

Completing the guide to information for parish councils, parish meetings and community councils

Introduction

Under the Freedom of Information Act ("the Act") it is the duty of every public authority to adopt and maintain a publication scheme. The Information Commissioner's Office (ICO) is changing the emphasis in the approval and operation of publication schemes to a generic model which should be adopted and operated by all public authorities from **1 January 2009**.

The model commits a public authority to *'produce and publish the method by which the specific information will be available so that it can be easily identified and accessed by members of the public'*. To help local councils (parish councils, parish meetings and community councils) meet this obligation we have produced template guides to information for them to use. This and the model scheme document itself form the basis of your commitment from 1 January 2009. **A local council will breach the Act if it has not adopted the model scheme and/or is not publishing in accordance with it by this date.**

The model scheme document itself has been produced for all public authorities and can be obtained on the ICO website. This must be adopted in full, unedited and promoted alongside the guide to information. Local councils are not required to inform the Information Commissioner's Office that they have adopted the scheme; it will be assumed they have done so unless we hear otherwise.

Information included in the guide to information

The template lists the information we would expect a local council to hold and make available within each class. It is necessary for them to state how the specific information can be obtained and if there is a cost involved. To achieve this each council must complete the relevant columns in the template guide. When completed, it will provide a list of all the information the local council will make routinely available, explain how it can be accessed and whether or not a charge will be made for it. The guide, like the model scheme document itself, does not need further approval by the Information Commissioner. Councils must ensure the public can access the completed guide and the information listed in it.

Completing the Columns

We are aware that not all local councils are the same size or carry out the same functions. Therefore, if a council holds, and can make routinely available, information other than that listed it can be added. Equally, if information listed is not held it can be removed (or crossed out), although the local council should keep a record of why this information is not available.

Example:

In this example, the local council would be making information in this section available without charge on its website as well as in hard copy. However, 'bus shelters' has been crossed out as no information is held.

Manner of publication

It is important that all sections of the community can access a local council's information. Councils must make sure that they have systems in place to make the listed information available to the public as easily as possible. If they maintain a website, a large part of the information should be provided there. Otherwise the council must make sure that they can immediately provide the information listed in the guide as part of their normal duties. All public authorities are expected to provide paper copies of information about their core activities. In exceptional circumstances local councils may need to provide information through other means as well, such as by visiting council offices. In these circumstances people should be made aware of how to make the appropriate arrangements.

Where a local council does not have a website.

The model scheme document and the guide to information should be made as accessible as possible, eg on local notice boards.

Most information will be made available by hard copy by contacting the council (which must provide appropriate contact details).

Where a local council has a website.

The model scheme document and the guide to information should be made available on the website and a large part of the information also made available online.

The guide to information can be typed or scanned to publish online.

If required information should also be available in hard copy.

Fees and charging

Information available through a local council's publication scheme should be readily available at minimum cost to the public. If a council charges for routinely available information, we expect the charges to be justifiable, clear and kept to a minimum. This will mean that in most cases charges will be made on the basis of cost recovery. Charges may be made for actual disbursements (eg photocopying and postage) and information that the local council is legally authorised to charge for. Anyone requesting information must be informed of any charge before the information is provided. Councils may ask for payment before providing the information.

The actual charges should be entered in the column on the guide to information. A schedule of charges is attached to the back of the template guide to information. This schedule should set out the basis on which the charges are being made. More detailed guidance on fees and charging can be found on our website in the guidance entitled '[Charging for information in a publication scheme](#)'.

Example:

The local council in the above example has a website and is therefore able to make information available at no cost online. For hard copies it is only charging for disbursements to recover the actual costs they have incurred. If required they must be able to justify how they have calculated the charge to be 10p per sheet or £2 for the report.

Freedom of Information requests and the publication scheme

It is important to note that a publication scheme simply sets out the information that is routinely available. Information that is not listed in the guide to information can still be requested and should be made available unless it can be legitimately withheld.

More information

If you need any more information about this, need to obtain a copy of the model scheme or template guide to information, or need assistance with any other aspect of freedom of information, please visit our website or contact us.

Phone: 08456 30 60 60
01625 54 57 45

email: please use the online enquiry form on our website: www.ico.gov.uk