

HIGHLAND AND ISLANDS FIRE BOARD

Adoption of Model Publication Scheme

Report by Chief Fire Officer

Agenda Item	
Report No	

Summary

The Board is required, in terms of the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004, to adopt and maintain a Publication Scheme approved by the Scottish Information Commissioner. The Board previously adopted the original Scottish Fire Services Model Publication Scheme, which expires on 1 June 2009. The Scottish Information Commissioner sought revised Publication Scheme submissions by 28 February 2009 and was advised that this Board wished to adopt the revised Scottish Fire Services Model Publication Scheme. This report recommends that the Board homologate this action.

Background

The Freedom of Information (Scotland) Act 2002 was introduced by the Scottish Parliament in order to ensure people have the right of access to information held by Scottish public authorities. The Act states that any person can receive information that they request from a public authority, subject to certain exemptions such as protection of personal data, commercial confidentiality or national security. It came into force on 1 January 2005.

The Act places an obligation on Scottish public authorities to adopt, maintain and review a Publication Scheme, in which they will list the types of information that they will make available as a matter of course to the public.

Schedule 1 of the Act lists the Scottish public authorities covered by the Act and places the obligation on Joint Boards, rather than Fire Services (unlike the police forces, fire and rescue services are not specified within Schedule 1).

The Act allows for the development and approval of model publication schemes for public authorities of a similar function. This allows for the adoption of a standard scheme by all authorities of a similar nature, ensuring consistency across the sector.

A working group consisting of representatives from all eight Scottish Fire and Rescue Services created the first Scottish Fire Service model publication scheme. That model publication scheme was approved by the Office of the Scottish Information Commissioner and subsequently adopted by the previous Board.

The Act requires that all publication schemes are reviewed and updated in accordance with timescales set by the Office of the Scottish Information Commissioner. A 'task-and-finish' sub-group of the CFOA(S) Information Management Group has carried out a review of the original model publication

scheme. This revised scheme has received approval from the Officer of the Scottish Information Commissioner.

Current Position

There was a requirement for Fire and Rescue Boards to formally submit a completed Model Publication Scheme Adoption Form to the Scottish Information Commissioner by 28 February 2009.

If Fire and Rescue Boards decide not to adopt the model scheme, a bespoke scheme would require to be submitted to the Scottish Information Commissioner for approval. However, the Officer of the Scottish Information Commissioner would require strong justification as to why the model scheme adoption would not be suitable.

A Model Publication Scheme Adoption Form was submitted to the Office of the Scottish Information Commissioner on 24 February 2009.

Financial Implications

None.

Conclusion

The adoption form has been passed to the Office of the Scottish Information Commissioner, and the Board now requires to formally homologate this action.

Recommendation

The Fire Board formally homologate the adoption of the Model Publication Scheme for Highland and Islands Fire Board and Highlands and Islands Fire and Rescue Service.

**BRIAN A MURRAY
CHIEF FIRE OFFICER**

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