

Godmanchester Town Council

Freedom of Information: Publication Scheme

This policy was formally adopted by the Town Council at the Town Council meeting held on

.....

Cllr S Conboy

TOWN MAYOR

GODMANCHESTER TOWN COUNCIL

FREEDOM OF INFORMATION - PUBLICATION DETAILS

1. On 1 January 2005, the Freedom of Information Act gave members of the public a new right of access to information held by public authorities. In simple terms, the Act required Councils to operate on the basis of openness in the public interest. The 2005 Act has now been simplified for smaller authorities and, with effect from 1 January 2009, presentation has been required to be published under a straight forward Publication Scheme.
2. The Act places an obligation on public authorities to make information available on both a proactive and a reactive basis. The proactive obligation is for each public authority to maintain a Publication Scheme. The key reactive provision is a general right of access to all recorded information. Subject to certain exemptions, anyone making a request for information must be informed whether the public authority holds the information and, if so, be supplied with it within 20 working days. The Act applies to all information that it holds makes no distinction about who originated it.
3. A public authority must adopt and maintain the Publication Scheme, and publish information in accordance with it. The scheme must specify classes of information, the manner in which the information is published and whether there is a charge. The public authority must have regard to the public interest in allowing access to information held and in providing reasons for decisions made.
4. Any person making a request for information to a public authority is entitled to be informed in writing by the public authority whether it holds information as specified in the request and, if that is the case, to have the information communicated to them. The Request for Information (RFI) must be in permanent form (this includes e-mails), state the name of the applicant and an address for correspondence and describe the information requested.
5. The applicant can ask to be provided with a copy of the requested information in permanent form, a synopsis of the relevant information or a chance to inspect a record containing the information. The public authority must provide the information to the applicant in the format requested, so far as it is reasonably practicable to do so. They can also be directed to other records of the information.
6. A public authority need not comply with an RFI if that request is considered vexatious or repeated. An RFI on information that has been transferred to the Public

Record Office or another “place of deposit” must be passed on to the relevant authority promptly, If refusing a request, a public authority must write to the applicant within 20 working days to confirm that the information is held (unless this confirmation could itself be exempt information), specify which exemption applies and explain (if not otherwise apparent) why the exemption applies. The letter will also tell the applicant how to appeal for a review of the decision.

7. The Act identifies a number of categories of exempt information. Those marked * are absolute exemptions; information in all other categories has to be assessed in light of public interest:

- Information which is already reasonably accessible to the public by other means.*
- Information held by a public authority with a view to future publication.
- Information which has at any time been held by a public authority for the purpose of criminal investigations, criminal proceedings, specified investigations relating to law enforcement, or civil proceedings arising from any of the above;
- Information which, if released, would compromise law enforcement;
- Information held by any court or inquiry;*
- Information that relates to communications with the Royal Household;
- Information that would endanger the safety, or physical or mental health of any individual;
- Personal data where either the applicant is the subject of the data requested, or where disclosure would contravene one of the data protection principles. (i.e. covered by the Data Protection Act 1998);*
- Information that was obtained by the public authority from any other person and where to disclose it would constitute an actionable breach of confidence;*
- Information that is covered by a claim to legal professional privilege;
- Information that constitutes a trade secret or whose disclosure would prejudice the commercial interests of any person (including the public authority holding it).

8. The following are not exceptions, but can be taken into account in considering a response:

- Manifestly unreasonable;
- Too general;
- Unfinished documents and incomplete data;
- Internal communications.

9. Any decision to refuse to supply information on any of the above grounds is to be made by the Chairman of the Council and one other councillor.

10. It is a criminal offence to alter, deface, block, erase, destroy or conceal any record with the intention of preventing disclosure if the information has been the subject of a request under the Act. Any person guilty of this offence will be liable to a substantial fine.

11. A number of items listed in the details below are noted as “Not Applicable”. This is because these areas are not part of the business of Godmanchester Town Council, although many will be covered by higher authorities, and any RFI should be sent to the relevant one. The Town Clerk can offer advice.

12. Although Town and Parish Councillors are not entitled to the payment of allowances, the Chairman of Godmanchester Town Council, in the rôle of Town Mayor, is awarded a “Mayor’s Purse” to allow the pursuance of activities in support of the Town. This is *inter alia* for the payment of travel expenses. Any councillor who carries out such activities in place of the Mayor may be paid from the Purse. No other allowances can be made.

Information Available from Godmanchester Town Council
Under the Model Freedom of Information Publication Scheme

Information to be published	How the information can be obtained	Cost
Class 1 - Who we are and what we do		
Who is on the Town Council and its Committees ¹	Website², Hard Copy and Notice Boards ³	Free
Contact details for Town Clerk and Council member (named contacts with telephone numbers ⁴)		
Location of Council Office		

¹ In Godmanchester, all Town Councillors are entitled to sit on Working Parties (Committees)

² It is intended that information from Godmanchester Town Council will at some stage be available on a web site. Until that time requests will be answered by the requester visiting the Town Office and reading documents, in hard copy, or by receiving by Email copies of the documents requested. For residents without personal access to electronic information, it is available in Huntingdon Library.

³ Notice Boards in Godmanchester are located on the outside wall of the Queen Elizabeth School, and on London Road.

⁴ Email addresses for Councillors are not in the public domain.

Information to be published	How the information can be obtained	Cost
Staffing structure		
<p>Class 2 - What we spend and how we spend it</p> <p>(Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit)</p> <p>Current and previous financial year as a minimum</p>		
Annual return form and report by auditor		
Finalised budget	Website, Hard Copy and Notice Boards⁵	10p/page
Precept	Contact Town Clerk	
Financial Standing Orders and Regulations	Website and Hardcopy	10p/page
Grants given and received		

⁵ Notice Boards in Godmanchester are located on the outside wall of the Queen Elizabeth School, and on London Road.

Information to be published	How the information can be obtained	Cost
List of current contracts awarded and value of contract ⁶	Contact Town Clerk	
Members' allowances and expenses ⁷	Not Applicable	
Class 3 – What our priorities are and how we are doing (Strategies and plans, performance indicators, audits, inspections and reviews)		
Annual Report to Town Meeting (current and previous year as a minimum)	Website, Hard Copy and Notice Boards	10p/page
Parish Plan	Not Applicable	
Quality status		
Class 4 – How we make decisions (Decision making processes and records of decisions)		

⁶ Some information may be commercially confidential.

⁷ For details see paragraph 13 of the covering letter above.

Information to be published	How the information can be obtained	Cost
Current and previous council year as a minimum		
Timetable of Meetings ⁸ (Council and Town meetings)	Website, Hard Copy and Notice Boards	Free
Agendas of Meetings (as above) (Council, any committee/sub-committee meetings and Town meetings)	Website, Hard Copy and Notice Boards	10p/page
Minutes of meetings (as above) (this will exclude information that is properly regarded as private to the meeting)	Website and Hard Copy	10p/page
Reports presented to council meetings (this will exclude information that is properly regarded as private to the meeting)	Hard Copy	10p/page
Responses to consultation papers		
Responses to planning applications	Website and Hard Copy	Free

⁸ Working Party Meetings are not open to the public.

Information to be published	How the information can be obtained	Cost
<p>Class 5 – Our policies and procedures</p> <p>(Current written protocols, policies and procedures for delivering our services and responsibilities)</p> <p>Current information only</p>		
<p>Policies and procedures for the conduct of council business:</p> <p>Standing Orders</p> <p>Committee and sub-committee terms of reference</p> <p>Delegated authority in respect of officers</p> <p>Code of Conduct</p> <p>Policy statements</p>	<p>Website and Hard Copy</p>	<p>10p/page</p>

Information to be published	How the information can be obtained	Cost
<p>Policies and procedures for the provision of services and about the employment of staff:</p> <p>Internal policies relating to the delivery of services</p> <p>Equality and diversity policy</p> <p>Health and safety policy</p> <p>Recruitment policies (including current vacancies)</p> <p>Policies and procedures for handling requests for information</p> <p>Complaints procedures (including those covering requests for information and operating the publication scheme)</p>	Website and Hard Copy	10p/page
Records management policies (records retention, destruction and archive)	Website and Hard Copy	
Data protection policies	Covered by the Data Protection Acts	
Schedule of charges for the publication of information	See end of document	

Information to be published	How the information can be obtained	Cost
<p>Class 6 – Lists and Registers</p> <p>Currently maintained lists and registers only</p>		
<p>Any publicly available register or list (if any are held this should be publicised; in most circumstances existing access provisions will suffice)</p>	<p>Hard Copy</p>	<p>10p/page</p>
<p>Asset Registers</p>		
<p>Register of members' interests</p>		
<p>Disclosure log (indicating the information that has been provided in response to requests; recommended as good practice, but may not be held by Town Councils)</p>	<p>Contact the Town Clerk</p>	
<p>Register of gifts and hospitality</p>		
<p>Class 7 – The services we offer</p> <p>(Information about the services we offer, including leaflets, guidance and newsletters produced for the public)</p>		

Information to be published	How the information can be obtained	Cost
Current information only		
Allotments	Contact the Town Clerk	Free
Burial grounds and closed churchyards		
Community Centres		
Parks, playing fields and recreational facilities		
Seating, litter bins, clocks, memorials and lighting		
A summary of services for which the council is entitled to recover a fee, together with those fees (e.g. burial fees)		10p/page
Bus shelters	Not Applicable	
Markets		
Public conveniences		

Information to be published	How the information can be obtained	Cost
<p>Additional Information</p> <p>This will provide the Town Council with the opportunity to publish information that is not itemised in the lists above</p>		

Contact details:

Clerk to Godmanchester Town Council – Mrs Madelaine Liddiard

Town Hall

1 Post Street

Godmanchester

Huntingdon

PE29 2NB

01480 388870

townclerk@gmccouncil.com

SCHEDULE OF CHARGES

TYPE OF CHARGE	DESCRIPTION	BASIS OF CHARGE
Disbursement cost	Photocopying @ 10p per sheet (black & white)	Assessed cost
	Photocopying @ 20p per sheet (colour)	Assessed cost
	Postage – current 2 nd class stamp charges	Actual cost of Royal Mail standard 2 nd class
Statutory Fee	£10 per query	In accordance with the relevant legislation

Model Publication Scheme V1.0

Model Publication Scheme

This model publication scheme has been prepared and approved by the Information Commissioner. It may be adopted without modification by any public authority without further approval and will be valid until further notice.

This publication scheme commits an authority 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 authority. Additional assistance is provided to the definition of these classes in sector specific guidance manuals issued by the Information Commissioner.

The scheme commits an authority:

- To proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by the authority and falls within the classifications below.
- To specify the information which is held by the authority and falls within the classifications below.
- To proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within this scheme.
- To produce and publish the methods by which the specific information is made routinely available so that it can be easily identified and accessed by members of the public.

- To review and update on a regular basis the information the authority makes available under this scheme.
- To produce a schedule of any fees charged for access to information which is made proactively available.
- To make this publication scheme available to the public.

Classes of Information

Who we are and what we do.

Organisational information, locations and contacts, constitutional and legal governance.

What we spend and how we spend it.

Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts.

What our priorities are and how we are doing.

Strategy and performance information, plans, assessments, inspections and reviews.

April 2008 1 Model Publication Scheme v1.0

How we make decisions.

Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations.

Our policies and procedures.

Current written protocols for delivering our functions and responsibilities.

Lists and Registers.

Information held in registers required by law and other lists and registers relating to the functions of the authority.

The Services we Offer.

Advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered.

The classes of information will not generally include:

- 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.
- Information in draft form.
- 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.

The method by which information published under this scheme will be made available

The authority will indicate clearly to the public what information is covered by this scheme and how it can be obtained.

Where it is within the capability of a public authority, information will be provided on a website.

Where it is impracticable to make information available on a website or when an individual does not wish to access the information by the website, a public authority will indicate how information can be obtained by other means and provide it by those means.

In exceptional circumstances some information may be available only by viewing in person.

Where this manner is specified, contact details will be provided. An appointment to view the information will be arranged within a reasonable timescale.

Information will be provided in the language in which it is held or in such other language that is legally required. Where an authority is legally required to translate any information, it will do so.

Obligations under disability and discrimination legislation and any other legislation to provide information in other forms and formats will be adhered to when providing information in accordance with this scheme.

April 2008 2 Model Publication Scheme v1.0

Charges which may be made for Information published under this scheme

The purpose of this scheme is to make the maximum amount of information readily available at minimum inconvenience and cost to the public. Charges made by the authority for routinely published material will be justified and transparent and kept to a minimum.

Material which is published and accessed on a website will be provided free of charge.

Charges may be made for information subject to a charging regime specified by Parliament.

Charges may be made for actual disbursements incurred such as:

- photocopying
- postage and packaging
- the costs directly incurred as a result of viewing information

Charges may also be made for information provided under this scheme where they are legally authorised, they are in all the circumstances, including the general principles of the right of access to information held by public authorities, justified and are in accordance with a published schedule or schedules of fees which is readily available to the public.

If a charge is to be made, confirmation of the payment due will be given before the information is provided. Payment may be requested prior to provision of the information.

Written Requests

Information held by a public authority that is not published under this scheme can be requested in writing, when its provision will be considered in accordance with the provisions of the Freedom of Information Act.

April 2008 3