



FAKENHAM TOWN COUNCIL

Linda Jennings
Town Clerk

Fakenham Connect
Oak Street
Fakenham
Norfolk
NR21 9DY
Tel: 01328 853653

e-mail: info@fakenhamtowncouncil.co.uk
website: fakenhamtowncouncil.org.uk

FREEDOM OF INFORMATION

FREEDOM OF INFORMATION ACT 2000 – PUBLICATION LIST

FAKENHAM TOWN COUNCIL has adopted the Town Council Model Scheme of the Freedom of Information Act 2000 and will publish information in accordance with that scheme. This was approved at a Full Council Meeting on 2 December 2008 (Minute Number 184(2)). **Note: 1-3 are contained in a pack ready to give out to members of the public**

CORE CLASSES OF INFORMATION

- 1 WHO WE ARE AND WHAT WE DO**
 - a) Who's who on the Council
 - b) Contact details for Clerk and Council members
 - c) Location of main Council Office and accessibility details
 - d) Staffing structure

- 2 WHAT WE SPEND AND HOW WE SPEND IT**
 - a) Current and previous financial years income & expenditure
 - b) Annual return form and report by auditor
 - c) Finalised budget
 - d) Precept
 - e) Financial Regulations
 - f) Grants given and received
 - g) List of current contracts awarded and value of contract
 - h) Members allowances and expenses

- 3 WHAT OUR PRIORITIES ARE AND HOW WE ARE DOING**

Chairman's Annual Report to Town Meeting

- 4 HOW WE MAKE DECISIONS**
 - a) Timetable of meetings
 - b) Agendas of meetings
 - c) Minutes of meetings
 - d) Reports presented to Council meetings
 - e) Responses to consultation papers

- f) Responses to planning applications

5 OUR POLICIES AND PROCEDURES

- a) Policies and procedures for the contact of Council business:
 - i) Procedural Standing Orders
 - ii) Delegated authority in respect of Officers
 - iii) Code of Conduct
- b) Policies and procedures for the provision of services and about the employment of staff (when available):
- c) Internal policies relating to the delivery of services:
 - i) Equality and diversity policy
 - ii) Health and safety policy
 - iii) Recruitment policy
- d) Policies and procedures for handling requests for information:
 - i) Complaints procedures
 - ii) Information security policy
 - iii) Records management policy
 - iv) Data protection policies
 - v) Schedule of charges
 - vi) Grants policy
 - vii) Destruction and retention of information policy

6 LISTS AND REGISTERS

- a) Any publically available register or list
- b) Assets register
- c) Register of members' interests
- d) Register of gifts and hospitality

7 THE SERVICES WE OFFER

- a) Aldiss Community Park
- b) Allotments
- c) Bacon's Piece
- d) Burial Records
- e) Cemeteries
- f) Dog Bins (installation)
- g) Edmondson's Acres
- h) Edward VII Lamp
- i) Gogg's Mill Meadow
- j) Hayes Lane Playing Field
- k) Market (Thursday)
- l) Market Tolls Grants
- m) Millennium Park
- n) Planning
- o) Play Areas
- p) Precept
- q) Quaker Burial Ground
- r) St Peter's Churchyard
- s) Street Collections

- t) Street Lighting
- u) Town sign
- v) Trap Lane Pavilion & playing field

MANAGING INFORMATION

PART 1 THE FREEDOM OF INFORMATION ACT (FOIA)

1 What is the FOIA?

Individuals already have the right to access information about themselves (personal data), which is held on a computer and in some cases files, under the Data Protection Act 1998. FOIA extends this right further for Public Authorities allowing access to all types of information whether personal or non-personal. This may include information about third parties, although the Council will have to take account of the Data Protection Act 1998 before releasing information about a third party.

2 What is the process involved with FOIA

- Any person has the right to request information from a Council, but that request must be in writing (letter/fax/e-mail) and FOIA need not be mentioned on the request. The person can also request the information in a special format e.g. a copy, an opportunity to inspect or a summary of the document.
- The Council must respond to the request within 28 days giving the person the information they have asked for, or tell them it will not be available within 28 days or that it will not be released because the information is exempt. Information may not be available within the 28 days, where, for example the Council may need to obtain information from another authority. The Council also needs to explain at this stage about the fees which could be payable.
- The Council must, if possible provide the information in the format requested and within 28 days. A fee may be charged for the information, in which case the person is sent an account before the information is forwarded. Note that the 28-day deadline is halted until the account is paid. If the account is not paid within 3 months, then the Council can assume the information is no longer wanted.

Exempt information

Note that there is some exempt information. There are two types of exempt information:

- 1 Qualified exemptions – which could be released if in the ‘public interest’.

There are some 24 qualified exemptions referred to as sections within the Act e.g. Section 37 – communications with Her Majesty about honours awards.

- 2 Absolute exemptions – where the Council does not have to consider what is in the public interest and should not release the information. In this case the Council does not have to confirm or deny whether it has the information.

What is a publication scheme?

A Council was required to adopt a Publication Scheme by the end of December 2009. The Scheme details the information, which the Council holds and which is publicly available. It will also include details of charges for that information. The Scheme should be published e.g. on the Council's website.

Who is the Information Commissioner?

The Information Commissioner manages the FOIA and the Data Protection Act. It is an independent body that reports to Parliament, and it makes sure that organisations fulfil their legal responsibilities under the Acts. The Information Commissioner issued councils with a model Publication Scheme. The Commission is also the body to whom a person may appeal if they were unhappy with the way their request for information was handled.

So what are the duties of the Councils under the FOIA?

Fakenham Town Council has adopted and maintains a Publication Scheme and must also publish it. Councils must respond within 28 days to a request and must supply information in the format requested (unless there is an absolute exemption or the public interest test has been applied and confirmed). The Council may charge for this information. All information should be kept securely and personal information should not be disclosed to unauthorised third parties. The Council must also advise the public of the details of the scheme and explain to the public the procedures involved.

What other Acts are there giving information?

The Data Protection Act 1998 gives individuals the right to see personal information held about themselves on a computer or on some paper files. Individuals are known as data subjects. Broadly speaking data subjects have a right of access to personal data, those who handle information about data subjects are prohibited from processing data (unless they have notified the Commissioner) and processing may only be carried out where the individual has given consent or where the processing is necessary for the performance of a contract or to protect vital interest of the individual. Councils holding information on a computer or in paper form about individuals should be registered under the Data Protection Act.

SCHEDULE OF CHARGES

TYPE OF CHARGE	DESCRIPTION	CHARGE
Disbursement cost	Photocopying (black & white)	20 per sheet
Disbursement cost	Postage	Royal Mail standard 2 nd class
Officer Time	Research	Recommended at £10 per hour at the discretion of the Clerk depending on the amount of work involved. This was approved at a Policy & Resources Meeting on 15 December 2008 (Minute Number 29)

