

# Badingham Parish Council – Model Publication scheme & Freedom of Information Policy.

This scheme enables members of the public to view and access information held by the Parish Council.

## Obtaining Information and Information held

There are three ways to obtain the information:

1. **Parish Council web site** The web site holds the type of information which the Council routinely publishes e.g. minutes and agendas. The information you want may already be included in the publication scheme – so please check the documents on the web site first.
2. **Inspect Documents held by the Clerk** If you wish to view certain documents, you should contact the Clerk, either via email, or by telephone, or in writing. Some documents require some time to locate.
3. **Individual Written Request** If the information is not included in the publication scheme or on the web site, you may send a written request to the Parish Council Clerk. Your request must include your name, address for correspondence, and a description of the information you require. There may be circumstances where the relevant information may be held on a parish councillor's personal computer, having been provided to them for the purpose of parish council business. In these instances, councillors agree to provide this information in order for the request to be dealt with.

Council's Response to a Written Request Within 20 working days of receipt of your valid written request the Council will: confirm to you whether or not it holds the information, advise you if a fee will be charged and provide you with the information (after any relevant fee has been paid) or inform you that the request has been refused and the reason for refusal.

A request may be refused under the following circumstances:

- It would cost too much or take too much staff time to deal with the request.
- The request is vexatious.
- The request repeats a previous request from the same person.
- The request relates to an exemption under the Freedom of Information Act, for example: personal data that would be contrary to the Data Protection Act or if disclosure would prejudice someone's commercial interests

## Fees

The Act only allows the Council to charge for answering Freedom of Information requests in the following circumstances:

- Disbursement costs such as printing, photocopying and postage;
- when estimated staff costs involved in locating and or compiling the information exceed £450.

Under these circumstances, the Council can refuse the request on the grounds of cost, or charge the applicant £20 per hour, plus disbursements for the estimated work.

For the majority of requests, or a series of requests from the same applicant within a 12 month period, it is expected that the charge for locating and compiling information will be less than £450 and therefore, except for disbursement costs, no reimbursement can be sought. However, where costs are estimated to exceed £450 (based on an hourly charge-out rate of £20), the Council can decide to:

1. refuse the request
2. comply with the request and charge for allowable costs as prescribed in the regulation
3. comply with the request free of charge.

If the estimated cost of a request is more than £450, and it is decided to release the information and make a charge for the information then: A fee notice will be sent to the applicant requesting the appropriate fee. The request will not be answered until the fee has been received. If the actual cost of completing the request is more than the estimate then the Council will incur the additional cost. Where the cost is less than the estimated cost then the difference will be

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refunded to the applicant. For disbursements costs, the Council will charge 10p per sheet for photocopying and printing documents and recover the actual cost of postage or any other transmission costs from the applicant.

### Further Help

If you need help in accessing information from the Council under the Freedom of Information Act, please contact the Parish Clerk (details as before). You will also find more detailed guidance on the website of the Information Commissioner.

### Complaints

If you are dissatisfied with the response from the Council, you may contact the Information Commissioner at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF Tel: 01625 545745 Email: [mail@ico.gov.uk](mailto:mail@ico.gov.uk)

### Model publication scheme - Freedom of Information Act

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.
- To publish any dataset held by the authority that has been requested, and any updated versions it holds, unless the authority is satisfied that it is not appropriate to do so;
- to publish the dataset, where reasonably practicable, in an electronic form that is capable of re-use; and, if any information in the dataset is a relevant copyright work and the public authority is the only owner, to make the information available for re-use under a specified licence. The term 'dataset' is defined in section 11(5) of the Freedom of Information Act. The terms 'relevant copyright work' and 'specified licence' are defined in section 19(8) of that Act.

### Classes of information

The classes of information are listed as:

- a) Who we are and what we do - Organisational information, locations and contacts, constitutional and legal governance.
- b) What we spend and how we spend it - Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts.

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- c) What our priorities are and how we are doing - Strategy and performance information, plans, assessments, inspections and reviews.
- d) How we make decisions. - Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations.
- e) Our policies and procedures - Current written protocols for delivering our functions and responsibilities.
- f) Lists and registers - Information held in registers required by law and other lists and registers relating to the functions of the authority.
- g) 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:

- 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. 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.

### **General**

In exceptional circumstances some information may be available only by viewing in person. Where this manner is specified, contact details will be provided and 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.

Charges which may be made for information published under this scheme, however, 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.

Charges may also be made for making datasets (or parts of datasets) that are relevant copyright works available for re-use. These charges will be in accordance with either regulations made under section 11B of the Freedom of Information Act or other enactments.

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.

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Information available from **Badingham Parish Council** under the model publication scheme

| Information to be published                                                                                                                                                                                                               | How the information can be obtained | Cost |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|------|
| <b>Class1 - Who we are and what we do</b><br>(Organisational information, structures, locations and contacts)<br><br>This will be current information only                                                                                | hard copy<br>website-free           | 15p  |
| Who's who on the Council and its Committees                                                                                                                                                                                               |                                     |      |
| Contact details for Parish Clerk and Council members (named contacts where possible with telephone number and email address (if used))                                                                                                    |                                     |      |
| Location of main Council office and accessibility details                                                                                                                                                                                 |                                     |      |
| Staffing structure                                                                                                                                                                                                                        |                                     |      |
| <b>Class 2 – What we spend and how we spend it</b><br>(Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit)<br><br>Current and previous financial year as a minimum | hard copy<br>website-free           | 15p  |
| Annual return form and report by auditor                                                                                                                                                                                                  |                                     |      |
| Finalised budget                                                                                                                                                                                                                          |                                     |      |
| Precept                                                                                                                                                                                                                                   |                                     |      |
| Borrowing Approval letter                                                                                                                                                                                                                 |                                     |      |
| Financial Standing Orders and Regulations                                                                                                                                                                                                 |                                     |      |
| Grants given and received                                                                                                                                                                                                                 |                                     |      |
| List of current contracts awarded and value of contract                                                                                                                                                                                   |                                     |      |
| Members' allowances and expenses                                                                                                                                                                                                          |                                     |      |
| <b>Class 3 – What our priorities are and how we are doing</b><br>(Strategies and plans, performance indicators, audits, inspections and reviews)                                                                                          | hard copy<br>website-free           | 15p  |
| Parish Plan (current and previous year as a minimum)                                                                                                                                                                                      |                                     |      |
| Annual Report to Parish or Community Meeting (current & previous year as a minimum)                                                                                                                                                       |                                     |      |
| Quality status                                                                                                                                                                                                                            |                                     |      |
| Local charters drawn up in accordance with DCLG guidelines                                                                                                                                                                                |                                     |      |

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| <b>Class 4 – How we make decisions</b><br>(Decision making processes and records of decisions)<br>Current and previous council year as a minimum                                                                                                                                                                                                                                                                                                         | hard copy<br>website-free | 15p |
| Timetable of meetings (Council, any committee/sub-committee meetings and parish meetings)                                                                                                                                                                                                                                                                                                                                                                |                           |     |
| Agendas of meetings (as above)                                                                                                                                                                                                                                                                                                                                                                                                                           |                           |     |
| Minutes of meetings (as above) – nb this will exclude information that is properly regarded as private to the meeting.                                                                                                                                                                                                                                                                                                                                   |                           |     |
| Reports presented to council meetings - nb this will exclude information that is properly regarded as private to the meeting.                                                                                                                                                                                                                                                                                                                            |                           |     |
| Responses to consultation papers                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |     |
| Responses to planning applications                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |     |
| Bye-laws                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |     |
| <b>Class 5 – Our policies and procedures</b><br>(Current written protocols, policies and procedures for delivering our services and responsibilities)<br>Current information only                                                                                                                                                                                                                                                                        | hard copy<br>website-free | 15p |
| Policies and procedures for the conduct of council business:<br>Procedural standing orders<br>Committee and sub-committee terms of reference<br>Delegated authority in respect of officers<br>Code of Conduct<br>Policy statements                                                                                                                                                                                                                       |                           |     |
| Policies and procedures for the provision of services and about the employment of staff:<br>Internal policies relating to the delivery of services<br>Equality and diversity policy<br>Health and safety policy<br>Recruitment policies (including current vacancies)<br>Policies and procedures for handling requests for information<br>Complaints procedures (including those covering requests for information and operating the publication scheme) |                           |     |
| Information security policy                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |     |

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|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|-----|
| Records management policies (records retention, destruction and archive)                                                                                                                                 |                                                                                         |     |
| Data protection policies                                                                                                                                                                                 |                                                                                         |     |
| Schedule of charges (for the publication of information)                                                                                                                                                 |                                                                                         |     |
| <b>Class 6 – Lists and Registers</b><br>Currently maintained lists and registers only                                                                                                                    | hard copy<br>website - free<br><br>some information may only be available by inspection | 15p |
| Any publicly available register or list (if any are held this should be publicised; in most circumstances existing access provisions will suffice)                                                       |                                                                                         |     |
| Assets Register                                                                                                                                                                                          |                                                                                         |     |
| Disclosure log (indicating the information that has been provided in response to requests; recommended as good practice, but may not be held by parish councils)                                         |                                                                                         |     |
| Register of members' interests                                                                                                                                                                           |                                                                                         |     |
| Register of gifts and hospitality                                                                                                                                                                        |                                                                                         |     |
| <b>Class 7 – The services we offer</b><br>(Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses)<br><br>Current information only | Hard copy<br>Website – free<br>some information may only be available by inspection)    | 15p |
| Burial grounds and closed churchyards                                                                                                                                                                    |                                                                                         |     |
| Community centres and village halls                                                                                                                                                                      |                                                                                         |     |
| Parks, playing fields and recreational facilities                                                                                                                                                        |                                                                                         |     |
| Seating, litter bins, clocks, memorials and lighting                                                                                                                                                     |                                                                                         |     |
| Bus shelters                                                                                                                                                                                             |                                                                                         |     |
| Markets                                                                                                                                                                                                  |                                                                                         |     |
| Public conveniences                                                                                                                                                                                      |                                                                                         |     |
| Agency agreements                                                                                                                                                                                        |                                                                                         |     |
| A summary of services for which the council is entitled to recover a fee, together with those fees (e.g. burial fees)                                                                                    |                                                                                         |     |
| <b>Additional Information</b><br>This will provide Councils with the opportunity to publish information that is not itemised in the lists above                                                          |                                                                                         |     |

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### SCHEDULE OF CHARGES

This describes how the charges have been arrived at and should be published as part of the guide.

| TYPE OF CHARGE           | DESCRIPTION                                 | BASIS OF CHARGE                                                        |
|--------------------------|---------------------------------------------|------------------------------------------------------------------------|
| <b>Disbursement cost</b> | Photocopying @ .p per sheet (black & white) | Actual cost *                                                          |
|                          | Photocopying @ .p per sheet (colour)        | Actual cost                                                            |
|                          |                                             |                                                                        |
|                          | Postage                                     | Actual cost of Royal Mail standard 2 <sup>nd</sup> class               |
|                          |                                             |                                                                        |
| <b>Statutory Fee</b>     |                                             | In accordance with the relevant legislation (quote the actual statute) |

\* the actual cost incurred by the public authority

Contact details:

Clerk – C. Byrne, Willow Cottage, High St, Laxfield, IP13 8DX

[clerk@badinghamparishcouncil.gov.uk](mailto:clerk@badinghamparishcouncil.gov.uk)