

Appendix 3 - Publication Scheme for the Justices of the Peace
Advisory Committee

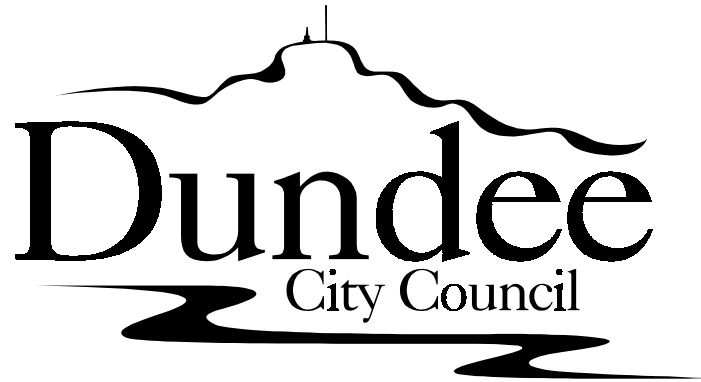


**JUSTICES OF THE PEACE
ADVISORY COMMITTEE**

**PUBLICATION SCHEME UNDER THE
FREEDOM OF INFORMATION (SCOTLAND) ACT 2002**

JULY 2004

Should you require a copy of this document in large print, Braille, audiotape or in any other language, please contact Graeme Hunter, Principal Committee Services Officer, Dundee City Council, 21 City Square, Dundee, DD1 3BY (Tel: (01382) 434206) (email: graeme.hunter@dundeecity.gov.uk).



JUSTICES OF THE PEACE ADVISORY COMMITTEE

PUBLICATION SCHEME UNDER THE FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

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1. AN INTRODUCTION TO YOUR RIGHT TO INFORMATION

The Freedom of Information (Scotland) Act 2002 (FOISA) introduces a new right to obtain information from the Dundee City Council Justices of the Peace Advisory Committee and other public bodies.

The FOISA imposes certain other obligations on the Advisory Committee which include adopting a Publication Scheme.

The FOISA comes fully into force in January 2005, when a person's right to request information from the Advisory Committee (apart from information contained in this Publication Scheme) takes effect.

This Publication Scheme will be implemented on 30 November 2004 when a person's right to request information contained in it takes effect.

2. WHAT IS A PUBLICATION SCHEME?

The Advisory Committee is under a legal obligation to produce and implement a Publication Scheme. In its basic form, it is a guide to the information that the Advisory Committee routinely publishes or intends to publish and allows a significant amount of information to be made available without a person having to make a specific request for information.

This legal requirement has been introduced by the Scottish Executive so as to publicise the work done by public authorities and encourage a spirit of openness and accountability throughout the public sector in Scotland. In terms of the outcomes to be achieved, citizens will not only be more aware of the business of public bodies, but citizens will also have greater access to information that is relevant to them. Such developments are intended to enhance local democracy and participation in local decision-making processes.

A Publication Scheme must set out the following:

- what information is available;
- the manner in which that information is published;
- if there is a charge for that information.

When a public body draws up its Publication Scheme, it must pay particular attention to the public interest in allowing public access to information held by it, particularly information which relates to the provision of services by it, the cost of providing those services and the standards attained by those services, and information on the basis of which decisions of public importance have been made, and in publishing the reasons for its decisions. This Publication Scheme therefore aims to be as 'citizen-focussed' as is possible.

Before producing this Publication Scheme the Advisory Committee carried out an audit of all the information it holds and the results will be subject to an ongoing review.

Under the FOISA, the Advisory Committee has an on-going legal duty to review its Publication Scheme. The Advisory Committee will therefore carry out its own review of the scheme during its first 12 months in operation and annually thereafter.

In order to ensure this Publication Scheme remains relevant and useful for citizens over the coming years, the Advisory Committee will continually add more categories of information to it and update the Dundee City Council website and paper copies to reflect any changes. As a guiding principle, as much information as possible will be made available, on a continuous basis in accordance with this Publication Scheme, and outdated material will be replaced, as necessary.

3. RESPONSIBILITY FOR THE SCHEME

Patricia McIlquham, the Clerk to the Committee, has responsibility for the Scheme on behalf of the Advisory Committee. She can be contacted at 21 City Square, Dundee, DD1 3BY or telephone (01382) 434202 or email patricia.mcilquham@dundeecity.gov.uk.

Graeme Hunter, the Principal Committee Services Officer, has responsibility for maintaining the Scheme on a day to day basis. He can be contacted at 21 City Square, Dundee, DD1 3BY or telephone (01382) 434206 or email graeme.hunter@dundeecity.gov.uk.

4. INFORMATION ABOUT DUNDEE CITY COUNCIL JUSTICES OF THE PEACE ADVISORY COMMITTEE

The Advisory Committee assists and advises Dundee City Council on the appointment of Justices of the Peace to the District Court.

The Advisory Committee routinely makes information available to the public through responses to enquiries and this Publication Scheme has built on this approach.

The existing information flow will continue under the FOISA which does not limit the citizen's right to information outside this Publication Scheme. The FOISA will provide greater access to information that is not currently available.

5. HOW TO USE THIS PUBLICATION SCHEME

This Publication Scheme has been designed with the citizen in mind. Its structure is based on the main categories of information in which the Advisory Committee believes citizens will be interested. The Publication Scheme is placed on the Dundee City Council website and in Dundee City Council offices and libraries for citizens to comment on and offer continuous feedback.

This Publication Scheme refers to classes of information that the Advisory Committee wishes to make readily available, together with a description of the classes of information. This is intended to help the user to find the information wanted as easily as possible.

Our intention is to publish as much information as possible on subjects in which there is known to be a public interest.

If you are unable to find a particular piece of information and need further assistance, please contact Graeme Hunter, Principal Committee Services Officer, Dundee City Council, 21 City Square, Dundee, DD1 3BY (Tel: (01382) 434206) (email: graeme.hunter@dundeecity.gov.uk).

6. HOW TO ACCESS INFORMATION NOT CONTAINED IN THIS SCHEME

The general right of access to information under the FOISA will come into force in **January 2005** when anybody requesting information that is not already contained in the Publication Scheme will be entitled subject to any exemptions or restrictions that may apply to be given that information in the manner requested so far as is reasonably practicable.

The FOISA is retrospective so that any information pre-dating January 2005 will be accessible. To enable us to locate the information you want, please let us have as much detail as you can about the information required. If you wish to make a request for information please contact Graeme Hunter, Principal Committee Services Officer, Dundee City Council, 21 City Square, Dundee, DD1 3BY (Tel: (01382) 434206) (email: graeme.hunter@dundeecity.gov.uk).

7. EXEMPT INFORMATION

The Advisory Committee aims to add as much information as possible to that contained in this Publication Scheme by 2005. If some of the information falls within an exempt category in the FOISA, or some other rule of law restricts its publication, the information will be published without the exempt sections. In some cases, the document in question may have been archived or deleted in accordance with the Advisory Committee's records management policy or in compliance with applicable legislation

Members of the public will not be entitled to access information, which is exempt from release under the FOISA or some other rule of law which restricts its publication.

There are currently 17 classes of exempt information under the FOISA. Of these, some may be treated as exempt, subject to the application of the public interest test and the others are absolute exemptions. Absolute exemption means that the Advisory Committee will not provide the information.

Examples of types of information covered by an absolute exemption include information which is accessible elsewhere, information where release is prohibited by another piece of legislation or information where release would constitute an actionable breach of confidence.

- Under the **public interest test**, which applies to the other categories of exempt information, the information may be released if the Advisory Committee decides that the public interest in disclosing the information outweighs the public interest in not disclosing it.

Types of information where release is subject to a public interest test include information relating to national security and defence, information which would endanger health or safety, information which might harm international relations or information which would substantially prejudice law enforcement or commercial interests.

Full details relating to exempt information appear in Part 2 of the FOISA starting at Section 25.

8. COPYRIGHT

All material contained in the Scheme is the copyright of the Advisory Committee unless stated otherwise. If you wish to copy any information within the Scheme, you may do so in any format for any non-commercial purpose provided that:

- it is reproduced accurately;
- it is not used in a misleading context;
- the source and copyright status of the material are acknowledged; and
- the material you produce is published or distributed without charge

Applications for permission to reproduce material for any commercial purpose may be made to Graeme Hunter, Principal Committee Services Officer, Dundee City Council, 21 City Square, Dundee, DD1 3BY (Tel: (01382) 434206) (email: graeme.hunter@dundeecity.gov.uk).

If you receive information through this Publication Scheme which is subject to the copyright of another person or body, then it is recommended that you contact the copyright holder to seek consent before the information is reproduced.

9. ACCESSIBILITY AND DIVERSITY ISSUES

Some of the information contained in this Publication Scheme may be available on Dundee City Council's web site at www.dundee.gov.uk and information may be viewed or downloaded from the site free of charge. Free internet access is available at the following Dundee Libraries, Community Centres and Communities Department buildings:

Libraries

Central Library, The Wellgate, Dundee, DD1 1DB
 Ardler Centre and Library, Turnberry Avenue, Dundee, DD2 3TP
 Arthurstone Library, Arthurstone Terrace, Dundee, DD4 6RT
 Blackness Library, 225 Perth Road, Dundee, DD2 1EJ
 Broughty Ferry Library, Queen Street, Broughty Ferry, Dundee, DD5 2HN
 Charleston Library and Centre, 60 Craigowan Road, Dundee, DD2 4NL
 Coldside Library, 150 Strathmartine Road, Dundee, DD3 7SE
 Douglas Library, Balmoral Avenue, Dundee, DD4 8SD
 Fintry Library, Findcastle Street, Dundee, DD4 9EW
 Hub Library and Learning Centre, Pitkerro Road, Dundee, DD4 8ES
 Kirkton Library and Learning Centre, Derwent Avenue, Dundee, DD3 0BW
 Lochee Library, High Street, Lochee, Dundee, DD2 3AU
 Menzieshill Library, Orleans Place, Dundee, DD2 4BH
 Whitfield Library and Learning Centre, Whitfield Drive, Dundee, DD4 0DX

Community Centres and Other Communities Department Buildings

The Shore, 15 Shore Terrace, Dundee, DD1 3DN
 Young Persons' Health and Information Project, The Corner, 13 Shore Terrace, Dundee, DD1 3NP
 Twa Semis Youth Project, 60-62 Craigowan Road, Dundee, DD2 4NL
 Highwayman Youth and Community Centre, 115 Hilltown, Dundee, DD3 7AE
 Mitchell Street Centre, Mitchell Street, Dundee, DD2 2LJ.

Please contact Graeme Hunter, Principal Committee Services Officer, Dundee City Council, 21 City Square, Dundee, DD1 3BY (Tel: (01382) 434206) (email: graeme.hunter@dundee.gov.uk). if you would like a copy of this document in large print, Braille, audiotape or in any other language.

The information referred to in this Publication Scheme will be available in a variety of formats, including books, reports, electronic documents, leaflets and inspection upon appointment. If the information is not sent to you, the Advisory Committee will let you know how, when and where you can view it.

Paper copies of the Publication Scheme will be made available at Dundee City Council offices and at all Dundee City Council Libraries and Community Centres. If you cannot find an item of information or need assistance, we will do our best to help.

10. CHARGES FOR INFORMATION

There will be no charge for examining any Publication Scheme information contained on the Dundee City Council website.

There will be a charge if copies of printed material are required. You will be told about any photocopying charges at the time of your request. Generally the charge will be 10p per sheet.

The cover price will be charged for any publications produced by the Advisory Committee for sale. Charges will be kept under review and there is no intention to charge for material that has previously been available free.

11. YOUR COMMENTS, SUGGESTIONS & VIEWS MATTER TO US

If you have any comments, suggestion or views in connection with this Publication Scheme please forward them to Graeme Hunter, Principal Committee Services Officer, Dundee City Council, 21 City Square, Dundee, DD1 3BY (Tel: (01382) 434206) (email: graeme.hunter@dundeecity.gov.uk).

For instance: -

- What did you like and dislike about this Publication Scheme?
- How can this Publication Scheme be made more citizen-focused?
- What else would you like to see in this Publication Scheme?
- Did you find the information you wanted easily and were the members of staff helpful?
- Do you have any suggestions on how to make the Advisory Committee more open and transparent in the provision of information?

12. HOW TO COMPLAIN

Unfortunately, sometimes things do go wrong. Any complaints regarding the Publication Scheme should be directed to Graeme Hunter, the Principal Committee Services Officer, 21 City Square, Dundee, DD1 3BY (Telephone (01382) 434206) (email graeme.hunter@dundeecity.gov.uk).

If we are unable to resolve any complaint, you can complain to the Scottish Information Commissioner who oversees the Act and whose contact details are below. From 1 January 2005, when FOISA with its general right of access comes into force, there will be a formal appeals procedure when information is withheld.

Further details on this will be available on the Commissioner's website at www.itspublicknowledge.info before this date.

Scottish Information Commissioner
 Kinburn Castle
 Doubledykes Road
 St Andrews
 Fife
 KY16 9DS

Telephone: 01334 464610

Fax: 01334 464611

e-mail: enquiries@itspublicknowledge.info

13. INDEX

The information contained in this Scheme is set out alphabetically and with page numbers below.

"Classes" of Information	Page Number
Advisory Committee Composition	9
Register of Justices of the Peace	9
Recommendation for Appointment of a Justice of the Peace (Application Form)	9

12. THE PUBLICATION SCHEME IN DETAIL

New material in each of the identified Classes of information will be added to from time to time. Superseded material will be replaced.

HELPING CITIZENS TO FIND THE INFORMATION THEY NEED			FORMAT
AREAS OF INTEREST	"CLASSES" OF INFORMATION	DESCRIPTION OF INFORMATION AVAILABLE	AVAILABLE ON WEBSITE? (Y/N) CONTACT DETAILS FOR HARD COPIES
DUNDEE CITY COUNCIL JUSTICES OF THE PEACE ADVISORY COMMITTEE			
General Information	1. Advisory Committee composition	<ul style="list-style-type: none"> Names of members of the Advisory Committee and Contact Details Names of Lead Officers and contact details 	N Graeme Hunter 21 City Square Dundee (01382) 434206 graeme.hunter@dundeecity.gov.uk
	2. Register of Justices of the Peace	<ul style="list-style-type: none"> List of Justices of the Peace 	N Graeme Hunter 21 City Square Dundee (01382) 434206 graeme.hunter@dundeecity.gov.uk
	3. Recommendation for Appointment of a Justice of the Peace (Application Form)	<ul style="list-style-type: none"> Application Form to become a Justice of the Peace including selection criteria and guidelines regarding appointments 	N Graeme Hunter 21 City Square Dundee (01382) 434206 graeme.hunter@dundeecity.gov.uk