



Information Commissioner's Office  
Promoting public access to official information  
and protecting your personal information

## The Development and Maintenance Initiative (DMI)

### Local Government Services Circular

#### Circular 1

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Local Government Services Workshop (Manchester 27\_03\_07)

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Welcome to the first Local Government Services DMI circular. This paper provides an overview of the issues affecting the local government sector, and is based upon the discussions which took place at the first workshops.

Local government services has been used to describe public authorities whose functions are delivered at a local level, but are separate from those provided by local government councils. Examples include:

- Fire authorities
- Parish, town and community councils
- Passenger transport executives
- National park authorities
- District drainage boards

Local government services encompass a broad spectrum of roles and responsibilities, and it is recognised that various optional classes will be needed to reflect the differences within the sector. You can view the current model schemes in operation at:

[http://www.ico.gov.uk/Home/what\\_we\\_cover/freedom\\_of\\_information/publication\\_schemes/model\\_schemes.aspx](http://www.ico.gov.uk/Home/what_we_cover/freedom_of_information/publication_schemes/model_schemes.aspx)

#### **1.1 Information culture in local government services**

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To a certain extent, this sector has a head start in the development of a commitment to proactive provision of information as many of the authorities already operate model schemes. Furthermore some of these schemes, including the model for use by parish councils, operate a mandatory and optional class system. This approach is something the ICO hopes to extend to model schemes across all sectors.

As is the case in any sector as diverse as this, there are differences in the extent to which the commitment to Freedom of Information is established within the various authorities. Encouragingly, many authorities have already have comprehensive schemes and a genuine commitment to access to information. The ICO needs to ensure that all authorities embrace this approach.

Many stakeholders, including the delegates at the local government services workshops have welcomed the DMI proposals as a driver for change. In striving for greater proactive dissemination, the profile of a culture of openness is raised. Delegates from the local government services sector would welcome guidance and support from the ICO in respect of encouraging such a culture. There is a recognised need to move away from the perception of schemes as a 'burden'.

The use of performance indicators were suggested as a way of pushing publication schemes up the public sector agenda.

## **1.2 Use of websites and information taxonomies**

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As this sector is so diverse, it is unlikely that a common taxonomy will exist. In addition, this sector is dominated by parish and town councils, parish meetings and community councils of which there are more than 9,000. Although these bodies are typically small, and often consist of voluntary or part time staff, they are public authorities for the purposes of the Act and are required to have a publication scheme in operation. It is unlikely that such authorities will have comprehensive information management tools in place.

Websites are likely to be the main route of access to information for larger authorities in this sector. It is accepted that web access will not be practicable for many parish and town councils, parish meetings and community councils. Any new model schemes will reflect this.

The relationship between the curator of the publication scheme and the web team will be crucial to the success of proactive dissemination in larger authorities planning to utilise the web.

Constraints on memory space and the budget for web teams will have a bearing upon how much information can be proactively disseminated via the internet.

The current visitor rates for viewing online publication schemes per se are typically low. However, it is likely that the information contained within the classes themselves is accessed more regularly, although this is difficult to quantify.

### **1.3 Charging for information**

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A clear distinction between 'fees' ([Section 9](#)) under the general rights of access and charges within a publication scheme must be made, as confusion still exists.

In general there are three reasons for legitimately charging for information within a scheme:

- A charge can be made under statute
- The authority needs to recover the cost of producing the information e.g. a colour, glossy or hard-backed document
- A cost is charged to recover the costs associated with the manner in which the information was provided e.g. provision of multiple hard copies.

Clear and practical advice from the ICO on both 'fees' and charges within a publication scheme would be welcomed. Sector specific guidance for those authorities with unique working arrangements, such as parish councils, would be beneficial.

Information within schemes may need to be restricted to certain time frames in order to prevent an unreasonable burden in terms of the retrieval of archived information.

### **1.4 Model schemes and mandatory classes**

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At the first workshop there was general consensus that new model schemes were achievable, providing that the high level classes were sufficiently generic. It will be necessary to drill down to fairly specific optional classes for each of the different types of authority within the sector.

It may be necessary to include standard paragraphs on exempt information in order to manage the public's expectation of what will be provided. For example, Fire and Emergency Planning authorities will hold information which cannot be released on public safety or national security grounds. A balance must be struck between proactive dissemination/transparency and the protection of genuinely exempt information.

As discussed in other workshops, the following high level classes were put forward as a starting point for the creation of mandatory classes:

## **- Organisation and Structure**

- Who we are, what we do

## **- Financial Information**

- How we spend your money

## **- Strategies and Performance**

- How we achieve our functions
- How we measure up
- Operational policies and procedures

## **- Communications and publications**

- Media releases
- Consultations
- Leaflets and booklets

## **- Services Provided**

- The services we offer/core functions

## **- Legal Frameworks**

- Statutory requirements
- Links with sponsoring departments etc

## **- Lists and Registers**

- Registers required by statute
- Asset list
- Disclosure log

## **1.5 Issues specific to sectors within local government services**

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This section provides an overview of the sector specific issues discussed at the first workshop. It is not intended as a complete list of all the issues affecting local government services.

### **Parish Councils (incorporating Town Councils, Community Councils and Parish Meetings)**

Not all parish councils will have information of the type routinely produced by other authorities, such as annual reports. However, some information is mandatory to parish councils, such as the production of agendas and minutes.

The ICO will need to consider the relative size and resources of parish councils when producing guidance. In particular, the procedures for the provision of information in non-electronic format and the inspection of information in situ will be of relevance.

It may be possible to tap into existing assurance checks such as the Quality Parish and Town Council Scheme. More information on this can be found on the website of the Department for Communities and Local Government at:

<http://www.communities.gov.uk/index.asp?id=1133767>

### **Fire, Rescue and Emergency Planning Authorities**

Many of these authorities will hold information of a sensitive nature in respect of public safety or national security, which would not be appropriate for release. This will need to be reflected within the model scheme.

The implementation of FiReControl, a national network of nine regional control rooms may have a bearing upon the new model schemes. Further information on this can be found on the website of the Department for Communities and Local Government at:

<http://www.communities.gov.uk/index.asp?id=1123962>

Information shared by more than one authority is a common feature of this sector and may need to be reflected within the model scheme.

### **1.6 Further Input**

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If you have any comments on this circular or anything you would like to contribute to the initiative, please contact Paul Damerill at [paul.damerill@ico.gsi.gov.uk](mailto:paul.damerill@ico.gsi.gov.uk)

The next local government services workshop will be held as follows:

- Manchester : 23rd May 2007