

**FREEDOM OF INFORMATION
ACT 2000
PUBLICATION SCHEME
For
Colgate Parish Council
ADOPTED
September 2013 and reviewed 12th December 2016, reviewed April
21, reviewed 11th July 2022**

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 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.
- Be clear about the format you would prefer to receive the information in, for example, by e-mail or as a paper copy.

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 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 must be 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 Colgate 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.colgatefaygate.com

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

Charges for Information Published under this Scheme

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.

Availability of Datasets

The Protection of Freedoms Act 2012 has amended clause 11 of the Freedom of Information Act 2000 to make datasets available for re-use by members of the public. Once a dataset is disclosed following an FOI request, Colgate Parish Council will make that dataset more widely available and any updated version of that dataset by inclusion on our website. All datasets published in this way will be in a format capable of re use wherever possible, i.e. not in a PDF format.

For datasets which do not contain copyright material the usual FOI charging provisions will apply as set out in this Publication Scheme – i.e. the Council will only be able to charge photocopying, postage and any disbursements. However, if datasets are published which contain copyright material then the Council may exercise any power it has under other enactments to charge a fee in connection with making the relevant copyright work available for re use. – This only covers re use and *not* access to the information.

Information available from Colgate Parish Council under the model publication scheme

Class1 - Who we are and what we do

(Organisational information, structures, locations and contacts)

Who's who on the Council and its Committees

Information to be published	
Class 1-who we are and what we do	
Who's who on the Council and its Committees	Hard copy Parish magazine
Contact details for Parish Clerk and Council members	Hard copy Website Notice boards
Location of main Council office and accessibility details	Hard copy
Staffing structure	Hard copy
Class 2 –What we spend and how we spend	
Annual return form and report by auditor	Hard Copy Website noticeboard
Finalised budget Precept _	Hard copy Website
Financial Standing Orders and Regulations	Hard copy
Grants given and received	Hard copy
Environmental Cleansing	Hard copy
List of current contracts awarded and value of contract	Hard copy
Members' allowances and expenses	Hard copy
Class 3-What our priorities are and how we are doing	
Parish Plan (current and	Website

previous year as a minimum)	Hard copy
Annual Report to Parish or Community Meeting (current and previous year as a minimum)	Website Hard copy
Class 4-How we make decisions	
<p>Timetable of meetings (Council, any committee/subcommittee meetings and parish meetings)</p> <p>Agendas of meetings (as above)</p> <p>Minutes of meetings (as above) – n.b. this will exclude information that is properly regarded as private to the meeting.</p> <p>Reports presented to council meetings – n.b. this will exclude information that is properly regarded as private to the meeting.</p> <p>Responses to consultation papers</p> <p>Responses to planning applications</p> <p>Bye-laws</p>	<p>Noticeboards Website Hard copy</p> <p>Noticeboards Website Hard copy</p> <p>Hard copy</p> <p>Hard copy</p>
Class 5-Policy and procedure	
<p>Procedural 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>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>	Hard copy

Health and safety policy Recruitment policies (including current vacancies) Policies and procedures for handling requests for information Complaints procedures Records management policies (records retention, destruction and archive) –	All available in hard copy if applicable
Class 6- lists and registers	
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 Register of members' interests Register of gifts and hospitality	Hard copy Hard copy Hard copy Hard copy
Class 7-The services we offer	
Lighting Litter picking Maintenance of bus stops and other furniture belong to council Planning applications	Hard copy

Costs

A4 hard copy-10p,double sided 20p per copy.

A3 hard copy-13p

Postage as charged by post office subject to size and weight and class of postage.