

CHESHIRE EAST COUNCIL

CABINET

Date of meeting:	17 February 2009
Report of:	Chris Chapman
Title:	Adopting the ICO Model Publication Scheme

1.0 Purpose of Report

- 1.1 That the Council are informed of the need to adopt the new model publication scheme for principal councils issued by the Information Commissioners Office (ICO).

2.0 Decision Required

- 2.1 That the Council agree to adopt the model publication scheme for public authorities set out by the Information Commissioners Office in June 2008

3.0 Financial Implications for Transition Costs

- 3.1 Included in the cost of developing the website for the Council.

4.0 Financial Implications 2009/10 and beyond

- 4.1 Included in the cost of publishing and maintaining the Council's website.

5.0 Legal Implications

- 5.1 To comply with the Freedom of Information Act 2000 sections 19 and 20 and the new guidance issued by the ICO in summer 2008, it is important that the web site for Cheshire East Council publishes the documents, or the availability of the documents, listed in the model publication scheme.

6.0 Risk Assessment

- 6.1 The risk of agreeing to use the model publication scheme is low. If the model publication scheme is not adopted there may be risk to the good reputation of the council. The Council could be perceived as not being open and accountable and the ICO may publish notices against the council.

7.0 Background and Options

- 7.1 In June 2008 the Information Commissioner issued a new model publication scheme for principal councils.
- 7.2 On behalf of the Information Governance Group, Jonathan Pepler has agreed with the Information Commissioner that it is a priority to develop the publication scheme for inclusion on the web sites for the new councils. The existing councils should formally adopt the new publication schemes but maintain their (existing) approved* publications schemes and websites.
- 7.3 The model publication scheme requires the local authority to publish information in seven areas:
- 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
- Services provided by the council

Initially some documents will not exist and the information will not be available in a format meaningful to the new council areas, it is therefore appropriate to explain:

Cheshire East Council will be invested on the 1st of April 2009. The Borough councils of Macclesfield, Congleton, and Crewe and Nantwich and part of Cheshire County Council have joined together to form the new unitary council. Information relating to those councils may be found on their websites. We will endeavour to publish information and answer questions pertaining to the new council as it becomes available.

- 7.4 *Previously, the Freedom of Information Act required public authorities to publish publication schemes in self defined classes which then had to be submitted and approved by the ICO. There was a variety of approaches across the country. Research showed people rarely used the publication schemes preferring to use web sites and internet search engines. The latest guidance allows for greater consistency across the country but enough flexibility to tailor the information to local circumstances and does away with the need to submit the schemes for approval.

8.0 Overview of Day One, Year One and Term One Issues

- 8.1 A website for Cheshire East Council should exist from day one.

As additional documents are produced, such as annual reports and statements of accounts, these should be added to the website and linked to from the publication scheme.

By the end of the first term the Council should have most documents published or details of how the information can be made available

9.0 Reasons for Recommendation

- 9.1 Cheshire East should be open and accountable to the electorate and in the way spends its money, conducts its business and delivers its services.
- 9.2 To make the information available via the web site is the most economical way of publishing the information to a wide audience.
- 9.3 The Freedom of Information Act 2000 had two main areas for public authorities,
- to set out the publications it makes available to the public in a publication scheme

- to respond to requests for information.

The more information that is published and available on the web site the fewer requests for information have to be responded to.

For further information:

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Background Documents:

Documents are available for inspection at:

[http://www.ico.gov.uk/Home/what we cover/freedom of information/publication schemes/definition document local government.aspx](http://www.ico.gov.uk/Home/what_we_cover/freedom_of_information/publication_schemes/definition_document_local_government.aspx)

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