

## Procedure

# Freedom of Information Publication Scheme

This Procedure is a document that sets out the organization's approved and agreed practices. Any deviation must be discussed with the originating author.

|                                |                         |                                |          |
|--------------------------------|-------------------------|--------------------------------|----------|
| DOCUMENT NO:                   | PCD031                  |                                |          |
| Lead author(s):                | Cllr A Catlett          |                                |          |
| Developed by:                  | Cllr A Catlett          |                                |          |
| Approved by:                   | Full Council            |                                |          |
| Ratified by                    | Full Council            |                                |          |
| Ratification date:             | 15 May 23               |                                |          |
| Due Review date:               | May 24 (Annual Meeting) |                                |          |
| Version no:                    | 4                       |                                |          |
| Version Control and Revisions: |                         |                                |          |
| 1                              | First published         |                                | 9/3/2016 |
| Version                        | Point                   | Description of change          | Date     |
| 2                              |                         | Review and format changes      | March 21 |
| 3                              |                         | Annual review. No changes.     | July 22. |
| 4                              | Para 5, 6 & 7           | Annual review. Changes in red. | May 23   |

### **THIS IS A CONTROLLED DOCUMENT**

Whilst this document may be printed, the electronic version maintained on the Billingham Parish Council website is the controlled copy. Any printed copies of this document are not controlled.

© Billingham Parish Council. Not to be reproduced without written permission.

## 1. DOCUMENT CONTROL SHEET

|   |   |
|---|---|
| <b>Purpose of document:</b>                                     | This document details the Billingham Parish Council Freedom of information Publication Schedule.  |
| <b>Dissemination:</b>   | This policy will be disseminated to all staff and council members and be made available on the parish website   |
| <b>Implementation:</b>  | This document will be accessible via the parish council website and is applicable to all staff and council members.   |
| <b>Review:</b>  | This document will be reviewed in 2024 at Annual Meeting unless there are significant changes in legislation or practice in which case it will be reviewed earlier. |
| <b>Documents replaced or superseded by this document:</b>       | N/A   |
| <b>This document supports (enter Standards and Legislation:</b> | Freedom of Information Act 2000   |
| <b>Key related documents:</b>                                   |   |
| <b>Financial Implications:</b>                                  | This document has no financial implications for the Billingham Parish Council.  |
| <b>Key word search</b>  |   |

## **2. TABLE OF CONTENTS**

|           |                                       |          |
|-----------|---------------------------------------|----------|
| <b>1.</b> | <b>Document Control Sheet</b>         | <b>2</b> |
| <b>2.</b> | <b>Table of contents</b>              | <b>3</b> |
| <b>3.</b> | <b>Introduction</b>                   | <b>3</b> |
| <b>4.</b> | <b>Freedom of Information Request</b> | <b>3</b> |
| <b>5.</b> | <b>Freedom of Information Process</b> | <b>3</b> |
| <b>6.</b> | <b>Publication Scheme</b>             | <b>4</b> |
| <b>7.</b> | <b>Exempt Material</b>                | <b>6</b> |
| <b>8.</b> | <b>Charging Policy</b>                | <b>7</b> |

## **3. Introduction**

a. Compliance with the Freedom of Information Act 2000 is the legal responsibility of local authorities and other public organisations. It is part of a wider group of national policies which aim to modernise government and show people how it is working on their behalf. Since January 2005 people have had a right to know what decisions are taken on their behalf, and how services are run. They can ask to see not only printed leaflets and other publications, but also any background files and other records relating to the business of the organisation, unless statutory exemptions apply.

## **4. Freedom of Information Request**

a. A request for information must be made by letter or e-mail and should be sent to the Clerk to the Council. The request must include a contact name, an address for correspondence and state clearly what information is required.

b. The Parish Clerk is the Responsible Officer for dealing with all requests for information

## **5. Freedom of Information Process**

a. If the requested data is not held by the council then the applicant will be notified accordingly.

b. If information is held, and is not subject to any exemption, it will normally be supplied within 20 working days unless there is a fee to pay, or further clarification must be sought.

c. If the request for information is unclear, the Parish Clerk will contact the applicant to clarify what data is being sought. If clarification of a request is needed, the 20 working day period will commence on receipt of the additional information.

d. If the information is not held by the Council, but the Council is aware of another public **authority** which may hold the information, the request will either be forwarded to the **public authority** concerned, or the applicant will be given details of which public authority is believed to hold the information.

e. Where information cannot be provided, a refusal notice will be issued explaining which exemption applies, and advising of any right to appeal, if applicable.

f. Where information is subject to a 'qualified exemption' under the FOI Act, there may be an extension to the 20 day period whilst further consideration is given to applying the public interest test, to determine whether any information should be withheld or disclosed.

g. Where any complaint **or a request for review is received the** request will be referred on to full Council for attention **and action where required.**

h. Where any correspondence is received from the Information Commissioner's Office in relation to any Freedom of Information matter, this will be referred on to full Council for attention.

## **6. Publication Scheme.**

a. **This publication scheme commits Billingham Parish Council to make information available to the public as part of its normal business activities. The information covered is included in the classes of information mentioned below, where this information is held by the Council. Additional assistance is provided to the definition of these classes in sector specific guidance manuals issued by the Information Commissioner.**

b. **The Publication Scheme comprises of:**

i. **Who we are and what we do** (Organisational information, locations and contacts, **constitutional governance**). Current information only

| Information to be published   | How the information can be obtained |
|---|-------------------------------------|
| Who's on the Council and its Committees   | Parish Council Website              |
| Contact details for Parish Clerk and Council members (named contacts where possible with telephone number and e-mail address if used) | Parish Council Website              |

ii. **What we spend and how we spend it** (Financial information relating to projected and actual income and expenditure, **tendering**, procurement and contracts). **Current and previous financial year.**

| Information to be published                     | How the information can be obtained                                 |
|---|---|
| Current and previous financial year             | Parish Council Website / Newsletter                                 |
| Annual return form and report by auditor        | Hard copy from Council Office / Website                             |
| Finalised budget                                | Parish Council Website (minutes of relevant Parish Council meeting) |
| Precept   | Newsletter (minutes of relevant Parish Council meeting)             |
| Financial Standing Orders and Regulations       | Parish Council Website  |
| Grants given and received                       | Parish Council Website / Newsletter/ Minutes                        |
| List of current contracts and value of contract | Hard copy from Council Office                                       |
| Members' allowances and expenses                | Hard copy from Council Office / Minutes                             |

iii. **What our priorities are and how we are doing** (Strategies and performance indicators, plans, assessments, inspections and reviews).

(a) Annual Report to Parish Meeting (current and previous year) available as hard copy from Council Office.

iv. **How we make decisions** (Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations.) Current and previous council year.

| Information to be published  | How the information can be obtained                              |
|--|--|
| Timetable of meetings (Council, committee/sub-committee meetings and town meetings)  | Parish Council Website   |
| Agendas of meetings (as above)   | Posted on Parish Council Notice Boards<br>Parish Council Website |
| Minutes of meetings (as above) (N.B. This will exclude information that is properly regarded as private to the meeting)        | Parish Council Website   |
| Reports presented to Council meetings (N.B. This will exclude information that is properly regarded as private to the meeting) | Hard copy from Council Office                                    |
| Responses to consultation papers   | Hard copy from Council Office                                    |
| Responses to planning applications   | NKDC Website<br>Minutes of relevant Planning Committee meeting   |
| Byelaws  | Hard copy from Council Office where applicable                   |

x. **Our policies and procedures** (Current written protocols for delivering our functions and responsibilities). Current information only

| Information to be published                                  | How the information can be obtained |
|--|-------------------------------------|
| Policies and procedures for the conduct of council business: |                                     |
| Procedural standing orders                                   | Parish Council Website              |
| Committee and sub-committee terms of reference               | Parish Council Website              |
| Delegated authority in respect of officers                   | Parish Council Website              |
| Code of conduct  | Parish Council Website              |
| Policy statements  | Parish Council Website              |

| Information to be published  | How the information can be obtained |
|--|-------------------------------------|
| Policies and procedures for the provision of services and about the employment of staff: |                                     |
| Equality and diversity policy  | Parish Council Website              |
| Health and Safety policy   | Parish Council Website              |
| Complaint procedures   | Parish Council Website              |
| Information security policy  | Parish Council Website              |

|                             |                        |
|-----------------------------|------------------------|
| Records management policies | Parish Council Website |
| Data protection policies    | Parish Council Website |

vi. **Lists and Registers** (Information held in registers required by law and other lists and registers relating to the functions of the authority). Currently maintained lists and registers only.

| Information to be published       | How the information can be obtained     |
|-----------------------------------|---|
| Assets Register                   | Hard copy from Council Office           |
| Register of members' interests    | North Kesteven District Council Offices |
| Register of gifts and hospitality | North Kesteven District Council Offices |

vii. **The services we offer** (Information about the services we offer, including advice and guidance, booklets and leaflets, transactions and media releases.) Current information only.

| Information to be published   | How the information can be obtained                  |
|---|--|
| Allotments  | Parish Council Website                               |
| Burial grounds and closed churchyards   | Parish Council Website                               |
| Seating, litter bins, clocks, memorials and lighting  | Hard copy from Council Office                        |
| Bus shelters  | Hard copy from Council Office                        |
| A summary of services for which the council is entitled to recover a fee, together with those fees (e.g. burial fees) | Hard copy from Council Office / Minutes / Newsletter |

7. **Exempt Material.** The classes of information will not generally include:

- a. Information the disclosure of which is prevented by law, or exempt under the Freedom of Information Act, or is otherwise properly considered to be protected from disclosure.
- b. Information in draft form.
- c. Information that is no longer readily available as it is contained in files that have been placed in archive storage or is difficult to access for similar reasons.

8. **Charging Policy.** The following charges will apply for access to information:

- i. Information can be inspected, by appointment, at the Parish Council's Office free of charge.
- ii. Information that can be photocopied without breaching copyright laws can be copied on the Council's photocopier at the cost of 15p per single sided A4 sheet.
- iii. A detailed search of records (for example the Council Minutes or archive material) is subject to a charge of £15 per search plus the relevant photocopying charges.

iv. Any photocopies sent by post will be subject to the actual cost of postage and packaging.