



Rivenhall Parish Council

SERVING THE COMMUNITIES OF RIVENHALL AND RIVENHALL END IN THE BRAINTREE DISTRICT
IN THE COUNTY OF ESSEX

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FREEDOM OF INFORMATION ACT NEW MODEL PUBLICATION SCHEME.

The Publication Scheme.

In line with Section 20 of the Freedom of Information Acts 2000 the Information Commissioner has now developed and approved a new model publication scheme, which can be adopted by Parish and Community Councils as well as parish Meetings. Adoption needs to have taken place by 31st December 2008 and the scheme will be operational from 1st January 2009. For the avoidance of doubt the new Model Scheme is generic in nature (i.e. it is for all public authorities irrespective of them being a local authority) and is not sector specific. The change of emphasis from detailed schemes to a very generic model is a deliberate move by the Information Commissioner's Office.

The model publication scheme may be adopted without modification and such adoption requires no further approval. In short, Parish/Community Councils and Parish Meetings can simply adopt the scheme (by way of formal resolution) without needing to submit anything to the Information Commissioner. This is a major change from the procedure required under the original scheme and is significantly more straightforward. Once adopted the scheme will be valid until further notice. Any modification which removes information from the model scheme will require the approval of the Information Commissioner.

The scheme is in very basic terms evidence of a commitment/charter by Parish/Community Councils and Parish Meetings to make information available to the public as part of its normal activities.

The type of information covered in the scheme is included in the 'Classes of Information' set out below. Although a Council or Parish Meeting will be adopting the model scheme in its entirety, it will be committing to provide only the information, which it actually holds. Therefore, if for example the Council or Parish Meeting does not hold a specific piece of information in one of the classes this does not mean it will be in breach of its obligations. If the Council or Parish Meeting does not hold any information contained in a particular class it clearly cannot provide it. However there is no need to delete the class from the model scheme.

This scheme commits a Parish/Community Council or Parish Meeting to:

- Proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by the Parish Council and falls within the below mentioned classifications.
- Specify the information which is held by the Parish Council and falls within the classifications shown below.

- Proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within this scheme.
- 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.
- Review and update on a regular basis the information the Parish Council makes available under this scheme.
- Produce a schedule of any fees charged for access to information, which is made available.
- Make this publication scheme available to the public.

Classes of Information.

The classes which are very broad in nature are set out below together with a brief summary of the kind of information the Information Commissioner anticipates is likely to fall within the scope of the class.

The classes are:

1. Who we are and what we do.
Organisational information, locations and contacts, constitutional and local governance.
2. What we spend and how we spend it.
Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts.
3. What our priorities are and how we are doing.
Strategy and performance information, assessments, inspections and reviews.
4. How we make decisions.
Policy proposals and decisions. Decision making processes, internal criteria and procedures and consultations.
5. Our policies and procedures.
Current written protocol for delivering our functions and responsibilities.
6. Lists and Registers.
Information held in registers required by law and other lists and registers relating to the functions of the authority.
7. 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.
- Information in draft form.
- Information that is no longer readily available as it is contained in files which have been placed in archive storage, or is difficult to access for similar reasons.

The method by which information under the scheme will be made available:

The model scheme contains standard paragraphs setting out how the information can be accessed.

Parish/Community Councils and Parish Meetings will have the following obligations:

- To ensure the public know what information is covered by the scheme and how it can be obtained.
- Where the Council or Parish Meeting has a website to provide the information on that website.
- If the Council or Parish Meeting does not have a website or it is impractical to provide it in that format or if the applicant does not wish to access the information via the website the Council or Parish Meeting will indicate how information can be obtained by other means and provide it by those means.
- The Council or Parish Meeting will provide details of the person to be contacted by those applicants who wish to view the information in person or to take account of the possibility that certain information only lends itself to be viewed in person. In such circumstances an appointment to view the information must also be arranged within a reasonable timescale.
- To provide information in the language in which it is held or in such other language that is legally required. To also translate any information where the Council or Parish Meeting is legally required to do so.
- To adhere to requirements under disability and discrimination legislation and any other legislation to provide information in other forms and formats.

Charges, which may be made for information published under the scheme.

The model scheme also contains standard paragraphs stating whether any information contained within the classes is subject to a charge.

The scheme emphasises the following:

- That any charge made by a Council or Parish Meeting for routinely published material must be justified and transparent and kept to a minimum.
- Material which is published and accessed via a website will be provided free of charge.
- Charges may be made for actual disbursements incurred such as photocopying, postage and packing plus the cost directly incurred as a result of viewing information.
- Charges may also be made for information provided under the scheme where they are legally authorised, they are in all 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.
- Where a Council or Parish Meeting is to make a charge the amount should be confirmed to an applicant in advance. The Council or Parish Meeting may also request payment prior to providing the information if it so wishes.

This Model Publication Scheme was formally adopted by Rivenhall Parish Council at the meeting on 21st October 2008.

Keith P. Taylor
Clerk to the Parish Council.