



Parish Clerk – Paul Richards

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## **The Freedom of Information Act 2000**

The Freedom of Information Act gives you the right to obtain information held by public authorities unless there are good reasons to keep it confidential.

## **The Information Commissioner's Office**

The ICO is the UK's independent public body set up to promote access to official information and protect personal information. It has responsibility for ensuring that information is disclosed promptly and that exemptions from disclosure are applied lawfully. Some information could be exempt from disclosure.

## **How do I make a request?**

- Make the request in writing to the Council's clerk, for example in a letter or email
- Make the information as specific as possible. If your request is too broad the Council may ask you to clarify it. This could mean it takes longer to get the information.
- Provide as full a description as possible of the information you require.
- Give your name and an address to which the authority can reply. This can be a postal or email address.

## **What happens once my request has been received?**

Any request for information should be treated by the Council as a formal request for information and the Council suggests that e-mails or letters are clearly marked as freedom of information requests to avoid any confusion.

The Council must respond promptly to requests or, in any event, within 20 working days. Although the Council has longer to consider whether the disclosure of normally exempt information would be in the public interest. When considering the public interest test, the Council must do so 'within a reasonable time.'

## **What if the information is refused?**

Where the Council decides not to disclose the information requested it must give reasons for its decision, it must explain how the exemption or exception applies and it must explain the arguments under the public interest test. The Council must also inform you of your right to complain to the ICO.

## **How can the ICO help and what is the legal process?**

You may apply to the ICO for a decision about whether the request has been dealt with according to the Act, for example, you believe there has been excessive delay or if you wish to dispute the application of an exemption or refusals made on public interest grounds. The ICO may serve a decision notice on the Council either confirming the decision made by the Council or directing it to disclose information within a certain time. Non-compliance with a decision notice may constitute contempt of court. If you or the Council disagrees with the ICO's decision you have 28 days to appeal to the independent Information Tribunal. The Information Tribunal may uphold the ICO's decision notice, amend it (for example change the time frame for release of information) or overturn it. Non-compliance with the Information Tribunal's notice may also constitute contempt of court.

## **Additional Information**

Additional guidance on the Freedom of Information Act is available on the ICO website at [www.ico.gov.uk](http://www.ico.gov.uk) or by telephone to their helpline 01625 545745.

## **Model Publication Scheme**

Under the Freedom of Information, it is the duty of every public authority to adopt and maintain a publication scheme.

The Information Commissioner's Office (ICO) is changing the emphasis in the approval and operation of publication schemes to a generic model which should be adopted and operated by all public authorities from **1 January 2009**.

The model commits a public authority to *'produce and publish the method by which the specific information will be available so that it can be easily identified and accessed by members of the public'*.

This has been adopted in full, unedited and promoted alongside the guide to information. Local councils are not required to inform the Information Commissioner's Office that they have adopted the scheme; it will be assumed they have done so unless the ICO hears otherwise.

The publication scheme provides a list of all the information the Council will make routinely available, explain how it can be accessed (either via the Parish Council website or hard copy) and whether or not a charge will be made for it.

## **Classes of Information**

The information held by Chalvington with Ripe Parish Council has been recorded under the following classes of information:

- Class 1 Who we are and what we do
- Class 2 What we spend and how we spend it
- Class 3 What our priorities are and how we are doing
- Class 4 How we make decisions
- Class 5 Our policies and procedures
- Class 6 Lists and registers
- Class 7 The services we offer

## **Website**

Some information is routinely available from the Parish Council's website at no charge. The Parish Council's website can be found at [www.chalvingtonwithripe.co.uk](http://www.chalvingtonwithripe.co.uk).

A copy of this publication scheme is also available on the Parish Council website.

## **Charges**

Information available through this Council's publication scheme should be readily available at minimum cost to the public. In most cases charges will be made on the basis of cost recovery. Charges may be made for actual disbursements (e.g., photocopying and postage) and information that the council is legally authorised to charge for.

- Anyone requesting information will be notified of any charge before the information is provided.
- Payment will be requested before the information is supplied.
- A schedule of charges is appended to this document.

## **FOI requests and the Publication Scheme**

It is important to note that a publication scheme simply sets out the information that is routinely available. Information that is not listed in the guide to information can still be requested and should be made available unless it can be legitimately withheld.

## Information available from Chalvington with Ripe Parish Council under the model publication scheme

Information to be published		How the information can be obtained		Cost
		Website	Hard Copy	
<b>Class1 - Who we are and what we do</b> (Organisational information, structures, locations and contacts)				
Who's who on the Council and its Committees		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	12p per A4 sheet
Contact details for Parish Clerk and Council members		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Free
Location of main Council office and accessibility details		<input checked="" type="checkbox"/>		Free
Staffing structure		<input checked="" type="checkbox"/>		

Information to be published		How the information can be obtained		Cost
		Website	Hard Copy	
<b>Class 2 – What we spend and how we spend it</b>				
(Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit)				
Annual return form and report by auditor		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	12p per A4 sheet
Finalised budget		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	12p per A4 sheet
Precept		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	12p per A4 sheet
Borrowing Approval letter		N/A	N/A	12p per A4 sheet
Financial Standing Orders and Regulations		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	12p per A4 sheet
Grants given and received		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	12p per A4 sheet
List of current contracts awarded and value of contract			<input checked="" type="checkbox"/>	12p per A4 sheet
Members' allowances and expenses			<input checked="" type="checkbox"/>	12p per A4 sheet

Information to be published		How the information can be obtained		Cost
		Website	Hard Copy	
<b>Class 3 – What our priorities are and how we are doing</b> (Strategies and plans, performance indicators, audits, inspections and reviews)				
Parish Plan (current and previous year as a minimum)		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Free
Annual Report to Parish or Community Meeting (current and previous year as a minimum)		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Free

Information to be published		How the information can be obtained		Cost
		Website	Hard Copy	
<b>Class 4 – How we make decisions</b> (Decision making processes and records of decisions)				
Timetable of meetings (Council, any committee/sub-committee meetings and parish meetings)		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Free
Agendas of meetings (as above)		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Free
Minutes of meetings (as above) – n.b. this will exclude information that is properly regarded as private to the meeting.		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	12p per A4 sheet

Reports presented to council meetings – n.b. this will exclude information that is properly regarded as private to the meeting.			<input checked="" type="checkbox"/>	12p per A4 sheet
Responses to consultation papers			<input checked="" type="checkbox"/>	12p per A4 sheet
Responses to planning applications			<input checked="" type="checkbox"/>	12p per A4 sheet
Bye-laws			<input checked="" type="checkbox"/>	12p per A4 sheet

Information to be published		How the information can be obtained		Cost
		Website	Hard Copy	
<b>Class 5 – Our policies and procedures</b>				
(Current written protocols, policies and procedures for delivering our services and responsibilities)				
<b>Policies and procedures for the conduct of council business:</b>				
Procedural standing orders		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	12p per A4 sheet
Committee and sub-committee terms of reference		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	12p per A4 sheet
Delegated authority in respect of officers		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	12p per A4 sheet
Code of Conduct		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	12p per A4 sheet
Grants and Donations Policy		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	12p per A4 sheet

Press & Media Policy		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	12p per A4 sheet
<b>Policies and procedures for the provision of services and about the employment of staff:</b>				
Policies and procedures for handling requests for information		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Free
Complaints procedures		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Free
Employee Code Of Conduct		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Free

Information to be published	Filing Reference (BPC Use Only)	How the information can be obtained		Cost
		Website	Hard Copy	
<b>Class 6 – Lists and Registers</b>				
<b>Some information listed below may be available by inspection only</b>				
Any publicly available register or list (if any are held this should be publicised; in most circumstances existing access provisions will suffice)			<input checked="" type="checkbox"/>	12p per A4 sheet
Assets Register		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	12p per A4 sheet
Register of members' interests		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	12p per A4 sheet
Register of gifts and hospitality		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	12p per A4 sheet

Information to be published		How the information can be obtained		Cost
		Website	Hard Copy	
<b>Class 7 – The services we offer</b> (Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses) <b>Some information listed below may be available by inspection only</b>				
Community centres and village halls		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	12p per A4 sheet
Parks, playing fields and recreational facilities		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	12p per A4 sheet
Seating, litter bins, clocks, memorials and lighting		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	12p per A4 sheet
Bus shelters		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	12p per A4 sheet

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### SCHEDULE OF CHARGES

This describes how the charges have been arrived at:

<b>TYPE OF CHARGE</b>	<b>DESCRIPTION</b>	<b>BASIS OF CHARGE</b>
<b>Disbursement cost</b>	Photocopying @ 12p per A4 sheet (black & white)	Actual cost*
	Photocopying @ 20p per A3 sheet (black & white)	Actual cost*
	Postage	Actual cost of Royal Mail standard 2 <sup>nd</sup> class*

\* the actual cost incurred by the public authority