



State Comptroller of Israel | Local Government Audit  
Report | July 2024

Transparency and Protection of Privacy

---

# **Freedom of Information in Local Authorities**





## Freedom of Information in Local Authorities

### Background

Transparency is a fundamental cornerstone for ensuring the rule of law and good governance, and it is the proper basis for a governmental system designed to serve its residents. Transparency involves the implementation of the public's right to freedom of information, evaluated, among other things, by the degree of exposure and accessibility of information held by public authorities and its availability.

The Freedom of Information Law, 1998, effective in May 1999, initiated the "transparency revolution" in Israel. Its main objective is to implement a foundational principle of sharing information possessed by governmental authorities, and the Minister of Justice is responsible for its implementation. Under this law, citizens or residents wishing to obtain information may submit requests to public authorities for information they may hold. However, the Law sets restrictions on the provision of information, including specific circumstances under which an authority may deny a request, as well as certain types of information that cannot be disclosed and those that are not necessarily required to be provided. Authorities must justify any denials in their responses. Individuals whose requests have been denied or only partially fulfilled may appeal the authority's decision to an administrative court.

In line with a government resolution in 2011 on the implementation of the Freedom of Information Law, the Government Freedom of Information Unit was established within the Ministry of Justice in 2012. This unit was established to enhance governmental transparency and promote the enforcement of the Freedom of Information Law among public authorities through guidance, training, and supervision.



## Key Figures

**95%**  
**(1,923)**

of the 2,014 public authorities to which the Freedom of Information Law applies, including the 257 local authorities, have no regulatory body regarding the Law

**8,847**

requests for information were submitted to local authorities in 2022; Compared to 13,028 requests for information to government ministries and auxiliary units

**24%**

the increase rate in the requests submitted for information in the local authorities in 2021–2022; Compared to a 12% decrease in the requests to government ministries and auxiliary units in those years

**76%**

of the total requests for information to local authorities in 2022 were directed to municipalities (6,703); 14% (1,285) to local Authorities, and 10% (859) to regional councils

**19%**

of the information Officers in the local authorities did not provide the Government Freedom of Information Unit the data for 2022 about the implementation of the Freedom of Information Law

**258**

petitions by information seekers to the court in 2022 against local authorities that denied requests for information or partially responded to requests, Compared to 203 petitions against government ministries and auxiliary units in the same year

**in 80%**  
**(206)**


of the local authorities' e-mail addresses used for freedom of information are not explicitly designated for it

**only**  
**23.5%**  
**(20)**

of the Arab sector authorities, reported requests for information in each of 2019–2022; 16% of them (14) did not report requests for information at all; 23.5% (20) did not report in three of the four years; 37% (31) did not report in one or two of the four years





## Audit Actions

 From April to December 2023, the State Comptroller's Office audited the promotion of freedom of information and transparency in local government. The examined municipalities included **Ashdod, Haifa, Netanya, Rosh Ha'Ain**, and the **Mate Yehuda** regional council (the authorities). The audit examined various aspects of implementing the Freedom of Information Law, and the regulations promulgated thereunder, regarding the accessibility of information to the public and the information seekers. The interactions between the local authorities and the Government Freedom of Information Unit were also assessed. Meetings were held with representatives from organizations advocating for the promotion of freedom of information in the public sector, to strengthen supervision of public authorities, and contend with corruption within government institutions. Completion examinations were conducted at the Ministry of Justice, the Government Freedom of Information Unit, and the Ministry of Interior.

## Key Findings



 **Regulating the Freedom of Information** – the Freedom of Information Law applies to 2,014 public authorities; However, the regulatory powers of the Government Freedom of Information Unit apply to only 91 (5%) of these authorities, encompassing 31 government ministries and 60 auxiliary units. The remaining 1,923 authorities (95%), including 257 local authorities (13%), are not subject to said powers. Despite 25 years since the enactment of the Freedom of Information Law and 11 years since the establishment of the Government Unit, most public authorities lack a regulatory body to ensure the effective implementation of the Law.

 **Status of the Government Freedom of Information Unit and its Powers** – the manner of establishment of the Government Unit did not allow it to be granted regulatory powers over local authorities or other public bodies beyond government ministries and auxiliary units. The Ministry of Interior has stated that it lacks the legal authority to regulate the Freedom of Information Law within local authorities and opposes the appointment of another body to undertake this responsibility. The transparency of local authority operations and adherence to the Freedom of Information Law should be a primary concern of the Ministry of Interior, as it is responsible for their proper functioning. However, its refusal to fulfill this role has perpetuated a lack of regulatory supervision over local authorities. The Ministry of Justice has examined the Government Unit's status and powers given the provisions of section F of the government resolution



in 2011. However, due to the Ministry of Interior's opposition, the unit's powers have not been expanded to include local authorities. The last examination by the Ministry of Justice was conducted in 2018.

**Handling Complaints from Information Seekers Concerning the Implementation of the Freedom of Information Law** – despite explicit instructions issued in 2019 by the Director General, the ministry did not bring to the public's attention the possibility of submitting to the ministry's district commissioners' complaints against local authorities for failing to respond to Freedom of Information requests. While the Government Freedom of Information Unit processed 52 complaints in 2022, the districts only handled 35 complaints in 2020. Additionally, there is no follow-up on the resolution of these complaints.


**Reporting of Statistics** – the Government Freedom of Information Unit's report for 2022 indicated that 258 petitions were submitted against local authorities, with **Bnei Brak** receiving the highest number of petitions – nine, followed by **Tirat Carmel** with eight petitions, and both **Taiba** and **Nazareth**, as well as **Kfar Menda** and **Sha'ab** when each received seven petitions. The report, however, lacks information regarding the outcomes of these petitions. In 2021, 236 petitions were submitted, reflecting a 10% decrease from 2022. According to the Unit's report for 2021, the court rendered 159 judicial rulings concerning local authorities. Of these, the court accepted 138 petitions from information seekers, resulting in obligations imposed on the authorities of about NIS 378,000. The petitions were denied in the remaining 21 rulings, and the authorities were awarded NIS 36,500.


**Implementation of the Freedom of Information Law in Local Government Compared to its Implementation in Central Government** – in 2019–2021, public demand for information from government ministries and auxiliary units (12,549 requests, 13,390, and 14,838, respectively) increased consistently, while requests from local government stagnated (6,285 requests, 7,117 and 7,139 respectively). However, in 2022, requests to local governments rose to 8,847, contrasting with a decrease in requests to central government authorities (13,028). In 2019–2022, 1,081 petitions against local authorities (1,081) outnumbered the 674 petitions against government ministries and auxiliary units. Furthermore, the audit found that the Government Freedom of Information Unit's procedures do not apply to local authorities.


**Publishing Information to the Public (transparency of information) in the Examined Authorities** – under the Freedom of Information Law, public authorities are required to publish an annual report that includes, among other things, the budget of expenses against the performance of the past year, the budget for the current year, a report by the publishing information officer that year, and administrative guidelines that it follows. Nonetheless, **Ashdod**, **Haifa**, and **Rosh Ha'Ain** did not provide financial data regarding their budget performance for 2022 on their websites. Furthermore, all the



examined authorities – **Ashdod, Haifa, Netanya, Rosh Ha'Ain, and Mate Yehuda** – failed to publish their operational procedures. **Haifa** has not published its 2023 budget online.

 **Emergency Information** – the Ministry of Justice and the Ministry of Interior have not established the obligation for public authorities – both central and local – to disseminate emergency information for public benefit during routine periods or emergencies.

 **Provision of Information to the Applicants (information sharing) in the Examined Authorities** – **Rosh Ha'Ain** does not accept requests for photographic information, contrary to **Ashdod, Haifa, and Netanya**, where a significant portion of requests pertains to photographic data (e.g., in **Ashdod**, 467 out of 710 requests in 2021; 547 out of 738 requests in 2022; In **Haifa**, 250 out of 512 requests in 2021; And 164 out of 362 in 2022). This disparity suggests a lack of awareness among **Rosh Ha'Ain** residents regarding their right to request such information. Moreover, the **Mate Yehuda** regional council does not have a network of cameras within its jurisdiction. The examined authorities demonstrate inconsistent practices in managing information requests. **Requests for photographic information:** In **Haifa** and **Netanya**, photographic information is provided only upon a court order. Consequently, many applicants opt not to initiate legal proceedings for the necessary order, resulting in unfulfilled requests. **Ashdod** does not condition the delivery of the requested documentation on a court order. Regarding requests that were either partially fulfilled or denied, **Ashdod** reported all handled requests, even if not all the information was provided. In contrast, additional requests for information that it did not handle – either because it was precluded from providing the information or because it chose not to provide it in the absence of an obligation under the Law – were not reported at all by the municipality to the Government Freedom of Information Unit. In the sample of denied or partially answered requests, **Haifa** explains its decision-making and informs applicants of their right to judicial appeal, yet does not specify a timeline for such petitions. **Netanya** does not convey this right or time frame to its applicants. **Mate Yehuda** acknowledges denied applications orally but does not provide written responses.

 **Responses by Local Authorities to Horizontal Information Requests** – a disparity was noted in how local authorities respond to horizontal information requests (identical requests sent simultaneously to various authorities). This disparity reflects differing interpretations and outlooks among authorities. For instance, in response to a request regarding the schedules of senior officials, in none of the municipalities of **Ashdod, Haifa, Netanya, Rosh Ha'Ain**, and the **Mate Yehuda** regional council, there was no strict adherence to the management of the authority head's schedule, which includes a detailed record of all the required details comprehensive records of meeting times and topics, and participant identities – both internal meetings within the authority as well as meetings with outside parties. Additionally, some provided schedules contained personal details about employees – contact details, medical details, vacation days – risking privacy violations.



**Information Officers and Their Training** – there are differences between the Civil Service Commission directive regarding the Officer in the government ministries and auxiliary units and the definition of the Officer's role in the local authorities published in February 2023. Key differences involve factors within the authority that may supervise the Officer and missing elements in the local authorities' role definition, such as terms of office, remuneration, and assistant appointments. The position of the provision of information Officer in the local authorities was assigned, until the publication of the definition of the Officer's position in 2023, to an existing employee as an additional position, usually without a competitive process and without addressing, to whom within the authority, the Officer is subordinate. The Ministry of Interior has not defined the term of office of the Officers in the local authorities, unlike their counterparts in the government ministries and auxiliary units, and they do not receive remuneration for fulfilling the position. The audit found that except for **Rosh Ha'Ain**, the other authorities examined – **Ashdod, Haifa, Netanya, and Mate Yehuda** – employ coordinators to assist Officers who manage most related tasks. The definition mandates that Officers in local authorities undergo the Government Freedom of Information Unit training; The **Ashdod, Netanya, and Rosh Ha'Ain** Officers received this training, yet some local authorities opted to send the coordinators instead. The **Ashdod** and **Mate Yehuda** coordinators completed the training, while **Haifa's** coordinator did not.



**Freedom of Information in Arab Authorities** – out of 85 authorities, 34 (about 40%) did not report to the Government Freedom of Information Unit any freedom of information requests from 2019 to 2022 – in all four years or three of them, and 31 authorities (37%) failed to report in one or two of those years. Only 20 authorities (23.5%) reported requests in all four years. In the audit of the websites of the 34 authorities that did not report requests in all four years or three of them, access to the websites of three authorities was unavailable. For the remaining 31 authorities, it is evident that, in addition to their non-compliance with the mandatory requirements for information provision, they also failed to implement the required instructions about public transparency of information. Thus, none included on their websites administrative or operational procedures regulating their operation (internal procedures), 29 of the 31 authorities did not publish environmental quality data, 28 lacked information on funding and scholarships and their amounts, 26 did not disclose financial data for the previous fiscal year (2022), 21 did not publish the current year's budget (2023), 17 did not publish their organizational structure charts, and six failed to include by-laws on their websites. These findings indicate that many Arab authorities have not embraced their legal obligations concerning transparency and public information sharing.






**Publication of Emergency Information** – all websites of the examined authorities – **Ashdod, Haifa, Netanya, Rosh Ha'Ain, and Mate Yehuda** – offer comprehensive and current information for emergencies, including updates regarding the Swords of Iron



War. This includes directives from the Home Front Command and police, emergency preparedness instructions, life-saving protocols for various scenarios, a list of public shelters with their addresses, essential emergency services, useful emergency contact numbers, and links, information centers from government ministries and critical organizations during emergencies, emotional support assistance centers, volunteer initiatives, and regular updates. This information can assist residents and citizens effectively.

**The Interactions Between Local Authorities and the Government Freedom of Information Unit** – the State Comptroller's Office commends the professional support and guidance the Government Unit offered to local authority Information Officers, its availability for consultations, and the training sessions provided, even in the absence of mandates set in the government resolution.

## Key Recommendations

-  It is recommended that the Ministry of Justice and the Ministry of Interior decide given the provision in section F of the government resolution of 2011, according to which the status and powers of the Government Freedom of Information Unit must be examined, including the possibility of granting it the necessary powers over the local authorities, and determine a regulatory body for the local authorities to increase transparency and freedom of information in local government. It is further recommended to consider gradually expanding the powers of the Government Unit and also regarding all public authorities to which the Law applies. If there is difficulty in subordinating some public authorities to a unit within the Ministry of Justice, making it an independent unit and separating it from the Ministry of Justice should be examined. The Unit's budget and workforce size must also be examined.
-  Just as the government established a specific body to regulate freedom of information within government ministries and auxiliary units, it is recommended that a similar body be empowered to supervise local authorities. Enhancing the implementation of the Freedom of Information Law at the local level will enable residents to engage in the processes that affect them, monitor and influence local activities, improve service delivery, and strengthen public trust therein.
-  The Government Freedom of Information Unit should continue to enhance awareness regarding the submission of information requests from public authorities, particularly local authorities. Additionally, local authorities should actively inform residents about legal compliance through appropriate channels and encourage them to submit inquiries regarding their activities. Local authorities should make their information readily accessible. It is recommended that the Ministry of Interior, with the support of the Government Unit, motivate local authorities to thoroughly implement the Freedom of Information Law,



thereby decreasing the scope of petitions filed against them. Furthermore, all local authorities should adopt the Unit's procedures, including those relating to increased transparency. The lack of enforcement regarding these procedures underscores the necessity for a regulatory body to supervise local authorities.



The Ministry of Interior should inform the public that residents who seek to file complaints regarding local authorities' lack of response to requests under the Freedom of Information Law may contact the district supervisors at the Ministry. The Ministry of Interior and the Ministry of Justice should consider authorizing the government unit to address complaints against local authorities and granting it the authority to rectify deficiencies in their operations. This ensures that individuals who lodge complaints against local authorities receive appropriate responses. Determining a professional body to investigate complaints against local authorities may prevent the submission of petitions and reduce their number.



**Ashdod, Haifa, and Rosh Ha'Ain** should publish a complete annual report on their websites while ensuring all the reporting items, as detailed in the Freedom of Information Regulations. All the examined authorities – **Ashdod, Haifa, Netanya, Rosh Ha'Ain, and Mate Yehuda** – should consider publishing their administrative guidelines on their websites, including their internal procedures that interest the public. It is recommended that the Ministry of Justice and the Ministry of Interior regulate the duty of the public authorities – both in the local and central government – to publish emergency information to the public during routine or emergency times.



There is a real need to formulate and refine uniform and binding guiding principles of action in providing information for all local authorities. In the meantime, it is recommended that the Ministry of Justice establish clear and orderly guidelines regarding handling requests for photographic information. **Ashdod** should adhere to the provisions of the Law regarding handling requests for information and reporting regarding requests that did not result in any information or only the provision of part of the information. **Haifa** and **Netanya** and the **Mate Yehuda** regional council should inform in writing the applicants whose applications have been denied or partially answered of their right to petition against the decision, explicitly stating the time frame for submitting the petition.



The examined authorities – **Ashdod, Haifa, Netanya, Rosh Ha'Ain, and Mate Yehuda** – should adhere to the guidelines published by the Government Freedom of Information Unit regarding horizontal requests, specifically the protocol for responding to requests for the handover of an official's schedule. The examination of horizontal requests underscores the necessity for a centralized entity to supervise the operations of local authorities in the freedom of information.



It is recommended that the Ministry of Interior consider establishing a defined term of office for the Information Officers within local authorities, particularly when the role is assigned as an additional position. This is to enhance stability in the function and mitigate high turnover rates. All local authorities, especially the examined ones, should assess



whether the hierarchy of Officers creates potential conflicts of interest that could compromise the independence and effectiveness of their roles. The Ministry of Interior and local authorities should ensure that Information Officers receive remuneration from the respective local authority to bolster motivation and satisfaction among Officers, thereby enhancing their performance and service to residents. Furthermore, it is recommended that the freedom of information coordinator's position be clearly defined, incorporating applicable rules for Officers, including threshold requirements, receiving an additional ranking, and mandatory training. Local authorities should ensure that individuals responsible for public information are enrolled in the Unit's training course, as stipulated in their role definitions. The freedom of information coordinator assisting the Information Officer in **Haifa** and other coordinators across all local authorities should also participate in the Unit's training.



The Ministry of Interior and the Ministry of Justice should consider advancing the certification of an agreed-upon body to regulate freedom of information within local government, including authorities within the Arab sector. This should encompass the development of action plans promoting information accessibility and transparency while establishing metrics for evaluating and comparing transparency levels and information sharing. Concurrently, supervision and enforcement mechanisms should be implemented for freedom of information in local authorities.

### All Public Authorities Subordinated to the Freedom of Information Law



According to the Freedom of Information Law and the government's resolution, processed by the Office of the State Comptroller.



---

## Summary

The local government in Israel represents the closest governmental body to the public. Local authorities significantly influence the daily lives of residents and citizens, directly impacting their well-being. Given that local government concentrates considerable powers in its hands across various aspects – economic, social, and others – the importance of freedom of information is recognized as essential for fulfilling the public's right to know and promoting democratic principles among residents. Additionally, the necessity for governmental transparency regarding the policies and operations of local authorities is well established.

25 years since the enactment of the Freedom of Information Law. The Israeli reality has evolved, and technological advancements have facilitated more accessible access to substantial information. The insights derived from the Law's implementation warrant careful consideration. The audit findings raise ongoing challenges in enforcing reporting obligations related to the Law at the local authority level, primarily due to the lack of supervisory and enforcement powers assigned to the Government Freedom of Information Unit. This issue is particularly demonstrated among Arab sector authorities, with many failings to meet their legal obligations concerning information transparency and public dissemination. Additionally, the local authorities should enhance their transparency efforts by proactively publishing material information of public interest, ensuring broader access beyond individual information seekers. Concerning information sharing, the audit findings indicate variations in the local authorities handling of horizontal information requests.

Furthermore, the audit findings indicate inconsistencies in the practices of the examined authorities – **Ashdod, Haifa, Netanya, Rosh Ha'Ain**, and the **Mate Yehuda** regional council – regarding freedom of information. These discrepancies pertain to information transparency on the authorities' websites, the management of information requests, responses to those requests (including the format and content of the information provided), handling requests for photographic information, and reporting the implementation of the Law to the Government Unit. This variability in the local authorities' activities is generally undesirable.

The audit report indicates a positive trend in recognizing the importance of governmental transparency over the years. However, under the Freedom of Information Law, insufficient efforts have been made at both local and central government levels to encourage the public to exercise their right to information. The effective implementation of this law largely relies on the policies established by the professional staff within the local authority and its leadership regarding this matter.

The audit's deficiencies underscore the necessity for a regulatory body supervising freedom of information within local authorities, as there is no justification for differentiating them from the government ministries in this domain. A regulatory body would provide guidance, supervision, and enforcement of compliance with established procedures. It could also



address public complaints about non-compliance with legal provisions, potentially reducing the volume of petitions against local authorities. It is recommended to consider that the Government Freedom of Information Unit, with expertise in this area and a comprehensive systemic perspective, be empowered to function as the regulatory body, with expanded authority to include local authorities.

Furthermore, in the absence of a governing body for local authorities in this field and considering the Ministry of Interior's resistance to incorporate them under the Government Unit, it is recommended that the Ministry of Interior actively enhance transparency within local government and reinforce the roles of the Information Officers.

