

Comberton Parish Council Freedom of Information Policy 2021



Information available from Comberton Parish Council under the Freedom of Information Act model publication scheme and related charges

This Parish Council will endeavour to make as much information as possible available under this scheme however, on occasion other Acts such as the Data Protection Act or the exemptions in the Freedom of Information Act have to be considered prior to information being released and sometimes it may be necessary for information to be withheld or redacted.

The FOIA Publication & Policy /2012 Model Publication Scheme and Policy notes are shown an addendum.

Information to be published

How the information can be obtained and charges

Class1 - Who we are and what we do	
(Organisational information, structures, locations and contacts)	
This will be current information only	
Who's who on the Council and its Committees	hard copy (all) notice board (Council) website (Council and Committees)
Contact details for Parish Clerk and Council members (named contacts where possible with telephone number and email address (if used))	hard copy (all) website
Location of main Council office and accessibility details	Not Applicable
Staffing structure	Hardcopy

Class 2 – What we spend and how we spend it	
(Financial information relating to projected and actual income and expenditure,	
Current and previous financial year as a minimum	Hard copy
Annual return form and report by auditor	Hardcopy and Website
Finalised budget	Hardcopy and summarised on website
Precept	Hardcopy and summarised on website
Borrowing Approval letter	Hardcopy
Financial Standing Orders and Regulations	Hardcopy
List of current contracts awarded and value of contract	Hardcopy
Any Members' allowances and expenses	Hardcopy

Class 3 – What our priorities are and how we are doing	
(Strategies and plans, performance indicators, audits, inspections and reviews)	
Parish Plan (current and previous year as a minimum)	website
Annual Report to Parish or Community Meeting (current and previous year as a minimum)	Hardcopy and website
Quality status	Hardcopy
Local charters drawn up in accordance with DCLG guidelines	Not Applicable

Class 4 – How we make decisions

(Decision making processes and records of decisions)

Current and previous council year as a minimum

Timetable of meetings (Council, any committee/sub-committee meetings and parish meetings)
Agendas of meetings (as above)

Hardcopy and notice board(all)
Hardcopy and notice board(all)

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.

Hardcopy and website
Hardcopy

Responses to consultation papers

Hardcopy

Responses to planning applications (exclusions copies of planning consultations, the Development plan, Local Plan, Public Rights of Way maps which are available from either the District or County Council)

Hardcopy

Class 5 – Our policies and procedures	
<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>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>Hardcopy and website</p> <p>Hardcopy and website</p> <p>Hardcopy</p> <p>Hardcopy and website</p> <p>Hardcopy</p> <p>Hardcopy</p> <p>Hardcopy and website</p>
<p>Policies and procedures for the provision of services and about the employment of staff:</p> <p>(Exclusions – personal records of staff i.e. appraisals, employee specific details, disciplinary records, sickness records and the like being protected under the Data Protection Act)</p> <p>Internal policies relating to the delivery of services</p> <p>Equality and diversity policy (Equal opportunities and Race relations)</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>	<p>Hardcopy</p> <p>Not applicable</p> <p>Hardcopy and website</p> <p>Hardcopy and website</p> <p>Hardcopy and website</p> <p>Hardcopy and website</p>
<p>Information security policy</p>	<p>Hardcopy</p>
<p>Records management policies (records retention, destruction and archive)</p>	<p>Hardcopy</p>
<p>Data protection policies</p>	<p>Hardcopy and website</p>
<p>Schedule of charges (for the publication of information)</p>	<p>Hardcopy and website</p>

Class 6 – Lists and Registers	
Currently maintained lists and registers only	hard copy; some information may only be available by inspection
Any publicly available register or list (if any are held this should be publicised; in most circumstances existing access provisions will suffice) Assets Register (including details of commons/village greens and other lands owned by or leased to the parish Council)	hard copy; some information may only be available by inspection Hardcopy
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)	Hardcopy
Register of members' interests Register of gifts and hospitality	Available for public inspection or from South Cambridgeshire District Council Public inspection

Class 7 – The services we offer	
(Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses) Current information only Allotments (Exclusions – individual tenancy agreements and rent payment records both under privacy and data protection laws)	hard copy or website; some information may only be available by inspection Hardcopy
Burial grounds and closed churchyards (location, plans and general policies only. All documentation relating to individual applications and registrations both under privacy and data protection laws)	Not Applicable
Community centres and village halls	Website
Parks, playing fields and recreational facilities	Website
Seating, litter bins, clocks, memorials and lighting	Hardcopy
Bus shelters	Hardcopy
Markets	Not Applicable
Public conveniences	Not Applicable
Agency agreements	Hardcopy

Additional Information	
This will provide Councils with the opportunity to publish information that is not itemised in the lists above	
Risk assessment Policy	Hardcopy and website
Declaration of acceptance of office (members and Chairman) e.g. quotations before Council decision, loan documents and insurance policies. Analysis of responses received to public consultations	By inspection Hardcopy
Arts, entertainment and tourism information (This relates to information produced by the Parish Council only)	Not Applicable
Best Value Plan and review (information which encompasses the duty owed by a Parish Council to the local people, to provide good quality of services and to marshal such services across its entire area)	Not Applicable

Contact details: Jessie Brewer, Clerk, Comberton Parish Council,
email: clerk@comberton-pc.gov.uk

SCHEDULE OF CHARGES

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

TYPE OF CHARGE	DESCRIPTION	BASIS OF CHARGE
Disbursement cost	Photocopying @ 10p per A4 sheet (black & white)	Actual cost *
	Photocopying @ 20p per sheet A4 (colour)	Actual cost *
	Postage	Actual cost of Royal Mail standard 2 nd class
	Electronic copies by email	Free
Statutory Fee		In accordance with the relevant legislation
Other		Some are not applicable to the Parish Council at the present time * the actual cost incurred by the public authority

FOI Policy originated in October 2012, re-adopted 2020, partially reformatted and corrected with new Parish Clerk details for 2021

Publication Scheme and Policy for Responding to Requests

1. The Parish Council shall provide proper advice and help to any member of the public seeking information.
2. The Parish Clerk shall agree with the Chairman of the Parish Council whether requested information is freely accessible, whether it is available in the requested form, whether a Refusal Notice needs to be served in respect of all or part of the requested information, what charges will be levied and the timescale for delivery of the information.
3. The Parish Clerk shall acknowledge a request in writing within three days of receipt of the request (unless the Parish Clerk is on holiday or otherwise not at work), and provide a date by which it is anticipated that the information will be provided which shall be within 20 working days in normal circumstances. If it is not reasonably possible to provide the information within 20 working days of receipt of the information, the reasons for the delay and a target date shall be provided which must not exceed 40 working days.
4. If a Refusal Notice is used in respect of all or part of the requested information it shall state that the Parish Council is relying upon an exemption and why it applies. Details of the Internal Review procedure shall be enclosed with the Notice and the right of appeal to the Information Commissioner.
5. If a Refusal Notice is issued in respect of all or part of the requested information for any of the following reasons:
 - The cost of complying with the request will exceed £450.00.
 - The Parish Council is unable to identify the information despite every reasonable attempt to do so.
 - The Parish Council considers the request to be vexatious (ie to cause harm or annoyance rather than to obtain information or repeated requests for the same information)
 - The information has already been provided or is freely accessible without reference to the Parish Council. Then details of the right of appeal to the Information Commissioner shall be provided.
6. If the requested information cannot be found within the Parish Council records then the applicant shall be advised, accordingly, as soon as the search is completed. Details of the Internal Review process shall be provided and of the right of appeal to the Information Commissioner.
7. The Parish Council shall maintain a record of FOIA requests.

ADDENDUM FOI Act and Model Scheme

INTRODUCTION

The Freedom of Information Act

The Freedom of Information Act grants to members of the public rights of access to all kinds of recorded information held by a wide range of public authorities. Information about the Act is available from the Information Commissioner's Office at www.ico.gov.uk

Publication Scheme

The Act requires every public authority to adopt and maintain a generic model publication scheme which should be adopted and operated by all public authorities. Comberton Parish Council adopted the generic model publication scheme at their Council Meeting on 18th October 2012. It is intended to provide everyone interested in the Council with a comprehensive guide to the information that the Council will automatically or routinely publish or otherwise makes available to the public.

Freedom of Information 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 Information Available Guide of this document can still be requested and it will be made available unless it can be legitimately withheld. This can be done by making a written request to the Parish Clerk who will reply within 20 working days after receipt of the request or as set out in the Policy above.

The Council's Commitment to the Act

The Council is committed to openness and accountability and already makes large amounts of information available to the public, through the website, via the telephone and by post. Should a personal visit to view information, an appointment will be necessary.

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:

1. 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.
2. To specify the information which is held by the authority and falls within one of the classifications below.
3. To proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within this scheme.
4. 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.
5. 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.
6. To make this publication scheme available to the public.

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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.

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.

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.