

**TONBRIDGE & MALLING BOROUGH COUNCIL**

**GENERAL PURPOSES COMMITTEE**

**23 June 2014**

**Report of Director of Central Services and Monitoring Officer**

**Part 1- Public**

**Matters for recommendation to Council**

**This report seeks the approval of Members to adopt a revised publication scheme under the Freedom of Information Act 2000**

**1 FREEDOM OF INFORMATION – PUBLICATION SCHEME**

- 1.1.1 The Freedom of Information Act 2000 created a general right of access to information held by public authorities. Under the Act, public authorities have a specific obligation to adopt and maintain a publication scheme which has been approved by the Information Commissioner (ICO), and make certain information available to the public as a matter of course through that scheme.
- 1.1.2 To assist public authorities in meeting this obligation the ICO has developed model publication schemes, which all public authorities are required to adopt. The scheme is available in 2 versions – one is designed for those public authorities that are only covered for certain information, and the other is for all other public authorities. The model scheme applicable to Tonbridge & Malling (the latter of the 2 versions) commits the Borough Council to publish certain classes of information. It also specifies how we should make the information available, what we can charge and what we need to tell the public about the scheme.
- 1.1.3 The Borough Council's publication scheme was last reviewed by Members in December 2008. The scheme adopted at that time followed the requirements of the 2008 model scheme.
- 1.1.4 In August 2013 the ICO published revised model publication schemes. Our publication scheme has therefore been revised to ensure it complies with the revised scheme.

**1.2 The model scheme**

- 1.2.1 The model scheme commits a public authority to proactively make the following seven classes of information available to the public –
- (a) Who the authority is and what it does;
  - (b) What the authority spends and how it spends it;

- (c) What the authority's priorities are and how it is planning to meet these priorities;
- (d) How the authority makes decisions;
- (e) The authority's policies and procedures;
- (f) Lists and registers the authority holds;
- (g) The services the authority offers;

1.2.2 We are required to review and update the information contained within the scheme on a regular basis.

1.2.3 A revised publication scheme is attached as **Annex 1**.

### **1.3 Legal Implications**

1.3.1 The Borough Council is required to adopt and maintain a publication scheme under section 19 of the Freedom of Information Act 2000.

### **1.4 Financial and Value for Money Considerations**

1.4.1 The Freedom of Information Act does not specify how much a public authority may charge for information published in accordance with a publication scheme. However, material that is published and accessed online under the model scheme must be provided free of charge.

1.4.2 Any charges that are levied must be published, indicating when we will charge and how much.

### **1.5 Risk Assessment**

1.5.1 Not applicable.

### **1.6 Equality Impact Assessment**

1.6.1 See 'Screening for equality impacts' table at end of report

### **1.7 Recommendations**

1.7.1 RECOMMENDED that the publication scheme at Annex 1 be adopted.:

Background papers:

contact: Adrian Stanfield

Nil

Adrian Stanfield

Director of Central Services and Monitoring Officer

<b>Screening for equality impacts:</b>		
<b>Question</b>	<b>Answer</b>	<b>Explanation of impacts</b>
a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?	No	
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	No	
c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?		Not applicable.

*In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.*