

ICO Policy on Publication Schemes

The Information Commissioner's Office has recently undertaken a review of publication schemes with a view to establishing a revised approvals procedure for the future. In carrying out this review we wished to take account of the development and usage of publication schemes generally and also their role following full implementation of the FOI Act in 2005. The terms of reference of the review were to;

- benchmark the effectiveness of existing schemes, in particular the extent to which they increase openness and transparency.
- review the effectiveness of ICO procedures for approval.
- to assess the use of schemes by the public and ease of access to information which they offer.

Background

Over 100,000 public authorities are required to produce and maintain a publication scheme with approval and guidance from the ICO. Publication Schemes were the first provision of the Freedom of Information Act 2000 to take effect before the Act was fully implemented in January 2005. Introduced in waves throughout each sector of public authority, many schemes have now been in place for more than 3 years. We were aware at the start of the review that many authorities had moved to more proactive dissemination of information through their websites which was used as the primary vehicle for access to information generally. Additionally the ICO had received very few complaints regarding publication schemes.

Publication Scheme Review Findings

Through questionnaires and structured phone calls to representatives of each sector and also user groups we found clear sector differences between large and small authorities. Our main findings were

- there is a low level of awareness of schemes within user groups and public authorities.
- authorities want clear guidance from the ICO on the content of schemes.
- they would also like simple clear guidance regarding the practical operation of publication schemes.

We concluded from the review that both public authorities and user groups prefer the ICO to concentrate efforts on enabling public authorities to develop and clarify the content and improve the maintenance of existing schemes rather than introducing a re-approval process. This matched our own view that in our role as regulator and approver of publication schemes, we would prefer to enable their effective use by guiding, supporting and enabling public authorities by setting good practice guidelines rather than bureaucratic enforcement.

Our Future Policy

As a result of the review we will:

- determine classes of information to be contained within future schemes by considering good practice and consultation with users.
- work with representative groups to develop and clarify the content of existing schemes.

To take forward our revised policy on publication schemes we will be working with representative groups in each sector to determine the classes of information which should be included in all publication schemes based on current schemes and good practice models.

We will provide clear guidance on classes of information, means of access to information, the promotion of publication schemes and the role of asset lists. We will encourage regular review and maintenance of schemes in accordance with public authorities continuing legal duties with an expectation that pertinent and relevant classes of information will be added to schemes as circumstances change.

Where public authorities have their own website this will be the best vehicle for their publication scheme.

It is our intention to produce a 'Sector Publication Scheme Pack' for each sector which will identify a base level requirement for schemes in each sector and also recommend additional classes for inclusion based on good practice.

In order to complete this work and enable authorities to develop their publication schemes against the new models, the Information Commissioner has decided that the time scale for re - approval for all sectors will be June 1 – 31 December 2008.

We expect to set up and start working with the representative groups in each sector through 2006/07.