

## SOHAM TOWN COUNCIL

### FREEDOM OF INFORMATION POLICY

Local Authorities, by law, must make information available to the public as part of their normal business activities. The information covered is included in the classes of information mentioned below, where this information is held by the authority. The scheme commits an authority:

- proactively to 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.
- proactively to 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.

## **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.

**See final page for list of exemptions to disclosure**

### **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.

Model taken from Government website

**– Chairman (Adopted February 2010)**  
**Review updated on 18th October 2012**  
**Reviewed 21st November 2013**

## Exemptions guidance

Duty to confirm or deny (AG21)

Prejudice and adversely affect (AG20)

Public interest test (AG3) – recently updated 1/7/09

### The exemptions

Section 21 - Information reasonably accessible to the applicant by other means (AG6)

Section 22 - Information intended for future publication (AG7)

Section 23 - Information supplied by or relating to security bodies - new

Section 24 - The national security exemption – new

Section 26 - Defence (AG10)

Section 27 - International relations (AG14)

Section 28 - Relations within the UK (AG13)

Section 29 - Economy (AG15)

Section 30 - Investigations (AG16) – recently updated 03/08/09

Section 31 - Law enforcement (AG17) – recently updated 03/08/09

Section 32 - Information contained in court records (AG9)

Section 33 - Public audit (AG18)

Section 34 - Parliamentary privilege – under review

Section 35 - Policy formulation, Ministerial communications, Law Officers' advice and the operation of Ministerial Private Office (AG24)

Section 36 - Effective conduct of public affairs (AG25)

Section 36 - What should be recorded? - new

Section 37 - Communications with Her Majesty and the awarding of honours (AG26)

Section 38 - Health and safety (AG19)

Section 39 - Environmental information (EIR guidance pages)

Section 40 - Personal Information (AG1) – recently updated 11/11/08

Section 40 - Update note: Applying the exemption for third party personal data: the Tribunal's approach in House of Commons v IC & Leapman, Brooke and Thomas

Section 41 - Information provided in confidence (AG2)

Section 41 - The duty of confidence and the public interest  
Section 41 - Information provided in confidence relating to contracts  
Section 42 - Legal professional privilege (AG4)  
Section 43 - Commercial interest (AG5)  
Section 43 - Public sector contracts – FOI annexe  
Section 43 - Commercial detriment of third parties  
Section 44 - Prohibitions on disclosure (AG27)

## Information available from Soham Town Council under the model publication scheme

Information to be published	How the information can be obtained	Cost
<p><b>Class1 - Who we are and what we do</b> (Organisational information, structures, locations and contacts)</p> <p>This will be current information only</p> <p>N.B. Councils should already be publishing as much information as possible about how they can be contacted.</p>	(hard copy and/or website)	
Who's who on the Council and its Committees		10p per page
Contact details for Parish Clerk and Council members (named contacts where possible with telephone number and email address (if used))		10p per page
Location of main Council office and accessibility details		10p per page
Staffing structure		10p per page

<p><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)</p> <p>Current and previous financial year as a minimum</p>	(hard copy and/or website)	
Annual return form and report by auditor		10p per page
Finalised budget		10p per page
Precept		10p per page
Borrowing Approval letter		10p per page
Financial Standing Orders and Regulations		10p per page
Grants given and received		10p per page
List of current contracts awarded and value of contract		10p per page
Members' allowances and expenses		10p per page
<p><b>Class 3 – What our priorities are and how we are doing</b>  (Strategies and plans, performance indicators, audits, inspections and reviews)</p>	(hard copy or website)	
Parish Plan (current and previous year as a minimum)		10p per page



Annual Report to Parish or Community Meeting (current and previous year as a minimum)		10p per page
Quality status		10p per page
Local charters drawn up in accordance with DCLG guidelines		10p per page
<b>Class 4 – How we make decisions</b> (Decision making processes and records of decisions)  Current and previous council year as a minimum	(hard copy or website)	
Timetable of meetings (Council, any committee/sub-committee meetings and parish meetings)		10p per page
Agendas of meetings (as above)		10p per page
Minutes of meetings (as above) – nb this will exclude information that is properly regarded as private to the meeting.		10p per page
Reports presented to council meetings - nb this will exclude information that is properly regarded as private to the meeting.		10p per page
Responses to consultation papers		10p per page
Responses to planning applications		10p per page
Bye-laws		10p per page
<b>Class 5 – Our policies and procedures</b>	(hard copy or website)	

(Current written protocols, policies and procedures for delivering our services and responsibilities)  Current information only		
Policies and procedures for the conduct of council business:  Procedural standing orders Committee and sub-committee terms of reference Delegated authority in respect of officers Code of Conduct Policy statements		10p per page
Policies and procedures for the provision of services and about the employment of staff:  Internal policies relating to the delivery of services Equality and diversity policy Health and safety policy Recruitment policies (including current vacancies) Policies and procedures for handling requests for information Complaints procedures (including those covering requests for information and operating the publication scheme)		10p per page
Information security policy		10p per page
Records management policies (records retention, destruction and archive)		10p per page
Data protection policies		10p per

		page
Schedule of charges (for the publication of information)		10p per page
<b>Class 6 – Lists and Registers</b>	(hard copy or website; some information may only be available by inspection)	
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)		
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>	(hard copy or website; some information may only be available by inspection)	
(Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses)		
Current information only		
Allotments		10p per page
Burial grounds and closed churchyards		10p per page
Community centres and village halls		10p per page
Parks, playing fields and recreational facilities		10p per

		page
Seating, litter bins, clocks, memorials and lighting		10p per page
Bus shelters		10p per page
Markets		10p per page
Public conveniences		10p per page
Agency agreements		10p per page
A summary of services for which the council is entitled to recover a fee, together with those fees (e.g. burial fees)		10p per page
<b>Additional Information</b>		
This will provide Councils with the opportunity to publish information that is not itemised in the lists above		

**Contact details: Office Soham Town Council Walter Gidney Pavilion Soham CB7 5ED**

## SCHEDULE OF CHARGES

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

<b>TYPE OF CHARGE</b>	<b>DESCRIPTION</b>	<b>BASIS OF CHARGE</b>
<b>Disbursement cost</b>	Photocopying @ 10p per sheet (black & white)	Actual cost *
	Photocopying @ 15p 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)
<b>Other</b>		

\* the actual cost incurred by the public authority