

CODE OF PRACTICE ON PUBLIC ACCESS TO OFFICIAL INFORMATION: ANNUAL REPORT FOR 2001

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by the House Committee**



STATES OF JERSEY

STATES GREFFE

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Introduction

The Code of Practice on Public Access to Official Information was approved by the States on 20th July 1999 and came into force on 20th January 2000.

The Code constitutes a States' policy and affects the States, States Committees and their sub-committees.

The Code confers -

- a general right of access to information held by authorities which is (a) not exempt, and (b) created after 20th January 2000;
- a right of access to personal information, that is information about an identifiable individual, subject to exemptions, and while safeguarding an individual's right to privacy. The authority has an obligation to correct any personal information held about an individual that is shown to be incomplete, inaccurate or misleading, except that expressions of opinion given conscientiously and without malice will be unaffected. For personal information, access is retrospective;
- a right of access to Committee and sub-committee agendas and minutes, where these do not contain confidential information, but not to agenda support papers.

The Code established a minimum standard of openness and accountability by the States of Jersey, which may, by its very nature, be exceeded.

This report reflects the statistics of the working of the Code in its second year of operation. The introduction of the ministerial system of government will require the Code to be reviewed in the near future, a task to be taken up by the proposed new Privileges and Procedures Committee.

Monitoring statistics

A. Applications to departments from the public

States departments are required to make an annual return regarding the number of applications from the public for personal and other information. The number of enquiries received during the year ending 31st December 2001 was as follows -

Housing Department

Number of applications which mention the Code:	0
Number of applications from private individuals:	4
Number of applications dealt with within 21 days:	4

Health and Social Services Department

Number of applications which mention the Code:	13
Number of applications from private individuals:	107
Number of applications representing charity/lobby group:	1
Number of applications from States members:	1
Number of applications dealt with within 21 days:	104
Number of requests for which a charge was made:	3
Number of requests refused:	3

Note: Refusals were made on the basis that the requests constituted an unwarranted invasion of the privacy of an individual.

Employment and Social Security Department

Number of applications which mention the Code:	2
Number of applications from private individuals:	2
Number of applications dealt with within 21 days:	2

NB: Those departments not mentioned made a zero return.

TOTALS FOR 2001

Total number of applications which mention the Code:	15
Total number of refusals:	3

B. Access to agendas and Minutes

Each Committee produces its agendas in two parts, with publicly available matters being dealt with in Part A and confidential matters in Part B. All signed Part A Minutes enter the public domain.

Each Committee makes its Part A agendas available at convenient points in its reception area. This information together with signed Part A Minutes can also be obtained in the States' Bookshop.

In addition, certain Committees load their minutes onto their website. The establishment of the States of Jersey website has broadened the possibility of access by the general public to many types of documents prepared in the States Greffe.

Monitoring of public access to agendas and minutes has not occurred. The media, however, do use these sources of information in their news stories.