



**ORIGINATOR:** CHIEF EXECUTIVE

**DECISION NO.** 26-2013

**REASON FOR SUBMISSION:** FOR DECISION

**SUBMITTED TO:** POLICE AND CRIME COMMISSIONER

**SUBJECT:** FREEDOM OF INFORMATION ACT 2000  
PUBLICATION SCHEME

**SUMMARY:**

1. Police and crime commissioners are designated as public authorities under the Freedom of Information Act 2000 (the Act) as amended by the Police Reform and Social Responsibility Act 2011. The Act provides a general right of access by any person to recorded information held by public authorities.
2. The Information Commissioner's Office (ICO) has issued a model publication scheme for public authorities, supplemented by guidance to police authorities in a Definition Document which sets out the kinds of information that should be made available to the public. The guidance is relevant to police and crime commissioners' responsibilities but the ICO proposes to issue a Definition Document for police and crime commissioners in due course.
3. The attached Publication Scheme (Appendix A) has been prepared in accordance with the ICO model publication scheme and guidance. The Scheme will be reviewed and modified as necessary in the light of future ICO guidance.

**RECOMMENDATION:**

The Police and Crime Commissioner is recommended to adopt the Publication Scheme at Appendix A.

**APPROVAL BY:** PCC

The recommendation set out above is approved.

**Signature**

*Tim Pasmore*

**Date**

15/07/2013

## **DETAIL OF THE SUBMISSION**

### **1. BACKGROUND**

- 1.1 Under the Freedom of Information Act 2000 (the Act), as amended by the Police Reform and Social Responsibility Act 2011, police and crime commissioners, like their predecessor police authorities, are designated as 'public authorities'. The Act provides a general right of access by any person to recorded information held by public authorities subject to certain conditions and exemptions.
- 1.2 The Information Commissioner's Office (ICO) has published a model publication scheme to assist public authorities in meeting their responsibilities under the Act. The ICO also published a Definition Document giving specific guidance to police authorities on the kinds of information they expect to be available to the public in order to meet their commitments under the model publication scheme.
- 1.3 The attached Publication Scheme (Appendix A) has been prepared in accordance with the ICO model publication scheme and Definition Document for police authorities. The ICO has stated its intention to issue a new Definition Document for police and crime commissioners in due course. This Publication Scheme will be reviewed and modified as necessary in the light of future ICO guidance.
- 1.4 The Publication Scheme at Appendix A is recommended for adoption by the Police and Crime Commissioner. The document will be published on the Police and Crime Commissioner's website.

### **2. FINANCIAL IMPLICATIONS:**

- 2.1 There are no significant financial implications arising from this report.

### **3. OTHER IMPLICATIONS AND RISKS:**

- 3.1 There are no other implications and risks associated with the recommendation.

<b>ORIGINATOR CHECKLIST (MUST BE COMPLETED)</b>	<b>PLEASE STATE 'YES' OR 'NO'</b>
Has legal advice been sought on this submission?	No – the originator is a Solicitor and the Monitoring Officer
Has the PCC's Chief Finance Officer been consulted?	No – not applicable
Have equality, diversity and human rights implications been considered including equality analysis, as appropriate?	Yes
Have human resource implications been considered?	Yes
Is the recommendation consistent with the objectives in the Police and Crime Plan?	Not applicable
Has consultation been undertaken with people or agencies likely to be affected by the recommendation?	Not applicable
Has communications advice been sought on areas of likely media interest and how they might be managed?	No
In relation to the above, have all relevant issues been highlighted in the 'other implications and risks' section of the submission?	Yes

#### **APPROVAL TO SUBMIT TO THE DECISION-MAKER**

##### **Chief Executive**

I am satisfied that relevant advice has been taken into account in the preparation of the report and that this is an appropriate request to be submitted to the PCC.

**Signature:**



**Date** 15 April 2013

