

**REPORT OF THE HEAD OF LEGAL SERVICES
TO THE PORTFOLIO HOLDER,
DECEMBER 2008**

Freedom of Information Act Publication Scheme

1.0 Introduction and Report Summary

- 1.1 The Freedom of Information Act places the Council under a statutory duty to adopt a publication scheme. The current scheme expires on 31st December 2008. The Council must now adopt a new scheme. This report seeks approval for the new scheme.
- 1.2 The contact officer for this report is Tim Treuherz, Head of Legal Services, telephone 01235 540302. **Email address tim.treuherz@whitehorsedc.co.uk.**

2.0 Recommendations

- (a) *that the scheme attached be adopted.*
- (b) *that the Head of Legal Services be authorised to maintain and amend the scheme as necessary.*

3.0 Relationship with the Council's Vision, Strategies and Policies

This report relates to the Council's Vision in that it strengthens local democracy. Publishing information improves transparency and accountability. The report does not conflict with any Council Strategies.

4.0 Title of some aspect of the report

- 4.1 The Freedom of Information Act requires the Council to have a publication scheme. A scheme sets out minimum levels of information that public authorities are required to make available. If information is listed in a scheme, then the Act does not apply to a request for that information.
- 4.2 The Council's current scheme expires on Dec 31st. The Information Commissioner, who is responsible for regulating the Act has issued a model publication scheme which must be adopted by all public authorities.
- 4.3 Authorities are required to adopt the model scheme from January 2009 using guidance from the commissioner to identify information they hold which should be published. The new scheme adopts the model publication scheme and operates through the website by using electronic links to the information provided. The scheme is very much work in progress and will need to be amended and updated as new information becomes available.
- 4.4 The Portfolio Holder is recommended to adopt the scheme.

TIM TREUHERZ
HEAD OF LEGAL SERVICES

Background Papers:
Information Commissioner's Guidance at

www.ico.gov.uk

http://www.ico.gov.uk/upload/documents/library/freedom_of_information/practical_application/usingthedefinitiondocuments.pdf