



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

## The Development and Maintenance Initiative (DMI)

### Non – Departmental Public Bodies (NDPB) Circular

#### Circular 1

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NDPB Workshop (3)

(London 03\_04\_07)

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#### 1.1 Information culture in NDPB's

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Many NDPB's have had very few requests for copies of their publication schemes.

Centralised handling is seen as key to ensuring consistency and efficiency within request handling. In NDPB's where a centralised system already operates, it will be easier to achieve a workable scheme.

The lack of framework for the development of schemes within this sector has meant that they have often been created in the image of the individual with responsibility for them. This has caused problems when the responsibility is passed to other staff members at a later date. Prescriptive guidance from the Information Commissioner's Office (ICO) should help to avoid a repeat of this.

Consideration of the audience to whom schemes are tailored is key to this sector. Many NDPB's count practitioners as their major customer.

Some NDPB's will have information which can only be viewed in situ – schemes will need to reflect this where appropriate.

#### 1.2 Use of websites and information taxonomies

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The relationship with the web team will be key to the maintenance of schemes. It may be difficult to update pages containing information within a scheme if staff members are reluctant to take responsibility for page/information ownership.

Any move towards web based schemes must take into account the accessibility requirements of those who do not have internet access. Care must be taken to ensure certain user groups are not disadvantaged.

The relationship between information asset registers and publication schemes is still unclear. Guidance in this area would be welcomed.

It was suggested that accessibility feedback and user journeys could feed into the development of classes. For example, frequently visited webpage's may indicate what the public actually want. It may be helpful to objectively mimic the user journeys of user groups such as the public, journalists or researchers to get an external view on how easy information is to locate.

As websites have grown, the information contained within them has expanded dramatically. It's possible to envisage a situation whereby too much information is proactively disseminated, reducing the relevance and ease of access to that which is pertinent.

### **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. If possible, it would be helpful if this could include advice on the provision of multiple copies, and how to deal with discretionary charges.

As is the case in many authorities, the cost of raising an invoice often outweighs the actual charge. As such many NDPB's provide information to the public without charge. This does not negate the fact that authorities would like to retain the right to charge where appropriate.

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.

Some authorities charge for the cost of translating information and guidance from the ICO about this issue, building upon that provided in the ICO's [Awareness Guidance 29 – Means of Communication](#) would be welcomed.

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

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It will be necessary to include standard paragraphs on exempt information in order to manage the public's expectation of what will be provided.

The ICO will be prescriptive as to how it will monitor or 'audit' compliance with Section 19. It would be prudent to build in the principles of the [Section 46 Code of Practice](#) into any such monitoring tools and associated guidance.

The ICO will strive to create schemes that are self policing as far as it is possible to do so. In essence, schemes will need to be up-to-date in order to maintain relevance, and authorities should consider this as part of their information management systems.

As the NDPB sector is so wide and diverse, a wide range of optional classes may be needed in order to accurately reflect the information held by the various authorities within it. Optional classes will need to balance the competing demands of being sufficiently generic to apply to as many authorities as possible, with retaining a meaningful context. It is already accepted that there is likely to be a greater number of bespoke schemes submitted by this sector, even if a generic model scheme can be created.

Prescriptive advice will give practitioners the ammunition they need to obtain buy in from others as to what should be proactively disseminated.

As discussed in other workshops, the high level classes below were put forward as a starting point for the creation of mandatory classes. The notes beneath each class summarise the outcome of discussions as to whether the classes were appropriate.

##### **- Organisation and Structure**

- Who we are, what we do

⇒ Much of this information will already be provided to the public via the authority's homepage.

⇒ Where appropriate this should also include information on how the authority fits into the wider central government structure, including information on sponsoring Departments etc.

##### **- Financial Information**

- How we spend your money

⇒ This may need to contain an optional class for information on grants for some NDPB's.

⇒ Those bodies with a regulatory function involving the investigation of other organisations finances may need an optional class to reflect this.

### **- Strategies and Performance**

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

⇒ This is likely to include corporate or business plans and annual reports.

### **- Communications and publications**

- Media releases
- Consultations
- Leaflets and booklets
- Disclosure Log

⇒ Care must be taken to ensure that communications does not become a 'dumping ground' for information.

⇒ There was some debate as to whether this class should include information for consumers for those NDPB's who have a regulatory role.

⇒ This section may also include an optional class on disclosure logs. Some authorities use disclosure logs as a holding place for information which does not fit comfortably into other classes. The Department for Constitutional Affairs published some best practice guidance on [disclosure logs](#) in December 2005.

### **- Services Provided**

- The services we offer/core functions

⇒ This section should reflect the expectations of the user groups in terms of layout and content. It may be appropriate to sub-divide this class to make it easier to navigate.

## **- Legal Frameworks**

- Statutory requirements
- Links with sponsoring departments etc

⇒ Many NDPB's have a regulatory function and it may be appropriate to include an optional class which reflects this.

⇒ Where possible the customer access points to this class should avoid legal jargon.

## **- Lists and Registers**

- Registers required by statute
- Asset list

We would welcome [feedback](#) on the draft classes presented above.

## **1.5 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 central government workshop will be held as follows:

- London : Date to be confirmed