

Freedom of Information Act

Publication schemes

Police Sector Monitoring Follow-up Report

(Please note that for clarity the term “authority” in this report refers to a public authority as defined by the Freedom of Information Act (FOIA). Where there are references to a “police authority” that term will be used in full.)

Introduction

In March we published our second publication monitoring report looking at police forces and police authorities.¹ This is a brief follow-up report looking at developments since the publication of the main report. In particular the report will look at what has happened with those authorities who were found not to be operating an approved publication scheme. The report will also briefly look at developments at the remaining authorities who whilst operating an approved scheme could have improved what they were doing.

Not operating an approved scheme

The most disappointing aspect of our findings was that out of the 90 authorities monitored some 26 (or approximately 30%) were found not to be operating an approved publication scheme. We found various reasons for this. These included missing a class of information out of their adopted scheme (therefore only publishing six classes of information rather than the seven in the model scheme), using an old scheme which was no longer approved and not having any sort of publication scheme in operation.

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http://www.ico.gov.uk/upload/documents/library/freedom_of_information/research_and_reports/police_sector_ps_monitoring_report.pdf

When the fact that they were not meeting their legal obligations was pointed out to these authorities, most responded in a positive manner and took steps to meet the requirements imposed by s19 of FOIA. As a result of this by the end of June 2010 all but Northumbria Police Authority, Staffordshire Police Authority and Merseyside Police Authority (in this last case a class of information was missing) were operating an approved publication scheme.

Other issues

In the main report once we had identified those authorities which were not operating an approved scheme we concentrated on what we considered to be quality and maintenance issues. For example the scheme contained broken links, or while information in a class had been provided it was clear that there had been no recent updates.

For all the authorities we checked (who were operating an approved scheme) we wrote to them with our findings and recommendations. The feedback that we have had from this was often from senior level staff (including from Chief Constables) and has on the whole been very positive.

At the same time a few issues have been identified where some public authorities thought that we had not been fair to them.

Nottinghamshire Police insisted that they did respond to our request for information. Unfortunately (and as we said in the original report) we did not receive this response. Humberside Police Authority got in touch with us to ask that we make it clear that they do recognise the difference between responding to an application for information from their scheme and dealing with a full FOI request. We are happy to do this.

Conclusion

In the Conclusion to the main report we said it "was difficult to be overly positive" because of what we had found, especially as approximately 30% of the public authorities we looked at were not operating an approved publication scheme. We can though be positive about the subsequent response. Firstly there are now only three authorities not operating an approved scheme. In addition the responses of some of the authorities that were not operating a scheme have been very good and have shown a high level of commitment. Secondly it has been good to see senior level

involvement in both police forces and police authorities with the work to improve existing schemes.

On a final positive note this work on publication schemes should also be of benefit with the new government's drive for increased transparency as publication schemes would appear to be the ideal vehicle to pro-actively release increasing amounts of information.