

Publication scheme plan for 2012/13

Background and overview

This plan has been developed following the recent consultations run by the ICO on revising publication schemes.

The ICO approved model publication scheme sets out the statutory framework with which public authorities must comply and associated sector definition documents help public authorities meet their obligations to routinely make available certain classes of information as required under the Freedom of Information Act 2000.

Associated guidance such as 'Using definition documents' and 'Charging for information in a publication scheme' complement the model scheme and the definition documents and provide further assistance to public authorities in how best to meet their obligations.

The plan sets out to identify and prioritise the short to medium term objectives for the ICO in relation to continuing to ensure the pro-active dissemination of information. This links in neatly with the current open data initiative being promoted across the public sector which is welcomed by the Commissioner and seen as a complementary means of encouraging pro-active information sharing with the citizen.

The current model publication scheme came into effect on 1 January 2009 and the Commissioner considers that the time is now right to review the position. The timing of his decision fits in well with the current shifting landscape of public access to information and transparency. There are a number of initiatives underway which clearly link to the pro-active disclosure of information including, the government's 'Making Open Data Real' consultation and follow up, the Protection of Freedoms Act 2012¹, the Code of Recommended Practice for Local Authorities on Data Transparency, and the government's transparency agenda generally, the latter including the post legislative scrutiny of freedom of information.

¹ Although enacted the relevant FOI provisions have not yet commenced; a date for this will be set by the Cabinet Office.

The Commissioner recognises and welcomes the opportunity to embrace and actively promote the open data initiative through the revision of the model publication scheme and sector definition documents. He considers it sensible to look to introduce the new model scheme on 1 April 2013, this will allow public authorities appropriate time to understand the requirements that these initiatives will place upon them and to allow for suitable implementation measures to bed in. This should avoid unnecessary duplication of effort and allow the new approved model scheme to incorporate appropriate provisions which ensure a harmonised approach to transparency and openness across the public sector.

In the short and medium term the Commissioner considers that it will be helpful and beneficial for public authorities and citizens to develop some of the definition documents in an innovative way to reflect and anticipate changes which have already taken place in certain sectors and those which are imminent. It is with these particular factors in mind that this plan has been developed. The ICO will consult with selected key stakeholders where appropriate to determine the extent and nature of updates required.

The plan

Definition documents

There are currently 33 definition documents, covering the following sectors:

- Central government
- Northern Ireland
- Wales
- Local government
- Health
- Education
- Police
- Other bodies

Short term

Review, and where appropriate update, the definition documents for:-

Central government departments
Principal local authorities

The Northern Ireland Assembly
Northern Ireland Government Departments
The National Assembly for Wales
The Welsh Government
Welsh Government sponsored bodies

Medium term

House of Commons
House of Lords
Universities
Police
Joint authorities and boards

Colleges of Further Education
Schools in England
Schools in Northern Ireland
Schools in Wales

Longer term

Due to the current changing circumstances updates in the following sectors are likely to be slightly longer term, however, the situation will be kept under close review.

Health sector bodies – due to the new Health and Social Care Act 2010-2012 which received Royal Assent on 27 March 2012. This will among other changes see the abolition of Strategic Health Authorities and Primary Care Trusts.

Police Authorities - due to the intention to abolish Police Authorities and replace them with Police and Crime Commissioners in November 2012.

Guidance

The Commissioner will produce, as part of this plan, initial guidance on 'open data' and 'datasets'. These are referred to in the Protection of Freedoms Act 2012, the 'Making Open Data Real' consultation and in the INSPIRE Regulations 2009 in relation to spatial data sets.

The Commissioner will also review and where appropriate update the following guidance:-

- Using the definition documents
- Charging for information in a publication scheme
- What should be published: minutes and agendas

Planned timetable

April 2012 – June	July 2012 - September	October 2012 - December	January 2013 - March
Definition Documents			
Central government departments	The Northern Ireland Assembly	House of Commons	Colleges of Further Education
Principal local authorities	Northern Ireland government departments	House of Lords	Schools in England
	The National Assembly for Wales	Universities	Schools in Northern Ireland
	The Welsh Government	Police	Schools in Wales
	Welsh Government sponsored bodies	Joint authorities and boards	

As indicated above, the Commissioner will aim to review and update the central government and local authorities (England) definition documents by the end of June 2012. He will share the documents with key stakeholders in each sector and will expect, in the absence of specific and legitimate representations, implementation within six months of finalising the relevant new definition documents.

Aspects of the plan may change pending the outcome of the current post legislative scrutiny of freedom of information. The timetable will also be kept under review so that if resourcing is affected priorities can be readjusted.