

Publication Scheme Approval Checklist



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A completed copy of this checklist is required to accompany the submission of a publication scheme to the Scottish Information Commissioner for approval

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The Commissioner has produced Publication Scheme Guidance which provides practical support and information about the approval process and requirements of authorities. This guidance can be downloaded from the Commissioner’s website at www.itspublicknowledge.info/PublicationSchemeGuidance.

The checklist requires the authority to answer **yes or no** to statements about its scheme and, in most cases to provide **evidence** to support a “yes” response. The Commissioner’s scrutiny of schemes will focus on the content of publication schemes and any apparent deficiencies. That is, he will concentrate on the areas where the authority has indicated that it has not addressed a requirement in the freedom of information legislation.

Please note, therefore, that incomplete responses to the questions in this checklist e.g., “yes” responses made without supporting evidence and ambiguous responses, will be treated as indicating that the authority has not addressed the issue in its publication scheme.

PART I: INFORMATION ABOUT THE AUTHORITY AND THE SCHEME

NAME OF AUTHORITY

EAST LOTHIAN LICENSING BOARD

THE AUTHORITY IS:

[delete as appropriate - complete one line only]

CLASSIFIED UNDER SCHEDULE 1 OF FOISA	Enter here the part number and description of the authority as it appears in Schedule 1 PART 3 NO.23 - A LICENSING BOARD IN ACCORDNACE WITH THE PROVISIONS OF S.1 OF THE LICENSING (S) ACT 1976
DESIGNATED BY SCOTTISH MINISTERS UNDER SECTION 5 OF FOISA	Enter date of designation and SI number N/A
A PUBLICLY OWNED COMPANY	Enter company number N/A

TITLE OF THE PUBLICATION SCHEME

EAST LOTHIAN LICENSING BOARD PUBLICATION SCHEME



STANDARD INFORMATION

Tick one box

Has the authority adopted the Publication Scheme Template* produced by the Scottish Information Commissioner?	Yes	YES	Proceed to Box A below
	No		Proceed to Box B below

* The Commissioner's Publication Scheme Template is available from www.itspublicknowledge.info/PublicationSchemeGuidance

Box A – to be completed by authorities which have adopted the Publication Scheme Template for standard information in the publication scheme

	<i>Tick one box</i>	
The template has been adopted without amendment	YES	
The template has been adopted with minor amendments		List amendments here

Box B – to be completed by authorities which have developed their own standard information in their publication scheme

THE SCHEME CONTAINS THE FOLLOWING ELEMENTS:	
<i>Delete Yes / No as applicable</i>	
Information about the purpose and aim of the scheme (with reference to FOISA and the EIRs)	Yes / No
Information about the authority and its functions	Yes / No
Contact details, how to access information and formats	Yes / No
Charging policy	Yes / No
Copyright policy	Yes / No
Records management and disposal policy	Yes / No
Advice about making a complaint	Yes / No
Advice about how to access other information not available through the publication scheme	Yes / No
Classes of information	Yes / No



PART 2: CONTENTS OF THE SCHEME

CONTENTS: INFORMATION ABOUT SERVICES	
In formulating its scheme, the authority is required to have due regard to the public interest in services provided, the cost and performance of those services (see section 23 of the Freedom of Information (Scotland) Act 2002).	
STATEMENT	RESPONSE
The scheme specifies the information published by the authority in order to tell the public about the full range of services it provides and the functions it carries out	Yes Information which clearly sets out the Board's structure and how it delivers its functions e.g., descriptions of services and functions, information about services which have been contracted out.
The scheme specifies information published by the authority in order to set out the cost of providing the services and carrying out the functions referred to above.	YES The Board is self-financing from fees paid by applicants for Licenses. This information is available from the lists of fees payable and links to the East Lothian Council website/ publication scheme where budgetary information is available.
The scheme specifies information published by the authority in order to allow the public to see how well the authority's services and functions perform and that it is spending its money efficiently and effectively.	No Any shortfall in funding is provided by East Lothian Council and its Publication scheme will cover these areas
The scheme provides a list of companies owned by the authority (within the definition of section 6 of FOISA (publicly owned companies)).	No

**CONTENTS: INFORMATION ABOUT DECISIONS**

In formulating its scheme, the public authority is required to have due regard to the public interest in the facts or analyses which formed the basis of its decisions which are of importance to the public and the reasons for those decisions (see section 23 of the Freedom of Information (Scotland) Act 2002).

STATEMENT	RESPONSE
The scheme specifies the information published by the authority about its decisions in which there is a public interest.	Yes All decisions and the reasons for them are available to the public
The scheme specifies the information published by the authority which allows the public to see the facts or analyses it used to make the above decisions.	Yes All agenda papers and reports submitted to Board or committee.
The scheme specifies the information published by the authority which sets out the reasons for decisions in which there is a public interest.	Yes Specification of the type of document which explains the reasons for decision taking e.g., board or committee minutes <i>where these explain the reasons</i> or special reports, press releases or announcements <i>which explain the reasons</i> .



CONTENTS: ENVIRONMENTAL INFORMATION

A Scottish public authority must take reasonable steps to organise and keep up to date the environmental information relevant to its functions which it holds...with a view to the active and systematic dissemination of that information to the public by electronic means (unless it was collected before 14 February 2003 and is not available in electronic form) (see regulation 4 of the Environmental Information (Scotland) Regulations 2004).

STATEMENT	RESPONSE
The scheme specifies the following types of information which the authority makes publicly available:	
a) texts of international treaties, conventions or agreements, and of Community, national, regional or local legislation, on the environment or relating to it	No
b) policies, plans and programmes relating to the environment	No
c) progress reports on the implementation of the items referred to in (a) and (b) above when prepared or held by a Scottish public authority in electronic form	No
d) reports on the state of the environment	No
e) data or summaries of data derived from the monitoring of activities that affect or are likely to affect the environment	No
f) "authorisations" with a significant impact on the environment and environmental agreements or a reference to the place where such information can be requested or found	No
g) environmental impact studies and risk assessments concerning air and atmosphere, water, soil, land, landscape and natural sites including wetlands, coastal and marine areas, biological diversity and its components, including genetically modified organisms, and the interaction among those elements.	No
h) facts and analyses of facts which the authority considers relevant and important in framing major environmental policy proposals	No



PART 3: CHARGING

The authority's charging policy for information from the publication scheme is specified in the scheme document	Yes
The authority has adopted the Commissioner's recommended charging policy with no amendments	Yes If amended, specify the amendments made
Specific charges have been applied to particular information in the scheme i.e., any charges falling outwith the authority's generic charging policy.	No
The authority's schedule of charges for non-published environmental information is set out in the scheme document	Yes

PART 4: MAKING THE INFORMATION AVAILABLE

The scheme will be published by the authority	Yes The scheme will be published in the Licensing section of East Lothian Council's website. Photocopies will also be available from John Muir House and copies will be posted to those requesting them by telephone or in writing.
The scheme provides detailed explanation of how to access all information from the scheme, including contact details for enquiries	Yes Information will be posted out or available for collection from John Muir House in photocopy format. It will also be available on the internet
The scheme specifies the formats in which information is available and this includes hard copy	Yes Section 12
The scheme contains some information which is available by inspection only	No
Once the scheme is approved by the Commissioner, the authority will brief all employees on its availability and instruct that all information in the scheme may be given out to anyone on request without the need for higher approval, <i>subject to the charging policy.</i>	Yes Employees will be made aware of the existence of the scheme. A general announcement will be made by e-mail alert/ staff newsletter using the council intranet and those staff within the Law and Licensing Division of East Lothian Council will be verbally briefed



PART 5: INFORMATION REQUESTS AND COMPLAINTS

The scheme advises how to make a complaint about the publication scheme to the authority in the first instance, explains that this might be a “request for review” and includes contact details for making a complaint	Yes s. 10
The scheme advises how to make an application to the Scottish Information Commissioner and includes his contact details	Yes S.10.4
The scheme explains the public right to request information held by the public authority but not included in the publication scheme and how to go about making a request to the authority	Yes Section 11

PART 6: CONTACT DETAILS

Please provide details of the main contact within your authority during the scheme approval process

Name:	Kirstie MacNeill
Job Title:	Corporate Legal Adviser
Postal Address:	John Muir House Haddington, East Lothian, EH41 3HA
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