

Public Information Request Process Audit

Results

Since its inception in 2021, ATP has taken steps to establish an effective and transparent Public Information Request (PIR) program to comply with the Public Information Act. In this audit, we found that ATP:

- Adheres to standard operating procedures guiding how it processes PIRs,
- Promptly responds to PIRs,
- Follows state law for requesting decisions from the Texas Attorney General to withhold information from public disclosure,
- Works with Project Connect partners to refer requests to partner agencies,
- Notifies the public of their rights related to PIRs at the ATP office and on the ATP website, and
- Recently implemented the GovQA software to improve PIR tracking.

We identified the following risks to address to continue improving the program:

- ATP has only one staff member responsible for and trained on PIR activities.
- ATP staff have not been trained on the Public Information Act and the related responsibilities.
- The majority of PIRs received from January 1, 2021 to December 31, 2022 fell into one of six types of commonly requested information and response to requests for employee salary information can be streamlined.
- ATP only charged a fee for two of the 39 PIRs received between January 1, 2021 and December 31, 2022, and PIR files did not clearly document ATP's justifications for charging or waiving fees. Both requests had broad scopes resulting in large amounts of responsive information which appears to support the assessed fees.

Recommendations

1. *To maintain consistent internal operations of the PIR program, we recommend the Legal Services Team:*
 - a. Identify a staff member to serve as the backup to the PIR Coordinator.
 - b. Finalize and provide the PIR training to ATP employees and contractors. The training should be recorded and shared in new employee onboarding.
 - c. Work with Human Resources to ensure an employee salaries spreadsheet is routinely updated and readily accessible to the PIR team.
2. *To ensure clear communication and equitable service to members of the public, we recommend the Legal Services Team:*
 - a. Develop template language to more fully explain to requestors the amount of information provided and the format for broad requests, such as those for emails and text messages.
 - b. Calculate estimated fees for requests and ensure decisions to charge or waive fees are equitably and consistently applied across all PIRs.

ATP management agreed with both recommendations. Management's proposed action plan is expected to be implemented by December 2023.

Background

As a local government corporation, the Austin Transit Partnership (ATP) must comply with Texas state law requirements for governmental bodies, including the Texas Public Information Act. The Public Information Act provides a way for residents to request government records. It guides governmental bodies on what information must be released or may be withheld so that the public has more insight into how governments operate and how public funds are spent.

ATP's Legal Services team is responsible for ensuring compliance with the Public Information Act. ATP has received 58 PIRs since it began operations on January 1, 2021.

Objective

Do current processes ensure ATP is following open records laws and ensure ATP is prepared to appropriately respond to public information requests (PIRs) in accordance with state law?

Scope

The audit scope included public information activities from January 2021 to April 2023.

ATP Internal Audit Team

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For questions about this project or the use of this report, please contact us at ATP_audit@atptx.org.