

MALVERN TOWN COUNCIL FREEDOM OF INFORMATION ACT AND MODEL PUBLICATION SCHEME

The implementation of the Freedom of Information Act 2000 (FOI Act) was phased in, with the duty on public authorities to adopt publication schemes being introduced first, followed by the individual right to access provisions which came into force on 1 January 2005.

From 1 January 2009, Malvern Town Council was required to adopt a new model publication scheme which the Information Commissioner produced for all public authorities. This publication scheme must be supported by a guide to the specific information that the authority holds and commits Malvern Town Council as an authority to make this specific information available to the public as part of its normal activities.

The information which needs to be covered is included in the classes of information listed below and is detailed in the attached Appendix.

1. Classes of Information

➤ Class 1

Who we are and what we do

Organisation information, location and contacts, constitutional and legal governance.

➤ Class 2

What we spend and how we spend it

Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts.

➤ Class 3

What our priorities are and how we are doing

Strategy and performance information, plans, assessments, inspections and reviews.

➤ Class 4

How we make decisions

Policy proposals and decisions, decision making processes, internal criteria and procedures, consultations.

➤ Class 5

Our policies and procedures

Current written protocols for delivering our functions and responsibilities.

➤ Class 6

Lists and registers

Information held in registers required by law and other lists and registers relating to the functions of the Town Council

➤ **Class 7**

The services we offer

Advice and guidance, booklets and leaflets, transactions and media release, 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.

2. How is Information Available?

The Publication Scheme indicates clearly what information is covered by the scheme and how it can be obtained. Information will be provided on Malvern Town Council's website as far as is reasonably practical or otherwise will be made available in hard copy.

3. Charges

The Publication Scheme is intended to provide the maximum amount of information at minimum cost to the public. Charges are stated within the publications document and will be the actual costs for disbursements such as photocopying and postage.

4. Other Information Requests

Information held by a public authority that is not covered by the Publication Scheme can be requested in writing, when its provision will be considered in accordance with the Freedom of Information Act.

5. Making a Freedom of Information Request

If a person wishes to make a request for some information under the Freedom of Information Act, then your request:

- i. Should be in writing
- ii. Should contain your name and address
- iii. Should contain sufficient information to allow us to locate the information that you want
- iv. Should be legible

Once a request is received, the Council has 20 working days to:

- v. Confirm whether we hold the information requested
- vi. Advise whether you need to pay a fee for the information
- vii. Advise who holds the information if we do not have it (If the information that you request is held by another public authority, then your request may be transferred to the correct body with your agreement).

All requests will be recorded by the Town Council and will be handled in accordance with The Freedom of Information Act 2000 and the Data Protection Act 1998.

There are a number of exemptions to the Freedom of Information Act in law. The Council may need to consider whether the information requested should be released or whether it is exempt. If the information requested is exempt then the Council has the right to refuse the request and under these circumstances will communicate the reasons for refusal.

Applicants who are not satisfied with the information provided have the right to complain to the Town Council. If the issue is still not resolved satisfactorily, then they can take their complaint to the Information Commissioner.

To make a request please apply either by email to townclerk@malvern-tc.org.uk or by post to Malvern Town Council, 28-30 Belle Vue Terrace, Malvern. WR14 4PZ.

December 2019

<u>Information to be published</u>	<u>How the information can be obtained</u>	<u>Cost</u>
Class 1 - Who we are and what we do (Organisational information, structures, locations and contacts)		
Who's Who - The Parish Council and its Committees	Website	Free
	Hard copy	5p per sheet
Contact details for Town Clerk and Council members (named contacts where possible with telephone number and email address (if used))	Website	Free
	Hard copy	5p per sheet
Location of Main Council Office and accessibility details	Pdf document via email	Free
	Hard copy	
Staffing Structure	Website	Free
	Pdf document via email	Free
	Hard copy	5p per sheet
Class 2 - What we spend and how we spend it (Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit) <i>Current and previous financial year as a minimum</i>		
Annual Return Form and Report by External Auditor	Website	Free
	Hard copy	5p per sheet

<u>Information to be published</u>	<u>How the information can be obtained</u>	<u>Cost</u>
Finalised budget	Hard copy	5p per sheet
	Available on website as part of Policy and Resources Committee reports	Free
Precept	Website	Free
	Hard copy	5p per sheet
Borrowing Approval letter	Not applicable	
Financial Regulations	Website	Free
	Hard copy	5p per sheet
Grants given and received	Website	Free
	Hard copy	5p per sheet
List of Current Contracts Awarded and Value of Contract	Hard copy	5p per sheet
Members allowances and expenses (including travel)	Hard copy	5p per sheet
Class 3 - What our priorities are and how we are doing (Strategies and plans, performance indicators, audits, inspections and reviews)		
Town Council Aims and Objectives	Pdf document via email	Free

<u>Information to be published</u>	<u>How the information can be obtained</u>	<u>Cost</u>
	Hard copy	5p per sheet
Minutes of the Annual Town Meeting	Website	Free
	Pdf document via email	Free
	Hard copy	5p per sheet
Class 4 - How we make decisions (Decision making processes and records of decision) <i>Current and previous council year as a minimum</i>		
Timetable of meetings (Council, any committee/sub-committee meetings)	Website	Free
	Pdf document via email	Free
	Hard copy	5p per sheet
Agendas of meetings (as above)	Website (except working parties)	Free
	Parish Notice Boards (except working parties)	Free
	Pdf document via email	Free
	Hard copy	5p per sheet
Minutes of meetings (as above) - This will exclude information that is properly regarded as being excluded from the Press and Public	Website (except working parties)	Free

<u>Information to be published</u>	<u>How the information can be obtained</u>	<u>Cost</u>
	Pdf document via email	Free
	Hard copy	5p per sheet
Reports presented to Council meetings - this will exclude information that is properly regarded as being excluded from the Press and Public and will be available after each meeting	Website (except working parties)	Free
	Hard copy	5p per sheet
Responses to Consultation Papers	Hard copy	5p per sheet
	Available on website as included in the minutes of Operations and Planning Committee and Full Council	Free
Responses to Planning Applications	Hard copy	Free
	Available on website as included in the minutes of Operations and Planning Committee and Full Council	5p per sheet
Bye-Laws	Hard copy	5p per sheet
Class 5 - Our policies and procedures (Current written protocols, policies and procedures for delivering our services and responsibilities) <i>Current Information only</i>		
Policies and procedures for the conduct of council business:		

<u>Information to be published</u>	<u>How the information can be obtained</u>	<u>Cost</u>
Standing orders	Website	Free
	Hard copy	5p per sheet
Committee and Sub-Committee Terms of Reference	Hard copy	5p per sheet
Anti-Fraud and Corruption Policy	Website	Free
	Hard copy	5p per sheet
Delegated Authority in Respect of Officers	Hard copy	5p per sheet
Planning Policy	Website	Free
	Hard copy	5p per sheet
Code of Conduct for Members	Website	Free
	Hard copy	5p per sheet
Policy Statements	Website	Free
	Hard copy	5p per sheet
Press Policy	Hard copy	5p per sheet
Policies and procedures for the provision of services and about the employment of staff:		
Bullying and Harassment Policy	Website	Free

<u>Information to be published</u>	<u>How the information can be obtained</u>	<u>Cost</u>
	Hard copy	5p per sheet
Complaints Procedure	Website	Free
	Hard copy	5p per sheet
Equal Opportunities Policy Statement	Website	Free
	Hard copy	5p per sheet
Football Pitch Policy	Website	Free
	Hard copy	5p per sheet
Freedom of Information Policy	Website	Free
	Hard copy	5p per sheet
Health and Safety Policy	Website	Free
	Hard copy	5p per sheet
Council Environmental Policy	Website	Free
	Hard copy	5p per sheet
Recruitment Policies (including current vacancies)	Hard copy	5p per sheet
Policies and procedures for handling requests for information	Hard copy from the Clerk	5p per sheet

<u>Information to be published</u>	<u>How the information can be obtained</u>	<u>Cost</u>
	PDF document emailed from the Clerk	Free
Other Policies		
Risk Assessments	Hard copy	5p per sheet
Schedule of charges (for the publication of information)	Hard copy	5p per sheet
Records Management policies (records retention, destruction and archive)	To be completed	
Class 6 - Lists and Registers <i>Currently maintained lists and registers only</i>		
Assets Register	Website	Free
	Pdf document via email	Free
	Hard copy	5p per sheet
Disclosure log (indicating the information that has been provided in response to requests;	Upon inspection by appointment	None
Members Declaration of acceptance of Office	Hard copy	5p per sheet
Register of members interests	Website MTC / MHDC	Free
	Hard copy	5p per sheet
Register of gifts and hospitality	Hard copy	5p per sheet

<u>Information to be published</u>	<u>How the information can be obtained</u>	<u>Cost</u>
Class 7 - The services we offer (Information about the services we offer, including leaflets, guidance and newsletters produced for the public and the businesses) <i>Current information only</i>		
Allotments	Website	Free
	Hard copy	5p per sheet
Great Malvern Cemetery	Website	Free
	Hard copy	5p per sheet
Parks, playing fields and recreational facilities	Website	Free
	Hard copy	5p per sheet
Seating, Litter Bins, Clocks, Memorial and Lighting	Website	Free
	Hard copy	5p per sheet
Gas Lamps	Website	Free
	Hard copy	5p per sheet
Bus shelters	Website	Free
	Hard copy	5p per sheet
Other Green Open Spaces	Website	Free

<u>Information to be published</u>	<u>How the information can be obtained</u>	<u>Cost</u>
	Hard copy	5p per sheet
A Summary of Town Council Charges	Website	Free
	Pdf document via email	Free
	Hard copy	5p per sheet
Newsletter	Website	Free
	Hard copy	5p per sheet
Additional Information		
Any information that is not itemised will be published here		
<u>Schedule of Charges</u> - The following charges apply for requests under the Freedom of Information Act		
Type of charge	Disbursement cost	Basis of charge
	Photocopying @ 5p per sheet (black & white)	Actual cost*
	Photocopying @ 5p per sheet (colour)	Actual cost*
	Postage, Royal Mail standard 2nd class	Actual cost*
*the actual cost incurred by the public authority		

<u>Information to be published</u>	<u>How the information can be obtained</u>	<u>Cost</u>
Contact details: Malvern Town Council , email: townclerk@malvern-tc.org.uk , telephone: 01684 566667		
