



Tonbridge and Malling Borough Council

FREEDOM OF INFORMATION – PUBLICATION SCHEME

Tonbridge and Malling Borough Council has produced this Publication Scheme under Section 19 of the Freedom of Information Act 2000 (the FOI Act). It is based on the Model Publication Scheme prepared and approved by the Information Commissioner (2013 edition).

The scheme commits the Borough Council:

- To proactively 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.
- To proactively 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.
- To publish any dataset held by the authority that has been requested, and any updated versions it holds, unless the authority is satisfied that it is not appropriate to do so; to publish the dataset, where reasonably practicable, in an electronic form that is capable of re-use; and, if any information in the dataset is a relevant copyright work and the public authority is the only owner, to make the information available for re-use under a specified licence. The term 'dataset' is defined in section 11(5) of the Freedom of Information Act. The terms 'relevant copyright work' and 'specified licence' are defined in section 19(8) of that Act.

Purpose of the Scheme

Under Section 19 of the FOI Act, each public authority must produce a Publication Scheme. This has to set out what information it will make available as a matter of course, how and when it will do so, and whether or not this information will be made available free of charge. The authority must then release the information as promised in its scheme.

Classes of information

The classes of information have been organised into broad areas relating to services provided by Tonbridge and Malling Borough Council. These fall generally into the following 7 classes:-

- **Who we are and what we do**
- **What we spend and how we spend it**
- **What our priorities are and how we are doing**
- **How we make decisions**
- **Our policies and procedures**
- **Lists and Registers**
- **The services we offer**

The method by which information published under this scheme will be made available

Wherever possible, information will be provided on our website. Where it is impracticable to make information available on a website or when an individual does not wish or is unable to access the information by the website, we 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 the Borough Council 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.

Charges may also be made for making datasets (or parts of datasets) that are relevant copyright works available for re-use. These charges will be in accordance with either regulations made under section 11B of the Freedom of Information Act or other enactments.

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 the Borough Council 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 and/ or the Environmental Information Regulations.

Re-use of Public Sector Information and copyright

Subject to the following conditions, the Borough Council has no objection to organisations downloading its copyright-protected materials from the Tonbridge and

Malling Borough Council website (the 'Materials') and reproducing them in their own publications, or on their internal computer networks.

Organisations using the Borough Council's materials must adhere to the following criteria.

- Organisations must ensure that they are using the latest version of the Materials available.
- Any publication or internal network which incorporates the Borough Council's Materials must include an acknowledgement of the source of such materials.
- The Material must be clearly separated from any comment made on it by the organisation or others.
- Readers of the Material must not be given the impression that the Borough Council is responsible for, or has in any way approved, the publication or network in which its Materials are reproduced.
- The Materials may not be altered or amended unless such material is clearly marked as altered or amended by the organisation or others.
- No fee may be charged by any organisation reproducing the Borough Council's Materials in respect of reproducing Materials.
- When reproducing the Borough Council's Materials, organisations must have regard to any qualifying statements or descriptions attached to the Materials, (for example, descriptions such as 'consultation document', 'discussion paper', or 'preliminary view' are important as are statements concerning the audience at which the Material is directed). If the Material is reproduced in full, or substantial extracts are reproduced, any qualifying statements attached to the Material must be included.

Any reproduction of the Borough Council's official forms, other than for the purpose of submitting information to the Borough Council, must be clearly marked 'SPECIMEN' unless otherwise expressly agreed by the Borough Council.

There is no charge for the reproduction of Materials made in accordance with these conditions.

This applies only to information in which the Council owns the copyright. For any other material, you must seek authorisation from the copyright holders concerned.

Access to Personal Information Under the Data Protection Act 1998

The Data Protection Act 1998 provides living individuals with the right of access to personal information held about them. The right applies to all Council information held in computerised form and also to non-computerised information held in filing systems structured so that specific information about particular individuals can be retrieved readily. The rights extend also to those archives that meet these criteria. However, the

right is subject to exemptions which will affect whether information is provided and requests will be dealt with on a case by case basis.

Please send requests for access to information under the Data Protection Act “(Data Subject Access Requests)” to Adrian Stanfield, Director of Central Services and Monitoring Officer (see contact points below). Please provide as much detail as possible to help us find the information.

Note that the Data Protection Act does not give third parties rights of access to personal information for research purposes.

Environmental Information

If the information you want relates to the state of the environment, you can submit a request for information under the Environmental Information Regulations 2004. Please provide as much detail as possible to help us identify the information you are looking for.

Some environmental information is made available through our Publication Scheme and will be made available as set out above. Where information is not included in the scheme, it will be made available according to the fees structure set out in the Environmental Information Regulations 2004.

If we refuse to supply all or part of the information you have asked for, we will write to you explaining why. The reasons will be based on the exceptions in the regulations.

The Environmental Information Regulations can be purchased from HMSO, or can be read free of charge on the HMSO website.

Complaints and Appeals

If you are unhappy with the way we have dealt with a request, you should complain to us directly, using the Council's complaints procedure. Your initial complaint should be sent to the Director of Central Services and Monitoring Officer at monitoring.officer@tmbc.gov.uk.

The Information Commissioner is responsible for enforcing the operation of the Publication Scheme. In the case of a failure to deliver information through the Scheme, you may also appeal directly to the Information Commissioner at any time.

The Information Commissioner can be contacted by telephone on 01625 545745, by fax on 01625 524 510, by email at data@dataprotection.gov.uk , or by post to:

Information Commissioner
Wycliffe House
Water Lane

Wilmslow
Cheshire
SK9 5AF

Personnel

Overall responsibility for the publication scheme resides with Adrian Stanfield, Director of Central Services and Monitoring Officer, who can be contacted at monitoring.officer@tmbc.gov.uk.

Day-to-day running of the Publication Scheme is undertaken by Administrative Services, who can be contacted at admin.services@tmbc.gov.uk.

1. WHO WE ARE AND WHAT WE DO:

Description	Where available	Fee
A-Z Services	http://www.tmbc.gov.uk/services-a-z	Free via website
Visiting Council Offices	http://www.tmbc.gov.uk/contact-us	
Council constitution	http://www.tmbc.gov.uk/services/council-and-democracy/councillors,-democracy-and-elections/council-constitution	Free via website
Council Meetings – agendas and minutes	http://www.tmbc.gov.uk/services/council-and-democracy/councillors,-democracy-and-elections/council-minutes,-agendas-and-reports	Free via website
Emergency Plans	http://www.tmbc.gov.uk/services/advice-and-benefits/emergencies/civil-emergencies-business-continuity-advice	Free via website
Elected member contact details / pictures	http://www.tmbc.gov.uk/services/council-and-democracy/elected-representatives	Free via website
Code of conduct	http://www.tmbc.gov.uk/services/council-and-democracy/councillors,-democracy-and-elections/council-constitution/codes	Free via website
Elections	http://www.tmbc.gov.uk/services/council-and-democracy/events/events-democracy	Free via website

2. WHAT WE SPEND AND HOW WE SPEND IT:

Budget	http://www.tmbc.gov.uk/services/council-and-democracy/council-budgets-and-spending/council-budgets	Free via website
Medium Term Financial Strategy	http://www.tmbc.gov.uk/services/council-and-democracy/council-budgets-and-spending/council-budgets/medium-term-financial-strategy-201213-202122	
Expenditure over £250	http://www.tmbc.gov.uk/services/council-and-democracy/council-budgets-and-spending/financial-information	Free via website
Statement of Accounts	http://www.tmbc.gov.uk/services/council-and-democracy/council-budgets-and-spending/annual-accounts	Free via website
Capital Strategy	http://www.tmbc.gov.uk/services/council-and-democracy/council-budgets-and-spending/council-budgets/capital-strategy	Free via website
Procurement Strategy	http://www.tmbc.gov.uk/services/business/tenders-and-contracts/procurement-policy	Free via website
Members' Allowances & Expenses	http://www.tmbc.gov.uk/services/council-and-democracy/councillors,-democracy-and-elections/councillors-allowances-and-expenses	Free via website
Senior Officers' salaries	http://www.tmbc.gov.uk/services/council-and-democracy/councillors,-democracy-and-elections/transparency-senior-salaries	Free via website
Grants	http://www.tmbc.gov.uk/services/education-and-learning/grants	Free via website
Contracts	http://www.tmbc.gov.uk/services/business/tenders-and-contracts/procurement-contracts-management	Free via website

3. WHAT OUR PRIORITIES ARE AND HOW WE ARE DOING

Key Priorities	http://www.tmbc.gov.uk/services/council-and-democracy/performance/council-performance-indicators	Free via website
----------------	---	------------------

4. HOW WE MAKE DECISIONS

Constitution	http://www.tmbc.gov.uk/services/council-and-democracy/councillors,-democracy-and-elections/council-constitution	Free via website
Forthcoming Key Decisions		Free via website
Cabinet Member Decisions		Free via website
Standards	http://www.tmbc.gov.uk/services/council-and-democracy/councillors,-democracy-and-elections/council-constitution/articles/standards-committee	Free via website
Petition Scheme	http://www.tmbc.gov.uk/services/council-and-democracy/consultations/petitions	Free via website
Overview & Scrutiny Committee	http://www.tmbc.gov.uk/services/council-and-democracy/elected-representatives/scrutiny	Free via website
Local Code of Corporate Governance	http://www.tmbc.gov.uk/services/council-and-democracy/corporate-governance	Free via website

5. OUR POLICIES AND PROCEDURES

Pay Policy Statement	http://www.tmbc.gov.uk/_data/assets/pdf_file/0005/60467/Pay-Policy-statement-1213.pdf	Free via website
Employment terms and conditions	http://www.tmbc.gov.uk/services/jobs-and-careers/jobs/job-vacancies/employment-terms-and-conditions	Free via website
Equality & Diversity	http://www.tmbc.gov.uk/services/jobs-and-careers/equality-and-diversity	Free via website
Local Plan	http://www.tmbc.gov.uk/services/environment-and-planning/planning/local-development-framework	Free via website
Open Space Strategy	http://www.tmbc.gov.uk/services/environment-and-planning/planning/open-space-strategy	Free via website

	planning/planning/local-development-framework/ldf/open-space-strategy	
Tree Safety Strategy	http://www.tmbc.gov.uk/services/leisure-and-culture/parks-and-open-spaces/tree-management/tree-safety-strategy	Free via website
Food Sampling Policy	http://www.tmbc.gov.uk/services/environment-and-planning/environmental-health/food-safety-inspections/food-sampling-policy	Free via website
Council Tax Reduction Scheme	http://www.tmbc.gov.uk/services/advice-and-benefits/council-tax/council-tax-reduction-scheme	Free via website

6. LISTS AND REGISTERS

Notification of Members' interests / Register of gifts / hospitality	http://www.tmbc.gov.uk/services/council-and-democracy/councillors,-democracy-and-elections/councillors-declaration-of-interest	Free via website
Licensing Act 2003 register	Available to inspect	Free to view
Register of Hackney Carriage Licence Holders	Available to inspect	Free to view
Register of Private Hire Licence Holders	Available to inspect	Free to view
Register of Society lotteries	Available to inspect	Free to view
Register of Electors	Available to inspect	Free to view
Register of planning applications	http://www.tmbc.gov.uk/services/environment-and-planning/planning/planning-area-search-service	Free via website. Hard copy version available to inspect.
Register of planning enforcement notices	Available to inspect	Free to view
Register of houses in multiple occupation	Available to inspect	Free to view
Register of Caravan Site licences	Available to inspect	Free to view
Assets of Community Value	Available to inspect	Free to view

Register		
Asset Register	Available to inspect	Free to view

7. THE SERVICES WE OFFER

A-Z Services	http://www.tmbc.gov.uk/services-a-z	Free via website
Customer Services	http://www.tmbc.gov.uk/services/council-and-democracy/customer-services	Free via website
Complaints	http://www.tmbc.gov.uk/services/council-and-democracy/complaints/complaints-procedure	Free via website
