

Cholesbury-cum-St. Leonards Parish Council

Publication Scheme

Under the terms of the Freedom of Information Act (FOIA)¹, public authorities must make information available to the public. Where any dataset² they hold has been requested, it should be provided together with any updated versions, unless they are satisfied that it is not appropriate to do so. So far as reasonably practicable, they must publish the dataset in an electronic form that is capable of re-use³.

Cholesbury-cum-St. Leonards Parish Council, as a public authority, has to make information available unless:

- it does not hold the information;
- the publication relates to personal information which is governed by the Parish Council's Data Privacy Policy;
- the information is exempt under one of the FOIA exemptions or Environmental Information Regulations exceptions, or its release is prohibited by another statute;
- the information is readily and publicly available from an external website; such information may have been provided by the public authority or on its behalf. The authority must provide a direct link to that information;
- the information is archived, out of date or otherwise inaccessible; or
- it would be impractical or resource-intensive to prepare the material for routine release.

Notes

1. The Government's Freedom of Information Code of Practice (FOICP) may be found at this link:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/744071/CoP_FOI_Code_of_Practice_-_Minor_Amendments_20180926_.pdf
2. If the dataset being provided, or any part of it, is a relevant copyright work owned solely by the public authority, the public authority must make it available for re-use under the terms of a specified licence. Datasets covered by Crown copyright or Parliamentary copyright are not relevant copyright works. The terms 'relevant copyright work' and 'specified licence' are defined in section 19(8) of FOIA.
3. The FOICP recommends that public authorities make datasets available for re-use under the Open Government Licence. The Information Commissioner's Office has published guidance on the dataset provisions of the FOIA. This guidance explains what is meant by "not appropriate" and "capable of re-use" and may be found at the following link:
<https://ico.org.uk/media/for-organisations/documents/1151/datasets-foi-guidance.pdf>.

1. "Dataset" is defined in section 11(5) of the FOIA.
2. In practice, capable of re-use means making information available in a machine-readable form using open standards.

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