

Subject: Freedom of Information – New Model Publication Scheme
Status: For Publication

Report to: Cabinet
Full Council
Date: 3rd December 2008
10th December 2008

Report of: Executive Director – Business

Portfolio Holder: Finance and Resources

Key Decision: No – Recommendation to Full Council

Forward Plan General Exception Special Urgency

1. PURPOSE OF REPORT

- 1.1 To inform Cabinet of the legal requirement for the Council to adopt the Information Commissioner's model Freedom of Information Model Publication Scheme and publish information in accordance with the Scheme.

2. CORPORATE PRIORITIES

- 2.1 The matters discussed in this report impact directly on the following corporate priorities and associated corporate objective.
- Delivering Quality Services to Customers (Customers, Improvement)
 - Well Managed Council (Improvement, Community Network)

3. RISK ASSESSMENT IMPLICATIONS

- 3.1. All the issues raised and the recommendation(s) in this report involve risk considerations as set out below:
- Not to adopt and implement the Model Publication Scheme would mean that the Council would be in breach of its obligations under the Freedom

of Information Act and could be served with an Enforcement Notice by the Information Commissioner's Office.

4. BACKGROUND AND OPTIONS

4.1 The Freedom of Information Act requires all public authorities to adopt and maintain a publication scheme detailing the types of information that is regularly made available to the public. This is to make sure that a significant amount of information is available to the public without the need for a specific request. Schemes are intended to encourage organisations to publish as much information as possible and to develop a greater culture of openness.

4.2 The Council has operated its own publication scheme since 2004.

4.3 The Information Commissioner's Office has approved a new model publication scheme which must be adopted and implemented by all public authorities from 1st January 2009.

4.4 The new Scheme encourages maximum disclosure and provides details of information that it is good practice for local authorities to publish. Therefore the Council is required to publish more information than it did previously.

4.5 Principle changes to the scheme:

The model publication scheme sets the information out into different classes:

- Who we are and what we do
- What we spend and how we spend it
- What our priorities are and how we are doing
- How we make decisions
- Our policies and procedures
- Lists and Registers
- The services we offer

Under our existing scheme the information is set out in order of departments.

Existing information has been updated:

Some information in the existing scheme was out of date and no longer relevant. This has been removed and replaced with new information.

Further information is required to be published:

The ICO has provided guidance on the type of information that local authorities ought to publish under the model scheme as good practice. This includes more information than the Council currently publishes. The new information that is to be included in the updated Publication Scheme is highlighted in red.

4.6 Heads of service and Managers have been updating the Council's existing scheme in order to comply with the new model scheme.

COMMENTS FROM STATUTORY OFFICERS:

5. SECTION 151 OFFICER

5.1 There are no financial implications.

6. MONITORING OFFICER

6.1 The new scheme is a requirement of the legislation and will also assist our customers in locating our information and improve customer satisfaction.

7. HEAD OF PEOPLE AND ORGANISATIONAL DEVELOPMENT (ON BEHALF OF THE HEAD OF PAID SERVICE)

7.1 There are no HR implications.

8. CONCLUSION

8.1 The Council must ensure that it adopts the new model publication scheme by 1st January 2009 and publishes information in accordance with it from that date. Whilst the scheme encourages maximum disclosure it should reduce the burden on authorities by reducing the time spent on freedom of information requests.

9. RECOMMENDATION

9.1 That Cabinet recommends to Full Council that it approves and adopts the Information Commissioner's model publication scheme and the Guide to Information detailing the information that the Council publishes in accordance with the Scheme.

10. CONSULTATION CARRIED OUT

10.1 The new requirements have been reported to the Executive Management Team, Heads of service, Managers and all Council staff.

11. EQUALITY IMPACT ASSESSMENT

Is an Equality Impact Assessment required Yes

Is an Equality Impact Assessment attached No

12. BIODIVERSITY IMPACT ASSESSMENT

Is a Biodiversity Impact Assessment required No

Is a Biodiversity Impact Assessment attached No

Contact Officer	
Name	Sarah Blackwell
Position	Trainee Solicitor
Service / Team	Legal
Telephone	01706 252481
Email address	sarahblackwell@rossendalebc.gov.uk

Either

Background Papers	
Document	Place of Inspection
The Council's existing publication scheme with Guide to Information	http://www.rossendale.gov.uk/downloads/FOIPublicationScheme_-_2007.pdf
Information Commissioner's Model Publication Scheme	Attached.
The Council's updated publication scheme (detailing the information the Council publishes in accordance with the Model Publication Scheme)	Attached.