

The new model publication scheme – what you need to do

**Information for community
and town councils**

Your obligation

Under the Freedom of Information Act (“the Act”) it is the duty of every public authority to adopt and maintain a publication scheme. Publication schemes facilitate the proactive release of information and play a crucial role in supporting and providing greater openness and transparency across the public sector.

**The approval of
all current schemes
expires on
31 December 2008**

The new model scheme

In line with section 20 of the Act the Information Commissioner has approved a new model publication scheme which should be adopted by all public authorities and will be effective from 1 January 2009. An authority is not required to inform the Information Commissioner that it has adopted the scheme; he will assume the authority has done so unless he hears otherwise.

What do we need to do?

The Information Commissioner’s Office (ICO) is aware of the limited resources of many community and town councils. Therefore a template guide to information, and guidance on how to complete it, has been produced to make complying with the new scheme as simple as possible. These can be obtained by contacting the ICO. You will need to have in place **two documents** on 1 January 2009; a completed guide to information, and a copy of the model scheme which should be adopted without modification. These documents should be promoted by putting them on a website where a community or town council has one, or putting a copy on notice boards.

Completing the guide to information

The template guide to information lists the information we would expect a community or town council to hold and routinely release. It is set out in line with the classes of information in the model publication scheme. It also has columns stating how the information can be obtained and if there is a cost involved. It needs to be completed in full.

How much can I charge?

Charges can be made to recover costs for photocopying, postage etc and where the council has other legal authority to charge. They should be justifiable, clear and kept to a minimum. All public authorities are expected to publicise a schedule of charges (attached to the guide).

How should I make information available?

Community and town councils must have systems in place to ensure the information is easily accessible to the public. If you have a website, a large part of the information should be provided there. For most information, the council is expected to provide the information in hard copy when asked. In limited circumstances information may only be accessible by inspection.

What if we do not hold the information listed?

You should keep a record of this and remove it (or cross it out) from the guide to information.

What if we hold information not listed?

Additional information should be listed in the guide if it is held and can be routinely released.

Further information

Copies of the template guide to information, the guidance and further information on how to operate the new model scheme can be found on our website (<http://www.ico.gov.uk>) and can also be obtained by contacting the office on the number below.

Not adopting a scheme or not publishing in accordance with it

A community or town council will be in breach of the Act if it does not adopt an approved scheme and publish in accordance with it. The Information Commissioner will consider complaints brought to his attention concerning the adoption and operation of the model scheme. His office will also monitor the adoption and operation of the model scheme from early 2009.

If an authority fails to adopt a scheme, the ICO will attempt to informally resolve the matter. However, any delay in or failure to engage with this process may result in an enforcement notice being served, requiring the immediate adoption of an approved scheme.

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