

Subject:	Review of Freedom of Information Publication Scheme and Guide to Information	Status:	For Publication
Report to:	Cabinet	Date:	7 th March 2012
Report of:	Director of Business	Portfolio Holder:	Customers, Legal and Licensing
Key Decision:	<input checked="" type="checkbox"/> Forward Plan <input checked="" type="checkbox"/>	General Exception	<input type="checkbox"/> Special Urgency <input type="checkbox"/>
Community Impact Assessment:	Required: Yes	Attached:	Yes
Biodiversity Impact Assessment	Required: No	Attached:	No
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1.	RECOMMENDATION(S)
1.1	That the updated Freedom of Information Publication Scheme and Guide to Information be approved
1.2	All future minor amendments to the Freedom of Information Publication Scheme and Guide to Information be delegated to the Director of Business in consultation with the Portfolio Holder.

2. PURPOSE OF REPORT

- 2.1 It is a legal requirement to update the Council's Freedom of Information Publication Scheme and Guide to Information from time to time.

3. CORPORATE PRIORITIES

- 3.1 The matters discussed in this report impact directly on the following corporate priorities:
- **A clean and green Rossendale** – creating a better environment for all.
 - **A healthy and successful Rossendale** – supporting vibrant communities and a strong economy.
 - **Responsive and value for money local services** – responding to and meeting the different needs of customers and improving the cost effectiveness of services.

4. RISK ASSESSMENT IMPLICATIONS

- 4.1 All the issues raised and the recommendation(s) in this report involve risk considerations as set out below:
- Failure to update and review the Publication Scheme may result in the Information Commissioner's Office taking monitoring and enforcement steps against the Council.
 - Out of date information within the document could lead to customer dissatisfaction and an increase in avoidable contact.

5. BACKGROUND AND OPTIONS

- 5.1 Under section 19 of the Freedom of Information Act 2000 (FOIA) all public authorities must adopt and maintain a publication scheme. A publication scheme must set out the classes of information a public authority will publish, explain the way they will publish the information and specify any charges for making certain information available. It signposts members of the public to Council information and documentation thus reducing the numbers of Freedom of Information Requests.

- 5.2 The Council approved its Publication Scheme on 16th December 2004 and updated the same on 2nd August 2007 and 10th December 2008.
- 5.3 Under section 19 (1)(c) of the FOIA the Council must review its Publication Scheme from time to time to ensure that its contents are in accordance with the Information Commissioner's Office Model Publication Scheme and up to date for those accessing the same.
- 5.4 The Council has adopted the current Information Commissioner's Office Model Publication Scheme which can be seen at [Appendix 1](#). This has not changed since the Council updated the Publication Scheme on 10th December 2008.
- 5.5 Following consultation with Heads of Service and managers the Publication Scheme and Guidance has been amended to ensure the information is current and up to date and can be seen at [Appendix 2](#) There have been no changes to the manner in which the Publication Scheme is implemented.
- 5.6 Following the review of the Publication Scheme the impact on equality has been reassessed and no negative impacts have been identified on any protected equality groups as a result of the changes. The Scheme will be implemented in line with the Council's equality policy.

COMMENTS FROM STATUTORY OFFICERS:

6. SECTION 151 OFFICER

- 6.1 There are no financial implications.

7. MONITORING OFFICER

- 7.1 Legal matters have been commented on in the report.

8. HEAD OF PEOPLE AND POLICY (ON BEHALF OF THE HEAD OF PAID SERVICE)

- 8.1 There are no HR implications.

9. CONSULTATION CARRIED OUT

- 9.1 Heads of Service and managers have been consulted and were requested to provide up to date information for their particular service area.

10. CONCLUSION

- 10.1 The Council must ensure that it complies with the requirements of the FOIA and from time to time review its Publication Scheme.

Background Papers

Document	Place of Inspection
The Council's existing Publication Scheme and Guide to Information	http://www.rossendale.gov.uk/downloads/FOI_Publication_Scheme.pdf
Information Commissioner's Model Publication Scheme	Attached at Appendix 1
The Council's updated Publication Scheme and Guide to Information	Attached at Appendix 2