

## Smisby Parish Meeting

### Publication Scheme under the Freedom of Information Act 2000

Under the Freedom of Information Act 2000 every parish meeting is required to adopt and maintain a publication scheme setting out the types of information it will make available, how that information can be obtained and whether a charge will be made for that information. The purpose of this publication scheme is to be a means by which Smisby parish meeting can make a significant amount of information available routinely.

This parish meeting's key responsibilities are to represent the electorate of its area, to take action within the legal framework and to provide a leadership focus for the community.

The parish meeting will make the information available in any one of the following ways:  
available for inspection on request from the Parish Clerk.

a hard copy of the information may be supplied on request from the chairman of clerk/person named as responsible for maintaining the scheme. Where a copy of the information is provided a reasonable charge may be made.

#### Council Internal Practice and Procedure

Information	Format in which it is available	Charge for supply
Minutes or notes of parish meetings and committee meetings (limited to last 2 years)	Available for inspection by contacting the Smisby Parish Clerk. A hard copy is available for a small fee.	Yes

#### Planning Documents\*

Information	Format in which it is available	Charge for supply
Responses to planning applications	Available for inspection by contacting the Smisby Parish Clerk. A hard copy is available for a small fee.	Yes

*\* Exclusions - Planning Documents*

*Copies of planning consultations, the Development Plan, Structure Plan, Local Plan and Rights of Way/Footpath maps, all of which are available from the local planning and/or highway authority respectively.*

#### Audit and Accounts

Information	Format in which it is available	Charge for supply (yes/no)
Annual return form - limited to the last financial year	Available for inspection by contacting the Smisby Parish Clerk. A hard copy is available for a small fee.	
Annual statutory report by auditor (internal and external) - limited to the last financial year	Available for inspection by contacting the Smisby Parish Clerk. A hard copy is available for a small fee.	

#### Optional Classes of Information

**Other financial information +**

<b>Information</b>	<b>Format in which it is available</b>	<b>Charge for supply (yes/no)</b>
Receipt/payment books, receipt books of all kinds, bank statements from all accounts - limited to the last financial year		
Precept request - limited to the last financial year		

*+ Exclusions - Audit and Accounts*

*All commercially sensitive information, e.g. quotations and tenders, loan documentation and insurance policies. With regard to quotations and tenders, this information is treated as confidential to ensure that the whole tender process is fair, i.e. if tender information is released to a third party prior to the end of the tender period, those who initially submitted tenders could be undercut and/or unfairly disadvantaged.*

**Employment Practice and Procedure "**

<b>Information</b>	<b>Format in which it is available</b>	<b>Charge for supply (yes/no)</b>
Terms and conditions of employment and job description		

*" Exclusions - Employment Practice and Procedure*

*'Personal records', i.e. appraisals, employee specific salary details, disciplinary records, sickness records and the like by virtue of being personal data under the Data Protection Act 1998.*

**Council Internal Practice and Procedure**

<b>Information</b>	<b>Format in which it is available</b>	<b>Charge for supply (yes/no)</b>
Agendas and supporting papers for parish meeting- limited in each case to the forthcoming/ immediate meeting		

**Development and Implementation of Policy**

<b>Information</b>	<b>Format in which it is available</b>	<b>Charge for supply (yes/no)</b>

FREEDOM OF INFORMATION ACT 2000  
- PUBLICATION SCHEMES

**Declaration Form**

Name of parish meeting        Smisby

Address

has adopted the attached model publication scheme

- produced in accordance with section 20 of the Freedom of Information Act 2000, and will publish information in accordance with that scheme.

Signature

Position

Date

The contact details for the person/official who will be responsible for maintaining the publication scheme and who should be contacted if any issues arise concerning the parish meeting's compliance with the Freedom of Information Act is/are:

Name    M South

Position Parish Clerk

Address        Mount House Farm

Smisby

Ashby de la Zoluch

Telephone \*\* .....

Name

Position

Address

Telephone\*\* .....

\*If you only wish to adopt the core classes of information write "core classes only" in here. Core classes only

\*\* Entering details of how you intend to promote the publication scheme and the telephone numbers of those responsible for maintaining the scheme are optional.

**Model Publication for Parish Meetings - Explanatory Notes**

These notes explain the purpose of publication schemes and will help you when deciding whether the model scheme that has been developed for parish meetings, is appropriate for your organisation. The notes also explain the steps you need to take in order to adopt the model scheme.

**What is a publication scheme?**

The Freedom of Information Act 2000 aims to promote a culture of openness and accountability amongst public authorities by providing people with a right of access to the information held by them. In this way it is hoped that the public will develop a better understanding of how public authorities carry out their duties, why they make the decisions they do and how they spend public money.

There are two ways in which the public will be able to gain access the information held by public authorities. The first way is to provide a right to request any information held by a public authority (this right is contained in section 1 of the Act and will come into force in January 2005). The other way is to require public authorities to make some information available as a matter of course through a **publication scheme**. In this way the information included in the publication scheme will routinely be made available to any one who asks for it. A publication scheme is therefore both a commitment to make certain information available and a guide to how and where that information is available. All publication schemes have to be approved by the Information Commissioner.

To comply with the Freedom of Information Act, a publication schemes must specify;

the **classes** (or types) of information that will be published,  
the manner in which the information is to be published (often referred to as the **format**) and  
whether the material is intended to be made available free of charge or for a **fee**.

Where there are a large number of public authorities which all perform very similar functions the Act allows for "**model schemes**" to be developed. Once such a model scheme has been approved by the Information Commissioner, it may be adopted by the public authorities it was designed for. A model publication scheme has been approved by the Information Commissioner for **parish meetings**.

The model scheme was developed by the Yorkshire Local Councils Associations, William House, Shipton Road, Skelton, and York.

### **Is the Model Scheme appropriate for your organisation?**

The Freedom of Information Act defines the public authorities that are covered by the Act and so are required to adopt and maintain a publication scheme. Paragraph 12, Part II of Schedule 1 of the Freedom of Information Act defines a parish meeting constituted under section 13 of the Local Government Act 1972 as such a public authority. It is for these parish meetings that this model scheme has been prepared. It is your responsibility to check whether your organisation falls within this definition.

Although all parish meetings are required to adopt a publication scheme, they are not obliged to adopt the model publication scheme. It is anticipated that this model will cover most of the core functions carried out by a parish meeting.

However if you wish to, you may submit a bespoke scheme for approval by the Commissioner which better caters for your organisation's individual circumstances. If you decide you would prefer to submit a bespoke scheme, you should follow the procedure detailed in the Commissioner's booklet, Publication Schemes - Approval Documentation, which you should already have received. This booklet is also available from our website.

### **The Classes of Information**

For the purpose of this model scheme the classes of information have been given fairly general titles. To clarify what is included in each class, there is a list of the information that is expected to be included under each heading.

#### **Optional Classes**

Some parish meetings may produce more information than others. The model scheme recognises this. The model identifies three core classes of information. It is expected that all parish meetings will hold the information contained in these classes. There are a further four optional classes of information. Where a

parish meeting holds the information contained in these optional classes, it will need to consider whether it is appropriate to adopt any of these optional classes as well.

### **How should the information be made available?**

The information contained in the publication scheme must be published, or made public. The model scheme allows for this to be done in two ways. The information can either be made available for inspection or a hard copy (for example a photocopy of information held in a paper document) can be provided. In both cases it is anticipated that some one wishing to access the information will need to contact a named person and either arrange to inspect the information or to have a hard copy sent to them.

A parish meeting will have to decide which is the most appropriate method, or methods, of making the information available for each type of information contained in the classes it has selected. This needs to be specified on the model scheme under the box headed, "**Format in which it is available**".

Obviously a parish meeting will also need to provide the contact details of the named person.

### **Fees**

The model scheme allows a parish meeting to set reasonable charges for providing the information. For example a parish meeting may wish to recover the cost of photocopying information and mailing it out.

### **How do you adopt the model scheme?**

If you wish to adopt the model scheme simply fill in the declaration form that is attached to the model and submit it together with a completed copy of the model scheme to the Information Commissioner. Fill in the boxes that explain the format in which the information is available and whether there will be a charge for supplying it. Do this for each class you have selected.

If you only wish to adopt the core classes, then only submit the first two pages of the model scheme and return the declaration form, writing "**core classes only**" in the space provided.

If you do not hold some of the information contained within a core class simply write "**not held**" against that information.

If you wish to adopt any of the optional classes, then you should return the declaration form and **all four pages** of the model scheme, filled in as appropriate. That is to say fill in the boxes relating to the format and fees of the optional classes you wish to adopt. Strike through any optional class that you do not wish to adopt.

### **By what date do parish meetings need to adopt a publication scheme?**

Parish meetings are required to have adopted an approved publication scheme by the statutory deadline of the 28<sup>th</sup> February 2003. From this date parish meetings will have to make the information contained in their publication schemes available to the public. There are many other types of public authority that need to have their publication schemes approved by this deadline too. To give the Information Commissioner sufficient time to approve these schemes and to check that organisations have adopted appropriate model schemes, we require that all schemes/declaration forms are submitted to this office by the 31<sup>st</sup> December 2002. Failure to meet the December deadline may result in a parish meeting failing to adopt an appropriate, approved scheme by the 28<sup>th</sup> February 2003.

### **Submit schemes by the 31<sup>st</sup> December 2002**

**Schemes approved and operating by 28<sup>th</sup> February 2003.**

**Please submit your declaration forms and completed copies of the model scheme to;**

Information Commissioner  
Publication Schemes  
Wycliffe House

Water Lane  
Cheshire  
SK9 5AF

Or by email to

[publications@ic-foi.demon.co.uk](mailto:publications@ic-foi.demon.co.uk)

**What will a parish meeting need to do once it has adopted the model scheme?**

Simply signing and returning the declaration form and completed model scheme does not in itself fulfil a parish meeting's obligations under the Act. The parish meeting should then make the publication scheme available, for example it may wish to promote the existence of the publication scheme by placing a copy of it on the village notice board. It must then publish the information in accordance with that scheme. That is to say that by adopting the scheme, your organisation is committing itself to making the information described in the classes you have selected available in the format/manner described.

As new information is produced which falls within a class it will need to be prepared for publication and made available.

**The duration of the model scheme**

The model scheme has been approved for a period of four years from the 28<sup>th</sup> February 2003.

**Further help and assistance**

Parish meetings which are members of the National Association of Local Councils should, in the first instance direct all enquiries regarding the content or drafting of the scheme to their respective County Secretaries.

Queries about the submission process and subsequent operation of the scheme once adopted should be addressed to the F.O.I Team at the Information Commissioner's Office at

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

More information about publication schemes is available in our booklet "Publication Schemes - Guidance and Methodology", which can be obtained from our website [www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk).

