

Model Publication Scheme 2011

Introduction

The Freedom of Information (Scotland) Act 2002 (the Act) requires Scottish public authorities to produce and maintain a publication scheme. Authorities are under a legal obligation to:

- publish the classes of information that they make routinely available
- tell the public how to access the information and whether information is available free of charge or on payment.

The Act also allows for the development of model publication schemes which can be adopted by more than one authority.

About this scheme

This model publication scheme was produced by the Scottish Information Commissioner and has his approval until 31 May 2015.

It is suitable for adoption by:

- any authority listed in Part 7 of Schedule 1 of the Freedom of Information (Scotland) Act 2002
- any publicly-owned company, as defined by section 6 of the Freedom of Information (Scotland) Act 2002

The scheme may also be suitable for adoption by other Scottish public authorities. Any other authority who wishes to adopt the scheme should apply to the Commissioner for approval to do so.

This scheme must be adopted in its entirety, **without amendment**. It commits an authority to:

- publishing the information, including environmental information, that it holds and which falls within the classes of information below.
- producing a guide for the public to that information

The Commissioner has issued guidance to accompany this scheme

www.itspublicknowledge.info/ScottishPublicAuthorities/PublicationSchemes/PublicationSchemeGuidance.

The guidance explains these requirements in further detail, including listing the types of information the Commissioner expects authorities will publish under each class of information.

Guide to information

An authority adopting this model publication scheme must produce a guide to the information it publishes through the scheme. The authority can decide the format of its guide.

The guide must:

- allow the public to see what information is available (and what is not available) in relation to each class,
- state what charges may be applied
- explain how to find the information easily
- provide contact details for enquiries and to get help with accessing the information
- explain how to request information that has not been published

PRIVATE & CONFIDENTIAL

Availability and formats

The information published through this scheme should, wherever possible, be available on the authority's website. There must be an alternative arrangement for people who do not want to, or cannot, access the information either online or by inspection at the authority's premises. An authority may, for example, arrange to send out information in paper copy on request (although there may be a charge for this).

Exempt information

An authority must publish the information it holds that falls within the classes of information below. If a document contains information that is exempt under Scotland's freedom of information laws (for example sensitive personal data or a trade secret), the authority should remove or redact the information before publication and explain why.

Copyright

Where an authority holds the copyright in the information made available in accordance with this scheme, that information may be copied or reproduced without formal permission, provided that:

- it is copied or reproduced accurately
- it is not used in a misleading context, and
- the source of the material is identified

Where the authority does not hold the copyright in information it publishes, this should be made clear.

Charges

The authority must publish a charging schedule which explains when there is a charge for publications available through the scheme and how any charge will be calculated. There should be no charge to view information on the authority's website or at its premises, except where there is a statutory fee, for example, for access to registers.

The authority may charge for computer discs, photocopying or postage and packing associated with supplying the information, but the charge must be no more than these elements actually cost the authority. The authority may not pass on any other costs for information in Classes 1 – 7 below. An exception is made for commercial publications (see Class 8 below) where pricing is on a retail basis.

The authority must give the recipient advance notice of any charges to be applied.

Contact

The authority must provide contact details for enquiries about any aspect of this publication scheme or to ask for copies of the authority's published information.

The authority is under a duty to provide advice and assistance to anyone who wants to request information which is not published and the authority's guide to information must provide contact details for this purpose.

The Classes of Information

The authority must publish information that it holds which falls within the following classes. Once published, information should be available for the current and previous two financial years. Where information has been updated or superseded, only the current version need be available (previous versions may be requested from the authority).

The Commissioner's Guidance which accompanies this scheme provides lists of the types of information he expects authorities to publish under each class. The authority's guide to information should make clear what is available under each class.

CLASS 1: ABOUT THE AUTHORITY

Class description:
Information about the authority, who we are, where to find us, how to contact us, how we are managed and our external relations

CLASS 2: HOW WE DELIVER OUR FUNCTIONS AND SERVICES

Class description:
Information about our work, our strategy and policies for delivering functions and services and information for our service users.

CLASS 3: HOW THE AUTHORITY TAKES DECISIONS AND WHAT IT HAS DECIDED

Class description:
Information about the decisions we take, how we make decisions and how we involve others

CLASS 4: WHAT THE AUTHORITY SPENDS AND HOW IT SPENDS IT

Class description:
Information about our strategy for, and management of, financial resources (in sufficient detail to explain how we plan to spend public money and what has actually been spent).

CLASS 5: HOW THE AUTHORITY MANAGES ITS HUMAN, PHYSICAL AND INFORMATION RESOURCES

Class description:
Information about how we manage the human, physical and information resources of the authority

CLASS 6: HOW THE AUTHORITY PROCURES GOODS AND SERVICES FROM EXTERNAL PROVIDERS

Class description:
Information about how we procure goods and services, and our contracts with external providers

CLASS 7: HOW OUR AUTHORITY IS PERFORMING

Class description:
Information about how the authority performs as an organisation, and how well it delivers its functions and services

CLASS 8: OUR COMMERCIAL PUBLICATIONS

Class description:
Information packaged and made available for sale on a commercial basis and sold at market value through a retail outlet e.g, bookshop, museum or research journal.

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