



## 1. What is Freedom of Information?

The Freedom of Information Act 2000 (FOI) comes fully into force in January 2005. This means that the general public will have even greater access to information held by Brighton & Hove City Council than they do at present.

Its provisions affect all public sector bodies from large Government Departments to small primary schools. The provisions of the Act are being introduced in two phases. In the first phase all bodies must have in place what is known as a Publication Scheme (a list of classes of information available to the public). For local authorities this had to be completed by February 2003.

The second phase occurs in January 2005 when all the provisions of the Act come into force. From January 2005 the Act will give individuals and corporate bodies the right of access to all types of recorded information held by local authorities, with the exception of certain specified exemptions (for instance personal information and commercially sensitive information)

## 2. What is a Publication Scheme?

A Publication Scheme is in essence a directory to the information that a local authority, such as Brighton & Hove City Council, publishes or intends to publish. It also states the manner in which the information is published (e.g. leaflet, website) or intends to be published; and whether the information is available free of charge or on payment. It is not in itself a comprehensive collection of all the information that the Brighton & Hove City Council publishes - more a guide to where information can be found and accessed.

A key requirement of the Publication Scheme is that it identifies 'classes' of information that Brighton & Hove City Council publishes. In devising classes of information, the paramount consideration has been that members of the public can readily understand them. The Brighton & Hove City Council Scheme has assembled classes within categories and sub categories to make it easier for the public to access the relevant information.

## 3. How does this affect Brighton & Hove City Council?

Brighton & Hove City Council sees the introduction of the Freedom of Information Act as a welcome opportunity both to improve the ways in which it informs the public it serves and to improve the ways in which it manages the enormous amount of information it holds. Information is one of, if not the most important assets the Brighton & Hove City Council has, and Freedom of Information provides a catalyst to make it more widely available and manage it more efficiently.

Brighton & Hove City Council wishes to conduct its business in an open and honest fashion. Occasionally the Council has to make decisions, which are not popular, but it is important that the public is informed of how those decisions have been made and the reasons for making them. The provisions of the Freedom of Information Act will enable the public to understand the Council and its work through improved access to information. Brighton & Hove City Council is committed to a policy of open access to information under the Publication Scheme. This policy proposes:



# Freedom of Information Guidelines



- to make information available to all those who need or request it, wherever possible in the form that is most convenient for them
- to publicise information already made available by maximising the use of the Brighton & Hove City Council's Publication Scheme
- to make access to the Publication Scheme (and information referred to in it) as easy as possible, particularly through the Council's website
- to presume that information is available unless a councillor, committee or officer can demonstrate a legitimate reason for withholding it

## 4. What do staff need to know?

The implementation of the Freedom of Information Act within Brighton & Hove City Council has led to the development of procedures in other areas of our work:

- the introduction of Records Management policies and procedures,
- the introduction of retention and disposal schedules for all Brighton & Hove City Council records, regardless of medium – this includes paper, microfilm, electronic, e-mails and audio-visual – which have been created, collected, processed, used, stored and/or disposed of by Brighton & Hove City Council,
- promotion and use of the Publication Scheme.

It is important to relay and promote three key points to all Brighton & Hove City Council staff:

1. The Freedom of Information Act (Fol) affected local authorities from February 2003 and comes fully into force in January 2005.
2. All individuals and corporate bodies have rights of access to any information under Fol subject to certain exemptions (check with the Fol Team).
3. Brighton & Hove City Council is committed to a policy of open public access to information – subject to certain exemptions, which will be kept strictly to a minimum.

## 5. What will staff have to do?

Staff will continue to provide the vast majority of information to the public in the usual way, so in many respects it will be 'business as usual'. The introduction of the Publication Scheme is simply an additional route for staff and the public to find out what is available.

**If staff receive a request for information and they are not sure whether they can disclose the information, then forward the request to their information Officer (IO) or to Paul O'Neill, ICT Partnership Manager, 01273 291207**



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### 6. How can staff help?

The most important thing is for as many staff as possible to know of the existence of the Freedom of Information Act and the Publication Scheme and to appreciate the practical implications it has for them.

Promotion about Fol will be undertaken using a number of different media and disseminated as widely as possible, to all staff, not just front-line staff.

When you see (or hear) anything about the Freedom of Information Act, please take the time and trouble to read it and consider how it will affect what you do. There may be issues that you need to discuss with your colleagues and your manager.

#### **Contacts**

If you have any questions or queries relating to any aspect of the Freedom of Information Act, please contact Paul O'Neill 01273 291207 or the Fol project team using via:

[Paul.oneill@brighton-hove.gov.uk](mailto:Paul.oneill@brighton-hove.gov.uk)