

Audit and Risk Committee



Thursday, December 7th 2023, 14:00-16:00

Integration Joint Board Scheme of Publication

Item number:	Agenda number
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Executive summary

The Midlothian Integration Joint Board (IJB) is required to provide the public with a Publication Scheme under The Freedom of Information (Scotland) Act 2002 (the Act). The Act requires Scottish public authorities to provide members of the public with the information that is held by us and to produce and maintain a publication scheme.

Authorities are under a legal obligation to publish the classes of information that they make routinely available, tell the public how to access the information, and whether information is available free of charge or on payment.

The IJB have adopted the Model Publication Scheme produced and approved by the Scottish Information Commissioner in 2017. The requirements of the Model Publication Scheme were updated by the Scottish Information Commissioner's Office (ICO) in 2021.

Midlothian IJB Publication Scheme 2023 'Guide to Information' is an update and reworking of the Midlothian IJB Scheme of Publication (2019). This update brings the publication scheme in line with the Scottish Information Commissioner Model Publication Scheme (2021). The document supports Midlothian IJB to meet other relevant statutory obligations such as the Freedom of Information (Scotland) Act 2002 and Equality Act 2010/Public Sector Equality Duties.

Members are asked to:

- Review the updated information within the Scheme of Publication,
 - Review the accompanying Equality and Children's Right Impact Assessment
 - Consider updates and agree to recommendation to the IJB for approval
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Audit and Risk Committee

Integration Joint Board Scheme of Publication

1 Purpose

- 1.1 The purpose of the report is to seek agreement from the Audit & Risk Committee on the reviewed and updated Scheme of Publication in line with the updated Scottish Information Commissioner Model Publication Scheme (appendix 1).
- 1.2 Following Audit and Risk review and approval this will be taken to Midlothian IJB for noting.

2 Recommendations

- 2.1 As a result of this report, Members are asked to:
 - Review the updated information within the Scheme of Publication,
 - Review the accompanying Equality and Children's Right Impact Assessment
 - Consider updates and approve amendments for recommendation to Midlothian IJB.

3 Background and main report

- 3.1 Midlothian IJB currently have a Scheme of Publication (2019), this requires to be reviewed and updated in line with updated Scottish Information Commissioner Model Publication Scheme, and for compliance with Freedom of Information (Scotland) Act 2022 and Equality Act 2010.
- 3.2 The Scheme of Publication outlines the information which the IJB pledges to ensure is routinely available, such as minutes of meetings, annual reports, and financial information. It also details whether information is available free of charge or on payment.
- 3.3 The IJB adopted the Scottish Information Commissioner's Model Publication Scheme on 31 May 2017. The Model Publication Scheme was updated in 2018 and 2021. Pressures experienced across health and social care from March 2020 resulted in some statutory governance requirements being paused or extension for completion, with review of the Model Publication Scheme being affected.
- 3.4 Changes to previous Scheme of Publication are as follows:
 - Midlothian IJB Publication Scheme 2023 has been renamed (addition of plain English sub heading 'Guide to Information') and adjusted to satisfy the requirements of the ICO's Model Publication Scheme 2021 and appeal more to the

public. Language has been adjusted, where possible without straying from ICO Model Publication Scheme 2021, to be clear about what the Publication Scheme is, who it is for and what rights people have to access the information that is signposted.

- In a change from Midlothian IJB publication scheme 2019, costs for alternative formats have been removed.

4 Policy Implications

- 4.1 Freedom of Information law requires authorities to publish information as well as respond to requests. They must make information available to the public so that it can be accessed without having to ask for it. Authorities must adopt a publication scheme approved by the Scottish Information Commissioner.

5 Directions

- 5.1 There are no direct implications for Directions in relation to this report.

6 Equalities Implications

- 6.1 The Scheme of Publication complies with the Public Sector Equality Duty under the Equality Act 2010 to take steps to meet the needs of people who share a relevant protected characteristic. In terms of access to information, this means making reasonable adjustments to our practices to ensure that information is accessible to all who may be living with an impairment. The Scheme of Publication outlines the various formats information will be available, i.e., alternative formats and languages.
- 6.2 An Equality and Children's Rights Impact Assessment has been completed for review (appendix 2).

7 Resource Implications

- 7.1 There are no direct implications for Midlothian IJB and resource in relation to this report.

8 Risk

- 8.1 The Act is designed to increase transparency. Members of the public should be able to routinely access information that is in the public interest and is safe to disclose.
- 8.2 Also, without the publication scheme, members of the public may not know what information public authorities have available. A routinely reviewed and revised publication scheme ensures mitigation in terms of reputational risk as well as compliance with statutory obligations.

9 Involving people

- 9.1 Review of the Publication Scheme has involved consultation and collaboration across Midlothian Health and Social Care. This has included the Public Involvement Officer, Equalities and Human Rights Lead, Integration Manager, members of the SPG and Midlothian IJB.

10 Background Papers

10.1 N/a.

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Appendices:

Appendix 1: 2023 12 07 AR Committee_MIJB Scheme of Publication V2_appendix 1

Appendix 2: 2023 12 07 AR Committee_Scheme of Publication_Report_Equality and Children's Right Impact Assessment_appendix 2

Appendix 3: Equality and Children's Rights Impact Assessment - Guidance FINAL_appendix 3