



Purpose

Freedom of Information is not just about responding to requests from members of the public and granting or refusing access to records in response to applications. FOI also encourages proactive dissemination of information, and the publication schemes that are required by the Law support these aims of transparency, accountability and public participation in national decision making.

A publication scheme describes the structure, organisation and functions of your public authority, what kind of information you hold, and what you publish or make routinely available in the ordinary course of business. Publication schemes are required by the FOI Law.

If administrative policies or procedures are already in place to access information, the publication scheme must explain how this type of information can be accessed and whether any charges apply. Publication schemes allow members of the public to access information quickly and easily, and increase public awareness of your functions, responsibilities and services.

Review and Maintenance

Publication schemes must be published in the *Gazette* at least once a year, the first due 5 January 2010, and regularly updated to maintain their relevance and usefulness throughout the year. Documents covered in the publication scheme may be produced by many different people in various parts of your public authority, so all staff should be aware of this duty to publish and your responsibility to assist the Information Manager in maintaining the publication scheme.

Good records management will support the updating of published material and removal of outdated information. Proper records must be kept of publication scheme maintenance and managed in accordance with the *National Archive and Public Records Law*, as any other record.

Providing Information

Publication schemes should be available on your websites and in hard copy from your public authority. The published information listed in your scheme should also be clearly, easily and routinely accessible. Records that are available for purchase in accordance with administrative procedures, and records open to access as part of a public register or otherwise by law, shall be accessed in accordance with that law or those procedures, not through FOI.

Access to published information can be granted by staff members other than the Information Manager, and it may be useful to nominate contact persons who have direct access to particular publications. The routine release of published information should become a regular business practice throughout all public authorities.

Reception staff and customer service officers are vital in the proactive dissemination of information, but all employees must understand the obligations of automatic disclosure, their role in fulfilling these obligations, and the purpose of a publication scheme.

Exempt Information

Records which are exempt from disclosure under Part III of the FOI Law, or prohibited from being released by another law in the Cayman Islands, should not be published. If records contain exempt matter, redacted versions of these records can be published if it is clear which exemption applies to the redacted information and why the redaction has been completed.

Fees and Charges

Information available through your publication scheme should be readily accessible at a minimum cost to the public. Any fees should be set at a level to support the principle of promoting public access and consider the public interest in providing access to the information.

The fees outlined in the FOI (General) Regulations apply to requests for information under the FOI Law, *not* to information published or made routinely available in accordance with the publication scheme. Where fees may apply they should be justified and made clear in a schedule, including references to laws or administrative procedures in place to access certain information.

Model Publication Scheme

A model publication scheme has been developed by the Cayman Islands National Archive on behalf of the Chief Secretary and will serve as a template for all public authorities. The model provides a standard way for all public authorities to list the information that they make routinely available, to explain how the information can be accessed, and whether any fees apply.

This model will also make it easier for members of the public to identify the information they seek, as the publication schemes for all public authorities will have a similar structure and divide information into different categories based on content and usage.

Compliance

The Information Commissioner publicises the requirements of the FOI Law and monitors compliance by public authorities, including obligations for publication schemes in the Law and Chief Secretary's Code of Practice on Publishing. The Commissioner has the power to investigate compliance, and if a public authority is found to have failed to comply with an obligation, may take further action by producing orders or recommendations, or referring the matter to a disciplinary authority.