



# Freedom of Information

<b>Version number:</b>	2	<b>Author:</b>	Clerk
<b>Date adopted:</b>	16/10/2017	<b>Signatory:</b>	Chair
<b>Date this version approved by Council:</b>	28/01/2019	<b>Review due:</b>	28/01/2019

## 1. Purpose

Speen Parish Council (SPC) is committed to providing a quality service for the benefit of the people who live or work in its area or are visitors to the locality.

The purpose of this policy is to:

- Recognise the legal framework and responsibility to comply with the Freedom of Information Act 2000.
- Identify the kinds of information that a sound Parish Council should provide in order to meet their FOI commitments. This is a guide to appropriate publication designed by the Information Commissioner's Office only.

## 2. Regulatory Framework

2.1 The Freedom of Information Act 2000 provides public access to information held by public authorities. It does this in two ways: public authorities are obliged to publish certain information about their activities; and, members of the public are entitled to request information from public authorities. Recorded information includes printed documents, computer files, letters, emails, photographs, and sound or video recordings.

2.2 The Information Commissioner's Officer recommends that public bodies publish the following information:

See <https://ico.org.uk/media/for-organisations/documents/1153/model-publication-scheme.pdf>

**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.

**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.

### 3. Statement

- 3.1 SPC wants parishioners to have confidence and trust in all their operations and will fulfil their obligations for FOI access.
- 3.2 SPC needs to have access to all of its records in order to carry out its business and to meet its obligations for legality, accountability and openness of operations whomsoever holds hard copies of these documents.
- 3.3 The Council, as Data Controller, has a legal duty to be able to retrieve all council-related data in any medium in response to FOI requests under the Act.
- 3.4 This policy is fully supported by all Members of the council. It confirms that SPC Members are aware of the Freedom of Information Act 2000 and their individual responsibilities in the event of a FOI request.
- 3.5 This policy confirms that members will comply fully with any investigations following a FOI request.
- 3.6 SPC will publish under the publication scheme in Appendix 1 below any dataset they hold that has been requested, together with any updated versions, unless they are satisfied that it is not appropriate to do so.
- 3.7 Appendix 1 is not meant to give an exhaustive list of everything that should be covered by our publication scheme.
- 3.8 As a matter of good practice, SPC will aim to make public as much of its operations as possible with an on-going aim to improve FOI accessibility.
- 3.9 This policy confirms that SPC will continue to work to this policy for the forthcoming year until the next review date, unless amendments should be required in the meantime.

### 4. Scope:

- 4.1 This policy should be read in conjunction with the following Policies:
  - Use of Email, Internet & Website Policy
  - SPC Risk Management Policy
  - Data Protection Policy

### 5. Procedure

- 5.1 All documents belong to the Council and form part of the Council's records. They must be readily retrievable by the Councillors and/or Clerk, acting as an impartial data controller.
- 5.2 FOI data may need to be retrieved at relatively short notice and all councillors will be expected to co-operate fully following a written FOI, as required, in order to meet council FOI obligations & deadlines. Failure to meet these will constitute a breach of Code of Conduct.
- 5.3 Appendix 1 indicates clearly to the public what information is covered by the FOI Act and how it can be obtained.



- 5.4 The datasets listed in Appendix 1 is primarily on the SPC website, which at the time of writing this policy is in need of a review and update. This website update will begin in late 2017/2018 with a view to making all information accessible there eventually.
- 5.5 So far as reasonably practicable, SPC will publish datasets in an electronic form that is capable of re-use. This will be most commonly in .pdf format, not a writeable format such as Word.
- 5.6 Where an individual is unable to access the information via the website, the information requested can be made available by hard copy.
- 5.7 Exemptions: SPC will make the information in this definition document available unless:
- it does not hold the information;
  - the information is exempt under one of the FOIA exemptions or Environmental Information Regulations exceptions, or its release is prohibited by another statute;
  - the information is readily and publicly available from an external website; such information may have been provided by the public authority or on its behalf. The authority must provide a direct link to that information;
  - the information is archived, out of date or otherwise inaccessible; or,
  - it would be impractical or resource-intensive to prepare the material for routine release.

## 6. Useful resources & contacts

- <https://ico.org.uk/for-organisations/guide-to-freedom-of-information/what-is-the-foi-act/>
- <http://www.legislation.gov.uk/ukpga/1998/29/contents>
- National Association of Local Councils (NALC)
- Berkshire Association of Local Councils (BALC)

## 7. Authorisation of Policy on behalf of Full Council:

The undersigned approves this policy on behalf of Speen Parish Council.

Signature:

Name (print):

Position:

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_



## Appendix 1 – Information to be published and how it can be obtained

Information to be published	How the information can be obtained at time of authorising	Cost
<b>Class 1 - Who we are and what we do</b>		
Who's who on the Council and its Committees	SPC website	
Contact details for Parish Clerk and Council members	SPC website	
Location of main Council office and accessibility details	Clerk	
Staffing structure	SPC website	
<b>Class 2 – What we spend and how we spend it</b> (Current and previous financial year as a minimum)		
Annual return form and report by auditor	Hard copy	
Finalised budget	Hard copy	
Precept	SPC website	
Borrowing Approval letter	Not applicable currently	
Financial Standing Orders and Regulations	SPC website	
Grants given and received	SPC website	
List of current contracts awarded	SPC website	
Members' allowances and expenses	SPC website	
<b>Class 3 – What our priorities are and how we are doing</b> Current and previous year as a minimum		
Parish Plan (current and previous year as a minimum)	SPC website	
Annual Report to Parish or Community Meeting (current and previous year as a minimum)	SPC website	
<b>Class 4 – How we make decisions</b> (Current and previous council year as a minimum)		
Timetable of meetings (Council and any committee/sub-committee meetings and parish meetings)	SPC website	
Agendas of meetings (as above)	SPC website	
Minutes of meetings (as above) – n.b. will exclude information that is properly regarded as private to the meeting.	SPC website	
Reports presented to council meetings – n.b. will exclude information that is properly regarded as private to the meeting.	SPC website	
Responses to consultation papers	SPC website	
Responses to planning applications	SPC & W Berks website	



**Appendix 1 – Information to be published and how it can be obtained (Cont'd)**

Information to be published	How the information can be obtained	Cost
<b>Class 5 – Our policies and procedures</b>		
Policies and procedures for the conduct of council business: <ul style="list-style-type: none"> <li>• Procedural standing orders</li> <li>• Committee and sub-committee terms of reference</li> <li>• Delegated authority in respect of officers</li> <li>• Code of Conduct</li> <li>• Policy statements</li> </ul>	SPC website	
Policies and procedures for the provision of services and about the employment of staff: <ul style="list-style-type: none"> <li>• Internal instructions to staff and policies relating to the delivery of services</li> <li>• Equality and diversity policy</li> <li>• Health and safety policy</li> <li>• Recruitment policies (including current vacancies)</li> <li>• Policies and procedures for handling requests for information</li> <li>• Complaints procedures (including those covering requests for information and operating the publication scheme)</li> </ul>	SPC website	
Information Security Policy	SPC website	
Records Management Policies (records retention, destruction and archive)	SPC website	
Data Protection Policies	SPC website	
Schedule of Charges (for the publication of information)	Hard copy	



## Appendix 1 – Information to be published and how it can be obtained (Cont'd)

Information to be published	How the information can be obtained	Cost
<b>Class 6 – Lists and Registers</b> Currently maintained lists and registers only		
Any publicly available register or list (if any are held this should be publicised; in most circumstances existing access provisions will suffice)	None held	
Assets register	Hard copy	
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)	Not held	
Register of members' interests	SPC website	
Register of gifts and hospitality	Hard copy	
<b>Class 7 – The services we offer</b>		
Village hall – Speen Pavilion only	SPC website	
Recreational facilities	SPC website	
Seating, litter bins, clocks, memorials and lighting	SPC website	

### Contact details:

Clerk  
Speen Parish Council, PO Box 6221, Newbury, RG14 9HS  
Tel. 07584435656  
Clerk@speenpc.org.uk



## 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	Actual cost *
	Postage	Actual cost of Royal Mail
<b>Statutory Fee</b>		In accordance with the relevant legislation (quote the actual statute)
<b>Other</b>		

\* the actual cost incurred by the public authority