regime of access to information; (b) the provision of economic resources and institutional support; (c) training and skills of the personnel involved; (d) internal systems and processes to generate and provide information, ensuring awareness and compliance; (e) an internal review system to supervise the application of the legislation.

In local government, studies have shown that the implementation of policies associated with FOI and e-government is positively related to government capabilities (Ho 2002; Moon 2002; Taylor and Burt 2010). According to these authors, effective implementation must begin with the development of administrative capability at the local level, i.e. economic resources, personnel and information and communication technologies (ICT) (Honadle 2001; Dragoş, Neamtţu, and Cobârzan 2012). The lack of these capabilities is perceived to be a major barrier to the planning and implementation of e-government (Moon 2002; Moon and Norris 2005) and FOI provisions in many municipalities (Sáez-Martin, Caba-Perez, and Lopez-Hernandez 2017a).

There is a direct relationship between population size and government capability (Andrews and Boyne 2009; Ruano 2014), and the latter is considered a key feature underlying local government transparency and responses to FOI requirements (Piotrowski et al. 2009; Arellano-Gault and Lepore 2011; Alcaide Muñoz, Rodríguez Bolívar, and López Hernández 2017). Furthermore, population size is an indicator of local government resources, of public services provided and of the existence of specialized, professionalized personnel (Moon 2002; García and García 2008; Gallego-Álvarez, Rodríguez-Domínguez, and García-Sánchez 2010). Finally, municipalities with higher population densities can apply their resources more efficiently and hence at lower

average cost per user (Dragoş, Neamtţu, and Cobârzan 2012; Ruano 2014). Therefore, population size may be of crucial importance in shaping compliance with FOI legislation.

However, problems may arise if FOI laws do not define a suitable model for implementation by local governments (García-Tabuyo, Saez-Martin, and Caba-Perez 2017). Lack of support from central government can also weaken the local application of FOI provisions (Worthy 2010; Cherry and McMenemy 2013), especially if the necessary resources are not available (Luna Pla 2008; Mendel and Unesco 2008). Various types of institutional support may be provided to foster compliance with transparency initiatives, such as financial assistance, training programmes, ICT knowledge and staffing, and the incorporation of FOIA experts and consultants in the public sector (Puron-Cid (2014).

In the absence of central government support and planning for the implementation of FOI laws, as has been the case in Spain, local governments must themselves develop this process, and their greater or lesser ability to do so is then an important factor in the effectiveness of the legislation (Worthy 2010; Piotrowski et al. 2009; Dragoş, Neamtţu, and Cobârzan 2012). Legislators should take into account the diversity of local governments in terms of size and administrative capability when establishing legal requirements for FOI provision and implementation timelines (Sáez-Martin, Caba-Perez, and Lopez-Hernandez 2017a).

Studies have identified the following barriers to the implementation of FOI laws:

- Weak leadership by those responsible for implementation, due to a lack of political will or interest (Luna Pla 2008; Piotrowski et al. 2009);
- The absence of a transparency office to manage FOI issues within local government (Burt and Taylor 2009; Roberts 2010);
- A lack of trained human resources, or if they exist, a tendency to overburden personnel with multiple responsibilities, such that the application of FOI legislation becomes an additional task (Burt and Taylor 2009; McDonagh 2010);
- A lack of financial resources (Piotrowski and Van Ryzin 2007; Worthy 2013);
- Insufficient ICT facilities and equipment with which to implement FOI requirements (Piotrowski et al. 2009; Dragoş, Neamtţu, and Cobârzan 2012);
- A lack of control and supervision (Luna Pla 2008; Roberts 2010).

Taylor and Burt (2010) and Piotrowski et al. (2009) indicated that these barriers to FOI implementation by local governments are even more pronounced in smaller municipalities, which have fewer economic, personnel and ICT resources. According to local authorities, although the central government is often aware of local problems (such as limited government capabilities), it is indifferent and fails to provide institutional support for the implementation of FOI laws (Dragoş, Neamtţu, and Cobârzan 2012).

### **3. Method**

#### **3.1. Research questions and hypotheses**

In view of the literature review performed and the study aims formulated, the following research questions and hypotheses are posed.

In the implementation of the FOIA by Spanish local governments, are there differences according to population size and institutional support received?

(H1) The population size and (H2) the institutional support received by Spanish local governments are differentiating elements in their implementation of the FOIA. We expect that larger governments will implement the FOIA more effectively, and that economic support will be the area in which most differences are encountered in the implementation of FOI legislation.

What factors influence the institutional support that local governments receive to implement the FOIA?

(H3) There are significant differences in the levels of support that local governments receive to implement the FOIA, related to organizational, political and economic factors. We expect that municipalities with a good financial situation, which are more strongly committed to adopting the FOIA and which are governed by progressive parties will receive greater support to implement the FOIA.

## **3.2. Research methods and instruments**

### **3.2.1. Sample and data collection**

In this paper, we analyse the implementation of the FOIA by local governments in Spain, taking into account that the implementation period of this legislation (concluding in December 2015) meant that Spain was one of the last countries in the EU to do so. Our analysis, therefore, provides a current snapshot of the situation in this respect, in contrast to countries where FOI laws are longer established, such as the UK, where the FOI Act was passed in 2000 (Worthy 2010). We chose to focus on this question at the level of local government because this area of public administration is more heterogeneous in terms of size, a factor that may be directly relevant to information transparency (Welch 2012; Worthy 2013). Moreover, the size of Spanish municipalities is known to vary considerably (Garrido-Rodríguez, LópezHernández, and Zafra-Gómez 2018). Another question we took into account is that the universality and considerable extent of FOI requirements in Spain make their implementation costly, often exceeding the resources available to these local governments (Sáez-Martin, Caba-Perez, and Lopez-Hernandez 2017a).

To characterize the sample needed for this study, we took the approach proposed by Alcaide Muñoz, Rodríguez Bolívar, and López Hernández (2017), who argued that the association between sample size and online transparency is stronger when the size considered is that of the population of the municipality. Therefore, in view of the large number of municipalities in Spain and the considerable disparity in their population sizes, the study sample was selected in accordance with the distribution of municipal services legally required under Local Government Act 7/1985, according to which the services a local authority must provide depend on the size of its population. For this purpose, the Act established four population levels: population >50,000

(n = 145); population 20,000–49,999 (n = 253); population 19,999–5,000 (n = 919); population implementation of the FOIA via e-administration for the first two types of municipalities and in line with Sáez-Martin, Caba-Perez, and Lopez-Hernandez (2017a) and GarridoRodríguez, López-Hernández, and Zafra-Gómez (2018), we included large ( $\geq 50,000$  inhabitants) and medium-sized (20–50,000 inhabitants) municipalities, thus obtaining an initial sample of 398 local governments.

Our quantitative survey of FOIA implementation is based on 41 items proposed in previous studies in this field (Taylor and Burt 2010; Piotrowski et al. 2009; Worthy 2013) which are grouped into the following sections: a) planning FOIA implementation; b) persons and offices responsible for managing FOIA implementation; c) procedures for managing FOIA implementation (Table 2).

Data collection began in October 2016 with an online survey (created using Lime Survey software) addressed to Spanish local governments. Following Worthy (2013), emails were sent to municipal FOI managers inviting them to participate in the study. In cases of non-response, up to three reminder emails were sent, and the survey was closed at the end of January 2017.

Among the municipalities to which the survey was sent, a response rate of 59% was obtained, producing a final sample of 234 local governments, representing 49% of the total Spanish population. This final sample was composed of 94 large and 140 medium-sized local governments.

### **3.2.2. Statistical análisis**

The statistical analyses were carried out in three phases. In the first, based on the survey data collected, a descriptive analysis was made of the local governments' implementation of the FOIA. In the second phase, a statistical analysis of the mean values (Table 2, Column 1) obtained was conducted to determine whether there were significant between-group differences in the implementation process, according to the size of the municipality and the institutional support received. To do so, and following SerranoCinca, Rueda-Tomás, and Portillo-Tarragona (2009), Student's t-test (for continuous variables) and the Mann-Whitney U test (for ordinal variables) were conducted to examine how FOIA implementation varied according to the size of the municipality. In addition, and in line with Welch (2012), ANOVA tests were conducted to determine how FOIA implementation varied according to the institutional support received. The latter was measured on a Likert scale ranging from 1 to 7, where 1 signified 'No support' and 7, 'Full support'. In line with Puron-Cid (2014), the types of support considered included advice on how to implement the FOIA, from a legal and procedural standpoint (the ADVICE variable), financial assistance (ECONOMIC variable), ICT-related assistance such as software and technological infrastructure (COMPUTER variable) and staff training programmes (STAFF variable) (see Table 2).

In the third and final phase, four regression models were created to determine which factors influenced the support received by local governments to implement the FOIA. The dependent variables in these models were the different types of support available to local governments for

FOIA implementation. The independent variables we used have been analysed in numerous prior studies, as factors that influence the transparency of governments (Alcaide Muñoz, Rodríguez Bolívar, and López Hernández 2017; Sáez-Martín, López-Hernandez, and Caba-Perez 2017b). We concur with these authors that greater FOI support will result in greater transparency in local government (Puron-Cid 2014). Accordingly, we believe it useful to examine how a local government's financial situation and the level of assistance received previously for other local government responsibilities (Alcaide Muñoz, Rodríguez Bolívar, and López Hernández 2017) might influence the support given to implement the FOIA, by incorporating the following variables into our analysis: financial transfers received (TRANSFERS), local government public debt (DEBT) and local government budget surplus (SURPLUS). In addition, the successful implementation of FOI legislation depends on effective leadership in this regard (Piotrowski et al. 2009) and on the influence of political considerations (Welch 2012; Berliner 2014). In consequence, we analyse the impact of the following variables: the political ideology of the supervisory regional agencies involved (the Provincial Council and the Regional Government) (IDEOLOGY PC and IDEOLOGY RG) and the department assigned responsibility for preparing and applying the FOI regulations (DEPARTMENT). In these analyses, we expect progressive governments to lend more support to local governments to implement FOIA and that greater proximity between the mayor's office and the transparency department will produce a greater political commitment to the FOIA. We then examine the results obtained to see whether the latter associations result in municipalities obtaining more or less support from other institutions. Finally, taking into account previous experiences of the timing involved in developing and adopting policies to promote transparency (Burt and Taylor 2009) or FOI (García-Tabuyo, Saez-Martín, and Caba-Perez 2017), we examine whether local governments that started this process earlier, i.e. those which presented greater commitment to compliance with the FOI legislation, received greater support to do so. Accordingly, our analysis includes the following variable: the time elapsed from promulgation of the FOIA until it was implemented by the local government (DATE) (see Table 1).

Incorporating these independent variables. the following model was established for each type of institutional support (IS):

$$IS = \beta_0 + \beta_1 \text{TRANSFERS}_i + \beta_2 \text{DEBT}_i + \beta_3 \text{SURPLUS}_i + \beta_4 \text{IDEOLOGY-RG}_i + \beta_5 \text{IDEOLOGY-PC}_i + \beta_6 \text{DATE}_i + \beta_7 \text{DEPARTMENT}_i$$

## 4. Findings

### 4.1. Differences in FOIA implementation: municipal size and institutional support

The results obtained indicate that FOIA implementation was in progress in 62% of the Spanish local governments analysed prior to the entry into force of the FOIA (Table 2, Column 1). These results are similar to those recorded in Scotland for a comparable situation (Taylor and Burt 2010). However, many municipalities failed to comply with the two-year term stipulated for implementing these rules, from December 2013 to December 2015, mainly due to insufficient resources.

Our statistical analysis of the mean values for the size of the municipality (H1) and the institutional support received (H2) confirmed that these factors were differentiating elements in the implementation of the FOIA (Table 2). Furthermore, as shown in Annexe 1, there are significant differences in the support received by local governments from the Regional Government for FOIA implementation, with Catalonia and Castilla la Mancha offering significantly more support than the other regions.

**Table 1.** Independent variables used for the explanatory factors.

Variable	Measure	Source	Expected relation
Financial transfers (TRANSFERS)	Funds received by local governments from higher agencies.	Ministry of Finance and Public Administration	+
Local government public debt (DEBT)	Current municipal debt (2016) divided by number of inhabitants.	Ministry of Finance and Public Administration	-
Local government budgetary surplus (SURPLUS)	Financial and economic surplus according to the municipal budget	Ministry of Finance and Public Administration	+
Political ideology of the Regional Government (IDEOLOGY-RG)	Political ideology of the governing party: 0 = Right-wing; 1 = Left-wing.	Ministry of the Interior	±
Political ideology of the Provincial Council (IDEOLOGY-PC)	Political ideology of the governing party: 0 = Right-wing; 1 = Left-wing.	Ministry of the Interior	±
Date of implementation (DATE)	Months elapsed since the FOIA was implemented by the local government since its entry into force.	Survey	+
Department responsible (DEPARTMENT)	Local government area or department responsible for application of the FOIA	Survey	+

#### 4.1.1. Planning the implementation of the FOIA

The results obtained show that large municipalities achieve higher levels of FOIA implementation than medium-sized ones, which is in line with the conclusions reported by Dragoş, Neamtţu, and Cobârzan (2012) regarding FOI legislation in Romania. The disparity between different-sized municipalities can be explained by reference to the significant differences observed in the resources available to large vs. medium-sized municipalities for this purpose (Taylor and Burt 2010; Dragoş, Neamtţu, and Cobârzan 2012). Specifically, and in line with Piotrowski et al. (2009) and Roberts (2010), our results show that there are significant differences between large and medium-sized Spanish municipalities in terms of staff, financial resources and ICT with which to implement FOI requirements. However, the results of the ANOVA suggest that municipalities possessing more resources with which to implement the FOIA also obtain higher levels of institutional support (Table 2, Annexe 1).

Table 2 shows that 65% of the local governments had a transparency office to manage their FOI obligations. There were no important differences by population size, but there were significant differences in the level of support received, which was greater when a specific office for FOI implementation had been established (Table 2, Annexe 1). In comparison with similar experiences elsewhere, Spanish local governments are more likely to create transparency offices. Thus, studies have reported corresponding values of 43% in China (Piotrowski et al. 2009) and



58% in Scotland (Taylor and Burt 2010), while in India, according to Roberts (2010), there were hardly any transparency offices or it was impossible to locate the department responsible.

possible to locate the department responsible. Our results indicate that most of the transparency offices in Spanish local governments do not depend directly on higher levels of government. However, as is the case with local governments in India (Roberts 2010), there is evidence that large local governments are more likely than medium-sized ones to situate their transparency office in departments with greater responsibility (Table 2). As shown in Annexe 1, significant differences in institutional support were only observed in advisory services; in this regard, the department of economy and finance usually obtained most assistance.

Table 2. Results of the implementation process FOIA and differences in size and support.

	All LGs		LLG	MLG	T-test U-test	ANOVA type of support (F)				
	Mean	SD	Mean	Mean		A	E	T	P	
Regional government	6.86	4.14	6.82	7.82	-0.12	<b>3.743 ***</b>	<b>1.697***</b>	<b>2.341***</b>	<b>2.820***</b>	
<b>A) PLANNING OF FOIA IMPLEMENTATION</b>										
FOIA has been implemented	62%	0.49	72%	45%	<b>2.71***</b>	0.000	0.589	0.036	0.211	
Office for FOIA implementation	65%	0.48	68%	63%	0.82	<b>7.474***</b>	<b>4.846**</b>	<b>4.162**</b>	<b>6.555**</b>	
Department <sup>1</sup> for the transparency office	3.43	2.22	3.82	2.31	<b>-1.126*</b>	<b>2.608**</b>	1.211	0.886	1.648	
Municipal regulations developing the FOIA	39%	0.48	41%	30%	<b>1.35*</b>	0.033	1.524	0.009	1.197	
Phases in the development of FOIA implementation	Formulation of the implementation project	51%	0.5	52%	51%	0.21	1.261	<b>3.454**</b>	0.751	0.176
	Approval of the implementation project	32%	0.47	30%	34%	-0.61	0.771	2.489	0.312	0.834
	Staff recruitment	47%	0.5	52%	44%	1.18	1.869	0.205	0.085	<b>3.195*</b>
	Disclosure of obligatory information on the municipal website	89%	0.31	94%	86%	<b>1.89***</b>	0.254	0.010	0.100	2.086
Responses are made to information requests via the municipal website	58%	0.49	65%	54%	<b>1.72**</b>	<b>4.893**</b>	0.039	2.137	<b>5.630**</b>	
Resources for FOIA implementation	Personnel (1-7)	3.56	1.44	3.84	3.38	<b>-2.71***</b>	<b>3.114*</b>	<b>3.900**</b>	0.400	<b>8.222***</b>
	Technical and computing staff (1-7)	4.38	1.39	4.52	4.29	-1.26	<b>7.869***</b>	<b>8.418***</b>	<b>3.235*</b>	<b>10.031***</b>
	Financial resources (1-7)	3.53	1.42	3.77	3.36	<b>-2.38**</b>	<b>8.239***</b>	<b>11.84***</b>	<b>3.305*</b>	<b>10.282***</b>
	Institutional support from other government agencies (1-7)	3.84	1.55	3.76	3.95	<b>-1.17*</b>				
Type of support	External advice (1-7)	3.12	1.65	2.9	3.26	<b>-1.73*</b>				
	Financial support (1-7)	1.75	1.15	1.62	1.84	<b>-1.71*</b>				
	Technical and computing support (1-7)	2.79	1.68	2.61	2.91	<b>-1.89*</b>				
	Staff training (1-7)	2.87	1.52	2.95	2.81	0.28				
Provide FOIA-related support to other public administrations	18%	0.39	19%	18%	0.25	<b>3.067*</b>	<b>6.249**</b>	1.225	1.407	
<b>B) PERSONS AND OFFICES RESPONSIBLE FOR FOIA IMPLEMENTATION</b>										
FOIA management is outsourced	2%	0.14	0.01%	0.03%	-0.93	0.498	<b>3.509*</b>	2.587	0.981	
Persons managing FOIA compliance (n)	3.53	4.31	4.42	2.92	<b>2.62**</b>	1.732	0.659	0.835	0.645	
% full time FOIA staff	12%	0.26	12%	11%	0.14	0.964	0.886	1.212	0.759	
% part time FOIA staff	88%	0.32	86%	90%	-0.89	1.034	0.785	1.140	0.794	
% Temporary staff	23%	0.34	25%	22%	0.45	0.744	1.474	1.103	0.744	
% Permanent staff	77%	0.34	75%	78%	-0.45	1.677	0.683	0.683	0.615	
<b>C) PROCEDURES FOR FOIA IMPLEMENTATION</b>										
Qualifications:	University graduates	95%	0.22	98%	93%	<b>1.74*</b>	0.682	0.099	1.044	1.640
	Degree in law	38%	0.49	41%	35%	0.85	0.169	0.017	0.093	0.941
	Degree in computer studies	24%	0.43	19%	30%	<b>1.37*</b>	0.008	2.084	0.037	0.002
	Degree in economics	9%	0.28	9%	9%	-0.06	<b>3.307*</b>	<b>1.680*</b>	<b>3.472*</b>	0.505
Staff training	Classification of confidential information (1-7)	4.56	1.41	4.84	4.38	<b>2.49**</b>	<b>2.952*</b>	2.076	1.696	<b>5.914**</b>
	Use of technology (1-7)	4.82	1.3	5.48	4.71	1.61	<b>3.532*</b>	0.978	<b>2.676**</b>	<b>6.688**</b>
	Response to users' information requests (1-7)	4.65	1.37	4.92	4.46	<b>2.55**</b>	1.051	1.387	0.070	1.560
Control body	Publish information on the website (1-7)	5.17	1.25	5.29	5.1	-1.45	0.896	2.515	<b>4.959**</b>	<b>6.252 **</b>
Continue using the same software	Update the website <sup>2</sup>	43%	0.5	51%	38%	<b>1.93**</b>	<b>3.206*</b>	1.689	<b>6.585**</b>	2.510
	Response time to information requests <sup>3</sup>	3.06	1.77	3.21	2.96	-1.09	0.917	0.396	0.369	1.627
	Procedure for resolving conflicts regarding information requests	2.72	1.2	2.68	2.74	-0.33	<b>2.513**</b>	0.447	0.213	0.791
	Type of information <sup>4</sup> most requested	34%	0.47	35%	33%	0.4	2.191	0.191	<b>5.465 **</b>	0.214
	Type of information <sup>4</sup> least requested	3.18	1.48	3.32	3.08	-1.29	0.686	0.442	0.954	0.711
	Type of information <sup>4</sup> most consulted	2.28	1.19	2.22	2.35	-0.42	0.714	1.843	0.327	0.050
	Type of information <sup>4</sup> least consulted	3.59	1.44	3.46	3.54	-0.60	0.071	0.487	0.654	0.113
		2.2	1.19	2.33	2.28	-0.58	0.108	0.439	0.556	0.212

Abbreviations:

LLG: Large local governments; MLG: Medium-sized local governments

A: Advisory; E Economic; T Technological; P Personnel

Department<sup>1</sup>: 6 Mayor's office; 5 Deputy mayor's office; 4 Economy and Finance; 3 Citizens' participation; 2 Other (low level of governmental responsibility; 1 None

Website updating<sup>2</sup>: 1 Not stated; 2 No fixed period; 3 Three-monthly; 4 Monthly; 5 Every two weeks; 6 Weekly

Response delay to information request<sup>3</sup>: 1 No response; 2 Over seven days; 3 Three to seven days; 4 One to three days; 5 Less than 24h

Information<sup>4</sup>: 1 Institutional; 2 Legal; 3 Economic; 4 Senior officials; 5 Contracts, agreements and grants/subsidies.

Only 39% of the Spanish local governments analysed have drawn up regulations to implement FOI requirements, with larger municipalities being more likely to prepare such regulations. Among the different phases of FOIA implementation, those of proactive information disclosure (89%) and the service that responds to information requests (58%) are notably present on local government websites, especially in large local governments (Table 2). In addition, the local governments that establish a service to respond to information requests obtain higher levels of institutional support in terms of advice and personnel (Table 2, Annexe 1).

Although, overall, Spanish local governments have received little institutional support to implement the FOIA, significantly more has been provided to medium-sized than to large municipalities. In addition, in most local governments in Spain financial aid for implementation has been non-existent, a situation that contrasts with that observed in local governments elsewhere, such as the UK (Taylor and Burt 2010; Worthy 2013) and Romania (Dragoş, Neamtţu, and Cobârzan 2012), where institutional support has been given from the outset. On the other hand, a significant proportion of Spanish local governments (18%) have provided some kind of assistance to others to implement the FOI legislation.

#### **4.1.2. Persons and offices responsible for implementing the FOIA**

In most local governments, FOIA implementation is not contracted out (see Table 2, column 1), and there are no differences between large and medium-sized municipalities. On the other hand, differences were observed in the support received; thus, municipalities which have outsourced the management of FOI obtain higher levels of financial support (Table 2, Annexe 1). In addition, large municipalities have greater numbers of municipal personnel to provide FOI services. Furthermore, in most cases, these persons are on permanent contracts (77%). Nevertheless, most local government staff who manage FOI obligations are also responsible for other administrative tasks, unrelated to municipal transparency (88%). These findings are in line with those of Dragoş, Neamtţu, and Cobârzan (2012), who reported that in Romania only the largest local governments have specialized, full-time personnel to implement FOI requirements.

In Spain, the local government personnel responsible for providing FOIA services are mainly university graduates (95%), especially in the larger municipalities, and most have a medium-high level of training in FOIA implementation. This contrasts with the situation elsewhere, for example in China, Ireland and India (McDonagh 2010; Roberts 2010), where shortcomings have been observed in staff training with respect to information classification and disclosure and the use of associated technology. In line with Roberts (2010), Taylor and Burt (2010) and Worthy (2013), our results show that large local governments have more qualified staff to implement the FOIA. Annexe 1 shows the relationship between staff training and support received, the latter being greater in local governments with more highly qualified personnel. On the other hand, the financial support received is somewhat lower when the staff have economic training.

Finally, only 46% of the local governments examined have created an internal control body to monitor compliance with the FOIA, with large municipalities being more likely than medium-sized ones to do so.

4.1.3. Procedures for implementing the FOIA In implementing the FOIA, 43% of Spanish local governments continue to use the same software and ICT as before. Therefore, and as in Scotland (Taylor and Burt 2010), over half of the large and medium-sized local governments in Spain have had to update and renew their associated ICT and software in order to implement the FOIA. This task is more onerous for the medium-sized municipalities, in acknowledgement of which they have received greater technical and computer support from other government agencies (Table 2, Annexe 1).

On average, online information is updated every three months, and information requests are answered in 3–7 days. In any case, and in line with performance in the UK (Worthy 2013), most Spanish local governments meet the deadline of one month to answer information requests, as stipulated in the FOIA. However, some smaller local governments have difficulty in complying with this response time, as is also the case in Scotland (Taylor and Burt 2010). The municipalities that take longest to respond are those that have received the most advice (Table 2, Annexe 1). Unlike UK local governments (McDonagh 2010; Worthy 2013), very few Spanish municipalities have established a procedure to resolve possible conflicts about information requests.

Regarding the type of information requested or consulted on the local government website, in line with UK local governments (Worthy 2013), the information most commonly sought by citizens concerns the economic situation of the municipality and its level of spending on senior officials and municipal governance. The type of information that is least often consulted and requested is that of legal information on municipal regulations.

## 4.2. Factors influencing institutional support for local governments to implement the FOIA

The Pearson’s correlation coefficient values obtained in our explanatory analysis reveal weak relationships among the factors assumed to influence the level of support received (Table 3). These correlation values are all less than 0.8, and so there is no problem of multicollinearity that might affect the proposed model (Neter et al. 1996).

**Table 3.** Correlation of independent variables.

	TRANSFERS	DEBT	SURPLUS	IDEOLOGY		DATE	DEPARTMENT
				RG	IDEOLOGY PC		
TRANSFERS	1						
DEBT	0.0513	1					
SURPLUS	<b>0.4216***</b>	0.0424	1				
IDEOLOGY RG	<b>-0.1357*</b>	<b>0.3106***</b>	-0.0946	1			
IDEOLOGY PC	-0.0518	0.0691	-0.0687	<b>0.1336**</b>	1		
DATE	<b>0.2144***</b>	0.0778	0.0975	0.0076	-0.0807	1	
DEPARTMENT	0.0586	-0.0256	0.0137	-0.0277	-0.0051	<b>0.1356**</b>	1

\*. Correlation is significant at 0.10 (2-tailed). \*\*. Correlation is significant at 0.05 (2-tailed). \*\*\*. Correlation is significant at 0.01 (2-tailed).

Table 4 shows the results of the multiple linear regression analysis of factors that influence the support received by local governments to implement the FOIA. All four models are statistically significant, and the linearity of the regression was confirmed by Fisher’s F test (Row 1, Table 4). With respect to the significance of the explanatory factors, the multiple linear regression analysis gave the following results, confirming hypothesis H3: TRANSFERS was significant in three models

(ADVICE-ECONOMICCOMPUTER), DEBT in two (ADVICE-ECONOMIC), SURPLUS in two (ADVICEECONOMIC), IDEOLOGY-RG-PC in all, DATE in two (COMPUTER-STAFF) and DEPARTMENT in three (ADVICE-ECONOMIC-STAFF).

With regard to economic factors, the local governments that received a greater volume of transfers from other levels of government received less financial, computer and advisory support with which to implement the FOIA, possibly because these local governments already had a larger budget allocation to address various policies, including transparency. However, the results obtained show that local governments that achieved good economic management, as reflected in a public account surplus and low level of borrowing, received more economic and advisory support to implement the FOIA.

The results obtained highlight differences in the support received according to the ideology of the party governing the corresponding Provincial Council and the Regional Government. Provincial councils governed by a conservative party tend to provide more support to local governments to implement the FOIA. However, when the Regional Government is governed by a progressive party, more support is provided than when a conservative government is in office. Therefore, although political ideology is significant, it is unclear whether left or right-wing parties give more support for FOIA implementation.

Finally, with regard to organizational factors, the DATE variable, i.e. the time elapsed from the entry into force of the FOIA until its implementation by the local government, is positively associated with the institutional support received. In other words, the local governments that receive most support are those which began implementation soonest. As concerns the government department applying the FOIA, our results show that the more senior the office responsible (e.g., that of the mayor or deputy mayor), the higher the level of institutional support received to implement the FOIA, especially in terms of finance, advice and staff.

## **5. Discussion and conclusions**

The implementation of the FOIA by Spanish local governments presents some characteristics in line with those observed elsewhere. However, our findings, taking into account the size of the sample and the recent adoption of the Spanish FOIA, contribute to knowledge of this field by clarifying areas that were previously unexplored concerning local governments' implementation of FOI legislation (Piotrowski et al. 2009; Welch 2012; Puron-Cid 2014). In particular, our study presents empirical evidence that the size of the local government and the level of institutional support it receives can affect its implementation of the FOIA (Roberts 2010; Taylor and Burt 2010; Worthy 2013). In addition, we show that several factors are positively associated with the level of institutional support received for this purpose, namely a low volume of transfers from higher levels of government, a public accounts budget surplus, a low level of borrowing, the early implementation of FOI rules and the existence of a high-level department in local government (such as the mayor's office) responsible for FOIA implementation.

**Table 4.** Regression analysis of factors that influence the support received by local governments to implement the FOIA.

	Model 1 ADVICE		Model 2 ECONOMIC		Model 3 COMPUTER		Model 4 STAFF	
Fisher's (F)	F(7, 234) = 5.19 ***		F(7, 234) = 4.38 ***		F(7, 234) = 3.85***		F(7, 234) = 2.82 ***	
Adj R-squared	0.3175		0.4972		0.2831		0.1517	
	Coef.	t	Coef.	t	Coef.	t	Coef.	t
TRANSFERS	-0.3207093	<b>-2.61**</b>	-0.2732621	<b>-3.11***</b>	-0.3537322	<b>-2.76***</b>	-0.0135659	-0.11
DEBT	-3.25E-01	<b>-3.11***</b>	-1.98E-01	<b>-2.66***</b>	-1.32E-01	-1.21	-1.39E-01	-1.39
SURPLUS	1.55E-09	<b>1.42*</b>	2.2E-09	<b>2.82***</b>	1.59E-09	1.40	1.28E-09	1.22
IDEOLOGY RG	0.5439038	<b>2.26**</b>	0.3033004	<b>1.77*</b>	0.5018692	<b>2.01**</b>	0.4837056	<b>2.1**</b>
IDEOLOGY PC	-0.7649216	<b>-3.55***</b>	-0.3321331	<b>-2.16**</b>	-0.7380411	<b>-3.29***</b>	-0.5731581	<b>-2.77**</b>
DATE	0.0601267	1.18	0.0510052	1.40	0.074851	<b>1.40*</b>	0.0680673	<b>1.38*</b>
DEPARTMENT	0.0806781	<b>1.69*</b>	0.0590644	<b>1.73*</b>	0.0739575	1.49	0.0792644	<b>1.73*</b>

Significant at: p < 0.1\*; p < 0.05\*\*; p < 0.01\*\*\*.

Models based on o-probit estimators were also constructed, and produced similar results. For reasons of space, these models are not included in the paper, but they are available from the authors on request.

The main barrier facing local governments in Spain in implementing the FOIA is the lack of financial, human and ICT resources (Dragoş, Neamţu, and Cobârzan 2012; Worthy 2013), particularly in medium-sized municipalities (Piotrowski et al. 2009; Taylor and Burt 2010). In agreement with Roberts (2010), we believe it unlikely that local governments will be able to overcome their problems of inadequate resources as long as they depend on the executive branch of government rather than on the legislature. In other words, the legislator should establish, through the FOIA, the budgetary and personnel allocations to be made by central government to local governments.

Furthermore, it would be inappropriate to hold local governments solely accountable for the level of FOIA implementation achieved. In fact, the current FOIA in Spain takes no account of the reality of the municipal environment in such a way as to calibrate the effort required, setting implementation deadlines that are appropriate to the size and capability of each municipal government. Similar situations have been observed in Romania (Dragoş, Neamţu, and Cobârzan 2012) and in China (Piotrowski et al. 2009). Moreover, and as has occurred in India (Roberts 2010), there has been insufficient planning by the central government in Spain, and in consequence the FOIA does not appropriately define the roles to be played by provincial councils and the regional government in providing assistance and support to local governments.

A transparency office should be created in local governments for the effective implementation of the FOIA, since the lack of explicit designation leads directly to an absence of clear-cut responsibility, which in turn may jeopardize the implementation and application of the FOIA (Piotrowski et al. 2009; Taylor and Burt 2010). It has also been argued (Mo and Lin 2008; Chapman 2010) that weak leadership, resulting from the absence or inadequacy of a transparency office, can lead to a lack of central management and coordination. Our results show that when the transparency office forms part of a department managed by the mayor's office, i.e. when it reports to the top of the local government pyramid, greater institutional support is obtained to implement the FOIA.

With regard to FOIA managers, the lack of full-time staff with specific training for this task may result in a failure to meet implementation deadlines, a problem that is especially grave in medium-sized municipalities (Roberts 2010; Worthy 2013). In addition, care must be taken to avoid creating work overloads. FOIA implementation must not be imposed as an additional task, as this can often lead it to being considered less important (Burt and Taylor 2009; Dragoş, Neamţu, and Cobârzan 2012). The latter situation, in fact, arose in many medium-sized local governments in Spain during the two years scheduled for FOIA implementation. Now that this

deadline has passed, the FOIA's obligatory nature has forced local governments to prioritize compliance, in order to avoid sanctions.

Another key issue for the effective implementation of the FOIA is the control applied to the actions of public servants (Luna Pla 2008). In Spain, it is the medium-sized local governments that are least subjected to internal control, and this may be related to their lower levels of FOIA implementation, as has been found in Romania (Dragoş, Neamtţu, and Cobârzan 2012). In particular, local governments there argued that their limited capability justified their merely-formal compliance with legal requirements and to date the sanctions stipulated in the 84 A. SÁEZ-MARTÍN ET AL. FOIA have not been imposed. Nevertheless, the relationship between noncompliance and sanctions should be viewed with caution. Although Dragoş, Neamtţu, and Cobârzan (2012) suggested that in order to avoid FOIA noncompliance, more severe sanctions should be imposed on authorities that do not comply with the provisions of the law, we concur with Roberts (2010) that it would be unfair to impose fines on inexperienced or unskilled managers or to hold junior staff personally responsible for systemic problems within the local government. Therefore, the question remains open: should the FOIA provide leeway for local authorities, taking into account their capabilities, with respect to certain procedural conditions? If so, this would create greater flexibility in the means employed to achieve the desired outcome, but at the same time, would imply abandoning universal application of the law (Dragoş, Neamtţu, and Cobârzan 2012; Sáez-Martin, Caba-Perez, and Lopez-Hernandez 2017a).

Technology can be a determinant factor in FOIA implementation and in the transparency of public management (Worthy 2010) and depends on government capability and size (Tolbert, Mossberger, and McNeal 2008; Grimmeliikhuijsen and Welch 2012). In smaller Spanish local governments, resources and training may be inadequate (Taylor and Burt 2010; Dragoş, Neamtţu, and Cobârzan 2012). As a result, financial, technical and training support for ICT will continue to be required from other government agencies.

The empirical study presented in this article enhances our understanding of whether local government capability and the support received are important to successful implementation of the FOIA (Piotrowski et al. 2009; Welch 2012; Worthy 2013). Our work extends previous research into how contextual conditions shape FOIA implementation (Cucciniello, Porumbescu, and Grimmeliikhuijsen 2017; Sáez-Martín, López-Hernandez, and Caba-Perez 2017b). Our main contribution to the literature is to examine and explain a research niche that has been unexplored, namely the influence of certain political, economic and organizational factors on the institutional support received by local governments to implement the FOIA (Puron-Cid 2014).

Nevertheless, further research is still needed into the conditions that influence the support received for FOIA implementation in other local contexts, observing the future trend of the variables analysed here and possibly incorporating others. Analysis should also be conducted of the influence of political ideology in this context. Although we found this variable to be significant, we were unable to determine whether left or right-wing parties exert a stronger influence, or whether the relationship between the ideology of the local governing party and that of the regional government influences the support received. Another limitation of the present study is that only the two largest groups of municipalities are included in the analysis. In

future work in this field, it would be advisable to expand the sample to include municipalities with fewer than 20,000 inhabitants, as their FOIA implementation needs and hence calls for institutional assistance may be greater than those of larger populations.

Based on the experience of FOIA implementation by Spanish local governments, our findings may contribute to improving the implementation of a new FOIA or to revising those implemented elsewhere, for example in France and Italy (which were last updated in 2005), where the current legal requirements for online information are relatively low (García-Tabuyo, Saez-Martin, and Caba-Perez (2017); Sáez-Martin, Caba-Perez, and Lopez-Hernandez (2017a). In summary, the findings presented contribute to raising awareness among FOIA officials at various levels about certain aspects related to the implementation of the law. On the one hand, as concerns the central government, two key issues should be addressed. The first is that the diversity of local governments, in terms of size, should be taken into account when establishing universal legal requirements and implementation deadlines for the FOIA. The second is that a budgetary allocation should be stipulated in the FOIA, in view of the lack of economic resources, trained personnel and ICT facilities in many local governments for implementation of the law. At the regional government level, the findings presented highlight the need for other government agencies to provide more support to local governments for FOIA implementation. Finally, at the local government level, various suggestions can be made to local public managers for the effective implementation and application of the FOIA, such as the creation of a specific FOIA office with full-time staff. In addition, the transparency office should be responsible to the mayor's office, or other senior government department, and have its own instructions for developing the FOIA, and an internal control body should be created to ensure compliance with the law.

#### **Disclosure statement**

No potential conflict of interest was reported by the authors.

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## References

- Alcaide Muñoz, L., M. P. Rodríguez Bolívar, and A. M. López Hernández. 2017. "Transparency in Governments: A Meta-analytic Review of Incentives for Digital versus Hard-copy Public Financial Disclosures." *The American Review of Public Administration* 47 (5): 550–573. doi:10.1177/0275074016629008.
- Andrews, R., and G. A. Boyne. 2009. "Size, Structure and Administrative Overheads: An Empirical Analysis of English Local Authorities." *Urban Studies* 46 (4): 739–759. doi:10.1177/0042098009102127.
- Arellano-Gault, D., and W. Lepore. 2011. "Transparency Reforms in the Public Sector: Beyond the New Economics of Organization." *Organization Studies* 32 (8): 1029–1050. doi:10.1177/0170840611416741.
- Berliner, D. 2014. "The Political Origins of Transparency." *Journal of Politics* 76 (2): 479–491. doi:10.1017/S0022381613001412.
- Burt, E., and J. Taylor. 2009. "Freedom of Information and Scottish Local Government: Continuity, Change and Capabilities in the Management of Information." *Local Government Studies* 35 (2): 181–196. doi:10.1080/03003930902742872.
- Chapman, R. A. 2010. "Freedom of Information and Local Government: Concepts and Issues." In *Freedom of Information: Local Government and Accountability*, edited by R. Chapman and M. Hunt, 15–27. London: Ashgate Publishing.
- Cherry, M., and D. McMenemy. 2013. "Freedom of Information and 'vexatious' requests—The Case of Scottish Local Government." *Government Information Quarterly* 30 (3): 257–266. doi:10.1016/j.giq.2013.02.004.
- Cucciniello, M., G. A. Porumbescu, and S. Grimmelikhuijsen. 2017. "25 Years of Transparency Research: Evidence and Future Directions." *Public Administration Review* 77 (1): 32–44. doi:10.1111/puar.12685.
- Dragoș, D. C., B. Neamțu, and B. V. Cobârzan. 2012. "Procedural Transparency in Rural Romania: Linking Implementation with Administrative Capacity?" *International Review of Administrative Sciences* 78 (1): 134–157. doi:10.1177/0020852311430283.
- Dunn, W. N., K. Staronova, and S. Pushkarev. 2006. *Implementation: The Missing Link in Public Administration Reform in Central and Eastern Europe*, 43–62. Bratislava: NISPAcee.
- Gallego-Álvarez, I., L. Rodríguez-Domínguez, and I. M. García-Sánchez. 2010. "Are Determining Factors of Municipal E-government Common to a Worldwide Municipal View? an Intra-country Comparison." *Government Information Quarterly* 27 (4): 423–430. doi:10.1016/j.giq.2009.12.011.
- García, A. C., and J. G. García. 2008. "Determinantes de la divulgación de información contable a través de Internet por parte de los gobiernos locales." *Spanish Journal of Finance and Accounting* 37 (137): 63–84.
- García-Tabuyo, M., A. Saez-Martin, and C. Caba-Perez. 2017. "Proactive Disclosure of Public Information: Legislative Choice Worldwide." *Online Information Review* 41 (3): 354–377. doi:10.1108/OIR-02-2016-0054.
- Garrido-Rodríguez, J. C., A. M. López-Hernández, and J. L. Zafra-Gómez. 2018. "The Impact of Explanatory Factors on a Bidimensional Model of Transparency in Spanish Local Government." *Government Information Quarterly* 36(1): 154-165.

- Grimmelikhuijsen, S. G., and E. W. Welch. 2012. "Developing and Testing a Theoretical Framework for Computer-mediated Transparency of Local Governments." *Public Administration Review* 72 (4): 562–571. doi:10.1111/puar.2012.72.issue-4.
- Ho, A. T. 2002. "Reinventing Local Governments and the E-government Initiative." *Public Administration Review* 62 (4): 410–420.
- Holsen, S. 2007. "Freedom of Information in the UK, US, and Canada: Freedom of Information (FOI) Laws are Becoming More Prevalent Throughout the World. But They are Only as Effective as the Systems that Support Them." *Information Management* 41 (3): 50.
- Honadle, B. W. 2001. "Theoretical and Practical Issues of Local Government Capacity in an Era of Devolution." *Journal of Regional Analysis and Policy* 31 (1): 77–90.
- Islam, R. 2006. "Does More Transparency Go along with Better Governance?" *Economics & Politics* 18 (2): 121–167. doi:10.1111/ecpo.2006.18.issue-2.
- Luna Pla, I. 2008. "Aspectos culturales de la implementación del acceso a la información en México." *Revista del CLAD Reforma y Democracia* no. 42 (1): 211-234
- McDonagh, M. 2010. "Access to Local Government Information in Ireland: Attitudes Of Decisionmakers." *Open Government: a Journal on Freedom Of Information* 6 (6): 1–20.
- Mendel, T., and N. D. Unesco. 2008. *Freedom of Information: A Comparative Legal Survey*. Vol. 149. Paris: Unes.
- Mo, Y., and H. Lin. 2008. "Poor Preparation in the Implementation of OGI Regulations." *China Reform* 6: 70–72.
- Moon, M. J. 2002. "The Evolution of E-government among Municipalities: Rhetoric or Reality?" *Public Administration Review* 62 (4): 424–433. doi:10.1111/puar.2002.62.issue-4.
- Moon, M. J., and D. F. Norris. 2005. "Does Managerial Orientation Matter? the Adoption of Reinventing Government and E-government at the Municipal Level." *Information Systems Journal* 15 (1): 43–60. doi:10.1111/isj.2005.15.issue-1.
- Neter, J., M. H. Kutner, C. J. Nachtsheim, and W. Wasserman. 1996. *Applied Linear Statistical Models*, 4th Edn. New York: McGraw-Hill.
- Neuman, L., and R. Calland. 2007. "Making the Law Work: The Challenges of Implementation." In *The Right to Know: Transparency for an Open World*, edited by A. Florini, 179–213. New York, NY: Columbia University Press.
- Pasquier, M., and J. P. Villeneuve. 2007. "Organizational Barriers to Transparency: A Typology and Analysis of Organizational Behaviour Tending to Prevent or Restrict Access to Information." *International Review of Administrative Sciences* 73 (1): 147–162. doi:10.1177/0020852307075701.
- Piotrowski, S. J., and G. G. Van Ryzin. 2007. "Citizen Attitudes toward Transparency in Local Government." *The American Review of Public Administration* 37 (3): 306–323. doi:10.1177/0275074006296777.
- Piotrowski, S. J., Y. Zhang, W. Lin, and W. Yu. 2009. "Key Issues for Implementation of Chinese Open Government Information Regulations." *Public Administration Review* 69 (s1). doi:10.1111/j.1540-6210.2009.02100.x.
- Puron-Cid, G. 2014. "Factors for A Successful Adoption of Budgetary Transparency Innovations: A Questionnaire Report of an Open Government Initiative in Mexico." *Government Information Quarterly* 31: S49–S62. doi:10.1016/j.giq.2014.01.007.

- Roberts, A. 2010. "A Great and Revolutionary Law? the First Four Years of India's Right to Information Act." *Public Administration Review* 70 (6): 925–933. doi:10.1111/puar.2010.70.issue-6.
- Ruano de la Fuente, J. M. 2014. "E-government strategies in Spanish local governments." *Local Government Studies*, 40(4), 600–620.
- Ruijter, E., and A. Meijer. 2016. "National Transparency Regimes: Rules or Principles? A Comparative Analysis of the United States and the Netherlands." *International Journal of Public Administration* 39 (11): 895–908. doi:10.1080/01900692.2015.1057343.
- Sáez-Martín, A., A. M. López-Hernández, and C. Caba-Pérez. 2017b. "Access to Public Information: A Scientometric Study of Legal versus Voluntary Transparency in the Public Sector." *Scientometrics* 113 (3): 1697–1720. doi:10.1007/s11192-017-2541-5.
- Sáez-Martín, A., C. Caba-Pérez, and A. López-Hernández. 2017a. "Freedom of Information in Local Government: Rhetoric or Reality?" *Local Government Studies* 43 (2): 245–273. doi:10.1080/03003930.2016.1269757.
- Serrano-Cinca, C., M. Rueda-Tomás, and P. Portillo-Tarragona. 2009. "Factors Influencing e-disclosure in Local Public Administrations." *Environment and Planning C: Government and Policy* 27 (2): 355–378. doi:10.1068/c07116r.
- Taylor, J., and E. Burt. 2010. "How Do Public Bodies Respond to Freedom of Information Legislation? Administration, Modernisation and Democratisation." *Policy & Politics* 38 (1): 119–134. doi:10.1332/030557309X462538.
- Tolbert, C. J., K. Mossberger, and R. McNeal. 2008. "Institutions, Policy Innovation, and eGovernment in the American States." *Public Administration Review* 68 (3): 549–563. doi:10.1111/j.1540-6210.2008.00890.x.
- Welch, E. W. 2012. "The Relationship between Transparent and Participative Government: A Study of Local Governments in the United States." *International Review of Administrative Sciences* 78 (1): 93–115. doi:10.1177/0020852312437982.
- Worthy, B. 2010. "More Open but Not More Trusted? the Effect of the Freedom of Information Act 2000 on the United Kingdom Central Government." *Governance* 23 (4): 561–582. doi:10.1111/gove.2010.23.issue-4.
- Worthy, B. 2013. "'some are More Open than Others': Comparing the Impact of the Freedom of Information Act 2000 on Local and Central Government in the UK." *Journal of Comparative Policy Analysis: Research and Practice* 15 (5): 395–414. doi:10.1080/13876988.2013.836300.

**Annexe 1. Descriptive statistics for the items that were significant in the ANOVA (Table 1)**

		ADVICE		ECONOMIC		COMPUTER		STAFF		
		Mean	SD	Mean	Mean	Mean	SD	Mean	SD	
REGIONAL GOVERNMENT	Andalusia	2.60	1.395	1.56	.897	2.50	1.544	2.50	1.337	
	Aragon	2.33	1.528	1.00	.000	2.00	1.732	2.00	1.732	
	Asturias	2.50	1.915	1.50	1.000	1.50	1.000	2.00	1.155	
	Canary Islands	3.12	1.576	1.71	.985	2.35	1.455	2.76	1.437	
	Castilla la Mancha	4.14	2.193	1.57	.976	4.00	2.380	4.29	1.976	
	Castilla León	2.50	1.225	1.67	.816	2.67	1.506	2.50	1.378	
	Catalonia	4.28	1.386	1.96	1.261	3.70	1.581	3.74	1.367	
	Madrid	3.41	1.543	1.59	1.004	2.59	1.661	2.88	1.536	
	Valencia	2.85	1.503	2.33	1.291	2.58	1.521	2.70	1.403	
	Galicia	2.88	1.500	1.81	1.471	2.94	1.879	2.75	1.571	
	La Rioja	1.00	.000	1.00	.000	1.00	.000	2.50	.707	
	Murcia	2.67	1.871	1.33	1.000	2.22	2.048	2.22	1.563	
	Navarre	1.67	1.155	1.67	1.155	1.67	1.155	2.67	1.528	
	Basque Country	3.33	1.803	2.00	1.225	3.33	1.581	3.22	1.856	
	Cantabria	1.00	.	1.00	.	1.00	.	1.00	.	
	Balearic Islands	2.00	1.673	0.33	0.816	2.33	1.211	1.50	0.837	
Extremadura	3.12	1.649	1.33	1.555	1.33	1.555	1.33	1.555		
A) PLANNING OF FOIA IMPLEMENTATION										
Office for FOIA implementation		N	2.72	1.605	1.52	1.021	1.399	.154	2.52	1.372
		Y	3.33	1.639	1.87	1.200	1.795	.146	3.05	1.573
Department for the transparency office	None		2.72	1.605	1.52	1.021	2.49	1.399	2.52	1.372
	Other		3.46	1.602	1.92	1.250	2.98	1.809	3.10	1.524
	Citizens' participation		3.22	1.621	1.91	1.254	3.03	1.750	2.81	1.693
	Economy and Finance		4.20	2.150	1.70	1.160	3.10	2.514	3.50	2.014
	Deputy mayor's office		2.79	1.584	1.63	1.065	2.84	1.675	3.11	1.370
	Mayor's office		3.28	1.555	1.92	1.201	2.87	1.750	3.05	1.555
Phases in the development of FOIA implementation	Formulation of the implementation project	N	2.99	1.691	1.61	1.019	2.69	1.704	2.82	1.564
		Y	3.23	1.607	1.88	1.251	2.88	1.656	2.91	1.489
	Staff recruitment	N	2.98	1.677	1.72	1.149	2.82	1.655	2.79	1.679
		Y	3.27	1.612	1.78	1.155	2.76	1.712	2.70	1.487
	Responses are made to information requests via the municipal website	N	2.84	1.666	1.77	1.182	2.60	1.490	2.59	1.484
		Y	3.32	1.613	1.74	1.130	2.93	1.796	3.07	1.526
Resources for FOIA implementation	Personnel	1	2.92	1.558	1.60	1.095	2.72	1.605	2.58	1.395
		2	3.30	1.718	1.89	1.187	2.86	1.750	3.14	1.595
	Technical and computing staff	1	2.56	1.614	1.35	0.861	2.42	1.576	2.29	1.446
		2	3.27	1.629	1.86	1.198	2.90	1.697	3.03	1.508
	Financial resources	1	2.79	1.534	1.48	.929	2.58	1.505	2.53	1.405
		2	3.40	1.699	1.98	1.270	2.98	1.803	3.16	1.568
Provide FOIA-related support to other public administrations		N	3.03	1.611	1.66	1.038	2.73	1.685	2.81	1.524
		Y	3.51	1.778	2.14	1.505	3.05	1.647	3.12	1.515

(Continued)

(Continued).

		ADVICE		ECONOMIC		COMPUTER		STAFF		
		Mean	SD	Mean	Mean	Mean	SD	Mean	SD	
B) PERSONS AND OFFICES RESPONSIBLE FOR FOIA IMPLEMENTATION										
FOIA management is outsourced		N	3.13	1.621	1.77	1.152	2.82	1.684	2.88	1.527
		Y	2.60	2.881	.80	0.447	1.60	0.894	2.20	1.304
Qualifications: Degree in economics		N	3.19	1.635	1.80	1.163	2.88	1.690	2.90	1.538
		Y	2.50	1.357	1.45	0.999	2.15	1.496	2.65	1.424
Staff training	Classification of confidential information	1	2.88	1.517	1.65	1.135	2.64	1.539	2.61	1.376
		2	3.34	1.681	1.87	1.161	2.97	1.789	3.11	1.614
	Use of technology	1	2.65	1.323	1.59	1.234	2.38	1.349	2.26	1.082
		2	3.21	1.657	1.80	1.138	2.89	1.727	2.99	1.570
	Publish information on the website	1	2.79	1.437	1.37	.761	2.00	1.202	2.05	1.079
		2	3.16	1.637	1.80	1.176	2.89	1.703	2.96	1.541
C) PROCEDURES FOR FOIA IMPLEMENTATION										
Continue using the same software		N	3.28	1.590	1.82	1.162	3.04	1.747	3.01	1.542
		Y	2.89	1.728	1.62	1.060	2.47	1.535	2.68	1.517
Response time to information requests	No response		2.83	1.704	1.63	1.236	2.67	1.814	2.80	1.668
	Over seven days		3.51	1.752	1.82	1.140	3.20	1.747	3.04	1.575
	Three to seven days		3.34	1.611	1.84	1.157	2.84	1.604	3.05	1.407
	One to three days		2.68	1.441	1.64	1.052	2.54	1.584	2.63	1.447
Procedure for resolving conflicts regarding information requests	Less than 24h		3.31	1.702	1.92	1.382	2.69	1.601	2.69	1.797
		N	3.00	1.676	1.71	1.137	2.61	1.640	2.84	1.571
		Y	3.34	1.611	1.78	1.096	3.16	1.710	2.94	1.472

Abbreviations: N = No; Y = Yes; 1 and 2: coding for variables scored from 1 – 7 where 1 = (1–3) and 2 = (4–7).