



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 2018

The Data Protection Act 2018 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 foi@tmbc.gov.uk or to:

Administrative and Property Services
 Tonbridge & Malling Borough Council
 Gibson Building

Gibson Drive
Kings Hill
West Malling
ME19 4LZ

Please provide as much detail as possible to help us find the information.

Note that the Data Protection Act 2018 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 Deputy Chief Executive 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 0303 123 1113, by fax on 01625 524 510, 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	Tonbridge and Malling Borough Council – Tonbridge and Malling Borough Council (tmbc.gov.uk)	Free via website
Visiting Council Offices	Contact us – Tonbridge and Malling Borough Council (tmbc.gov.uk)	
Council constitution	Read our constitution – Tonbridge and Malling Borough Council (tmbc.gov.uk)	Free via website
Council Meetings – agendas and minutes	Browse Meetings, 2022 (tmbc.gov.uk)	Free via website
Emergency Plans	Free to inspect	Free to view
Elected member contact details / pictures	Your Councillors (tmbc.gov.uk)	Free via website
Organisation chart	Tonbridge and Malling Borough Council organisation chart – Tonbridge and Malling Borough Council (tmbc.gov.uk)	Free via website
Code of conduct	Code of conduct for councillors – Tonbridge and Malling Borough Council (tmbc.gov.uk)	Free via website
Elections	Voting and elections – Tonbridge and Malling Borough Council (tmbc.gov.uk)	Free via website

2. WHAT WE SPEND AND HOW WE SPEND IT:

Budget	The council budget – Tonbridge and Malling Borough Council (tmbc.gov.uk)	Free via website
Medium Term Financial Strategy	The council budget – Tonbridge and Malling Borough Council (tmbc.gov.uk)	
Expenditure over £500	Council spending – Tonbridge and Malling Borough Council (tmbc.gov.uk)	Free via website
Statement of Accounts	The council budget – Tonbridge and Malling Borough Council (tmbc.gov.uk)	Free via website
Parking revenue	Parking income and expenditure – Tonbridge and Malling Borough Council (tmbc.gov.uk)	Free via website
Controlled parking spaces	Parking – Tonbridge and Malling Borough Council (tmbc.gov.uk)	Free via website
Trade union facility time	Trade union facility time – Tonbridge and Malling Borough Council (tmbc.gov.uk)	Free via website
Capital Strategy	The council budget – Tonbridge and Malling Borough Council (tmbc.gov.uk)	Free via website
Procurement Strategy	Tonbridge and Malling procurement strategy – Tonbridge and Malling Borough Council (tmbc.gov.uk)	Free via website
Members’ Allowances & Expenses	Councillors - allowances and expenses – Tonbridge and Malling Borough Council (tmbc.gov.uk)	Free via website
Senior Officers’ salaries	Council senior staff and salaries – Tonbridge and Malling Borough Council (tmbc.gov.uk)	Free via website
Grants	Grants to voluntary, community and social enterprise organisations – Tonbridge and Malling Borough Council (tmbc.gov.uk)	Free via website
Contracts	Bid for council contracts – Tonbridge and Malling Borough Council (tmbc.gov.uk)	Free via website
Fraud	Tackling fraud – Tonbridge and Malling Borough Council (tmbc.gov.uk)	Free via website

3. WHAT OUR PRIORITIES ARE AND HOW WE ARE DOING

Performance	http://www.tmbc.gov.uk/services/council-and-democracy/performance/council-performance	Free via website
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4. HOW WE MAKE DECISIONS

Constitution	Read our constitution – Tonbridge and Malling Borough Council (tmbc.gov.uk)	Free via website
Forthcoming Key Decisions	Browse plans - Cabinet, 2022 (tmbc.gov.uk)	Free via website
Cabinet Member Decisions	Your Councillors (tmbc.gov.uk)	Free via website
Standards	Code of conduct for councillors – Tonbridge and Malling Borough Council (tmbc.gov.uk)	Free via website
Petition Scheme	Petitions – Tonbridge and Malling Borough Council (tmbc.gov.uk)	Free via website
Overview & Scrutiny Committee	Committee details - Overview and Scrutiny Committee (tmbc.gov.uk)	Free via website
Local Code of Corporate Governance	Available to inspect	Free to view

5. OUR POLICIES AND PROCEDURES

Pay Policy Statement	Annual pay policy statement – Tonbridge and Malling Borough Council (tmbc.gov.uk)	Free via website
Equality Policy Statement	Equality policy statement and objectives – Tonbridge and Malling Borough Council (tmbc.gov.uk)	Free via website
Local Plan	Local plan – Tonbridge and Malling Borough Council (tmbc.gov.uk)	Free via website
Open Space Strategy	Available to inspect	Free to view
Tree Safety Strategy	Available to inspect	Free to view
Food Sampling Policy	Environmental health – Tonbridge and Malling Borough Council	Free via website

	tmbc.gov.uk	
Council Tax Reduction Scheme	Council tax and benefits – Tonbridge and Malling Borough Council (tmbc.gov.uk)	Free via website
Private Sector Housing Enforcement Policy 2022	Decision - Private Sector Housing Enforcement Policy (tmbc.gov.uk)	Free via website
Guidance to HMO Amenity Standards	Housing amenity standards – Tonbridge and Malling Borough Council (tmbc.gov.uk)	Free via website
Housing Assistance policy	Issue - items at meetings - Housing Assistance Policy Amendments (tmbc.gov.uk)	Free via website
Temporary Accommodation Policy	Housing strategy and policy – Tonbridge and Malling Borough Council (tmbc.gov.uk)	Free via website

6. LISTS AND REGISTERS

Notification of Members' interests / Register of gifts / hospitality	Your Councillors (tmbc.gov.uk)	Free via website
Licensing Act 2003 register	Licences – Tonbridge and Malling Borough Council (tmbc.gov.uk)	Free to view
Register of Hackney Carriage Licence Holders	Licences – Tonbridge and Malling Borough Council (tmbc.gov.uk)	Free to view
Register of Private Hire Licence Holders	Licences – Tonbridge and Malling Borough Council (tmbc.gov.uk)	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	View and comment on planning applications – Tonbridge and Malling Borough Council (tmbc.gov.uk)	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 Register	Community services – Tonbridge and Malling Borough Council (tmbc.gov.uk)	Free to view
Details of all land and building assets	Land and buildings – Tonbridge and Malling Borough Council (tmbc.gov.uk)	Free to view
Public Health Funerals Record	Available to inspect	Free to view

7. THE SERVICES WE OFFER

A-Z Services	Tonbridge and Malling Borough Council – Tonbridge and Malling Borough Council (tmbc.gov.uk)	Free via website
Customer Services	Contact us – Tonbridge and Malling Borough Council (tmbc.gov.uk)	Free via website
Complaints	Make a complaint – Tonbridge and Malling Borough Council (tmbc.gov.uk)	Free via website
