

Freedom of Information

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Headlines

- ICO updates definition documents and model publication schemes, p.17
- Data breach details reported to ICO may be disclosed under FOIA, p.18
- FOI to be extended to banks in Scotland?, p.19

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ICO publishes Code of Practice on datasets

The ICO has published its Code of Practice on datasets following the entry into force (on 1st September 2013) of new open data rights.

The Code is to be read in conjunction with the Ministry of Justice Code of Practice on datasets published in July 2013 (see the previous edition of this journal).

Section 102 of the Protection of Freedoms Act 2012 amends sections 11 and 19 of the Freedom of Information Act, giving users new rights to receive datasets in a form capable of re-use (e.g. CSV).

The datasets should be used under the terms of a specified licence — in most cases likely to be the Open Government Licence ('OGL').

The amendments also require public authorities to publish any requested datasets as part of their publication scheme, if appropriate.

The law changes do not provide users with new rights of access — they are concerned with format and the ability to re-use datasets, once the public authority has decided that no exemptions or other provisions (e.g. costs, vexatiousness) in the

legislation apply.

The ICO's new Code is examined in depth in the article on pages 6—9 of this edition.

According to the ICO's 'at-a-glance' list of what public authorities can do to get ready for the changes, public authorities should:

- start to think about the definition of dataset: what information or categories of information that they have that fits the definition;
- promote the key principles of open data in

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Latest bodies to be monitored announced

The Information Commissioner's Office has announced that the Home Office and two other public authorities are being monitored following concerns over the timeliness of their responses to freedom of information requests.

The ICO will monitor the responses of the Home Office, Sussex Police and South Tyneside Council to FOI requests received during July, August and

September 2013.

Announcing the list, the Information Commissioner, Christopher Graham, said:

"The government has made a clear commitment towards making the UK's public sector one of the most transparent in the world.

"Responding to FOI requests within the time limit of 20 working days

is an important means of achieving this objective.

"We hope that these authorities can make the improvements the public has a right to expect. We should not have to order authorities to respond to requests in time."

Meanwhile, following the performance results from the monitoring period covering January and

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