

Freedom of Information Act (2000) – Publication Scheme Policy

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1. Introduction

In implementing the Freedom of Information Act 2000 Bury Metropolitan Council promotes an understanding of the work undertaken within the Council, to foster a spirit of trust with the public and other organisations. We achieve this by promoting transparency in the way we make our decisions and by providing clear information about our policies and processes through our publication scheme. We deal with individual requests for information courteously and promptly and provide advice and assistance if necessary.

This policy is part of Bury Council's Information Governance Framework and should be read in conjunction with the other policies and procedures within the framework.

What is Freedom of Information?

The Freedom of Information Act 2000 gives a general right of access to all types of recorded information held by public authorities. It lists exemptions from that right and places a number of obligations on public authorities.

The Act came into force in two stages:-

- The first stage was in February 2003 when Bury Council adopted a Publication Scheme.
- The second stage came into force in January 2005. Any person now making a request to a public authority for information must be informed whether the public authority holds that information and supplied with that information. This is subject to a number of exemptions listed in the Act.

2. What is a Publication Scheme?

A Publication Scheme is a guide to the classes of information that the Council publishes or intends to publish routinely. The term "published" is broad and is not limited to information produced in paper forms. As far as the Freedom of Information Act 2000 is concerned, information made

publicly available has been published. The Publication Scheme also covers environmental information, requests for which would be handled under the Environmental Information Regulations 2004. Therefore, information on the Council's website is as much part of the Publication Scheme as printed documents.

What are classes of information?

A requirement of the Act is to specify "classes" of information that the Council will publish within its Publication Scheme.

The Information Commissioner has issued a 'Model Publication Scheme' and from 1 January 2009 Bury Council has adopted the 'Model Scheme'.

The Model Scheme contains 7 classes of information:

1. Who we are and what we do – organisational information, locations and contacts, constitutional and legal governance.
2. What we spend and how we spend it – financial information relating to projected and actual income and expenditure, tendering, procurement and contracts
3. What our priorities are and how we are doing – strategy and performance information, plans, assessments, inspections and reviews.
4. How we make decisions – policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations.
5. Our policies and procedures – current written protocols for delivering our functions and responsibilities.
6. Lists and registers – information held in registers required by law and other lists and registers relating to the functions of the authority.
7. The service we offer – advice and guidance, booklets and leaflets, transactions and media releases. 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.

By adopting the Information Commissioner's 'Model Scheme' Bury Council is committed to the following:

- 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 the terms of the Re-use of Public Sector Information Regulations 2015, if they apply, and otherwise under the terms of the Freedom of Information Act section 19. The term 'dataset' is defined in section 11(5) of the Freedom of Information Act. The term 'relevant copyright work' is defined in section 19(8) of that Act.

How will I request additional information not covered by this Scheme?

The Council includes as much information in the Publication Scheme as it can, however, if you cannot find what you are looking for you can make a request of the information.

The Act is retrospective and information requests can be for information created before the Act came fully into force in 2005. However, where any of the information comes within an exempt category either under the Freedom of Information Act 2000 or other relevant legislation, it will be published with the exempt material deleted.

Will I be charged for information?

The purpose of this scheme is to make the maximum amount of information readily available at minimum inconvenience and cost to the public.

Material which is published and accessed on the website can be downloaded free of charge. Some information may only be available in hard copy and some information will only be available for inspection.

Charges may be made for information subject to a legal charging regime. Charges under the publication scheme may be made for actual disbursements such as:

- Photocopying
- Printing
- Postage and packaging
- The cost directly incurred as a result of viewing information
- Any charges will be in accordance with the Council's policy

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.

Making a complaint

If you are not satisfied with the Council's response to a request for information you may request an internal review by emailing or writing to the Council's Data Protection Officer at IG@bury.gov.uk within 40 days of our response and a senior officer will review the decision.

You can also complain to the Information Commissioner, who is the regulator for Freedom of Information. The website is <https://ico.org.uk/> and the helpline number is 0303 1231113.

ICO staff may ask you to exhaust our internal review procedure if you choose to complain to the ICO.

Reviewing and maintaining the scheme

The Freedom of Information Act 2000 states that a publication scheme should be reviewed from time to time. The Council is responsible for reviewing and maintaining this guide to information and the data it contains. Material will be updated and any outdated information will be removed.

Copyright

Reproducing material supplied under this Publication Scheme without the express permission of the Council may be an infringement of copyright. Requests for permission to reproduced should be addressed to the Information Governance Team at the address above.

3. Guide to Information

The Council's web pages – www.bury.gov.uk – provide a guide to the information available and there is also a search facility to assist you to find information.

The term 'published' is broad and is not limited to information made available via the website. Some information may be published in paper form.

1. Who we are and what we do

- **Council Constitution**

The Council's Constitution.

- **Council democratic structure**

Information about the functioning and process of meetings (Council Meetings, Executive and other Committees). Information about decision-making and scrutiny.

- **Council directorate structure**

Information about the directorate areas within the Council.

- **Location and opening times of Council properties**

Information about locations, opening times and contact details of all the Council's centres/buildings, which are there to enable the public to access Council Services.

- **Currently elected Councillors' information and contact details**

Currently elected councillors including part, membership of committees, address, telephone number and email contact.

- **Contact details for customer contact centre**

Telephone numbers for customer contacts centre

- **Most recent election results**

Election results indicating the political composition of the Council.

- **Relationships with other authorities**

Information about our partners, including about the Greater Manchester Fire and Rescue Service, Greater Manchester Combined Authorities, Greater Manchester Police, Transport for Greater Manchester, NHS.

2. What we spend and how we spend it

- **Financial statements, budgets and budget monitoring reports**

The Council's Statement of Accounts.

Financial plan

- **Capital programme**

Asset Management Plan.

- **Spending reviews**

The Council's Statement of Accounts and Committee reports.

- **Financial audit reports**

For example, within Audit Reports, Annual Governance Reports and Best Value Reports.

- **The members' allowances scheme and the allowances paid under it to the councillors each year**

For example, the allowances members are entitled to claim and the amount each member received in expenses.

- **Staff allowances and expenses**

Mileage, accommodation, subsistence rates that can be claimed by staff.

- **Pay and grading structure**

Salary bands for all grades, including senior and chief officer grades.

- **Details of contracts currently being tendered**

Procurement policies and guidance. Contracts currently available for their value.

- **List of contracts awarded and their value**

Contracts awarded under the Public Contract Regulations 2006 as published in The Official Journal of the European Union.

- **Auditor's reports**

Audit Reports, Annual Governance Reports and Best Value Reports.

- **Financial statements for projects and events**

The Council's Statement of Accounts.

- **Internal financial regulations**

Financial regulations under the Council's Standing Orders, as contained in the Council's Constitution.

- **Funding for partnership arrangements**

Partnership funding.

3. What are our priorities and how are we doing

- **Annual reports**

The Council's Annual Report/the Council's Plan.

- **Strategies and business plans for services provided by the Council**

Strategies, business and service plan for directorates, departments and services including the Corporate Council, Let's Do It Strategy and the Capital Strategy and Asset Management Plan.

- **Best value performance plans**

For example, best value performance plans and auditor's reports.

- **Internal and external organisation performance reviews**

Performance information and self-assessments against statutory codes

- **Strategies developed in partnership with other authorities**
For example, housing strategies and plans, education strategies, homeless strategies, customer involvement strategies, crime reduction strategies.
- **Economic development action plan**
Economic development strategy and plan
- **Forward plan**
The Council's Forward Plan which details the Key Decisions that the Council is going to take.
- **Capital strategy**
Asset Management Plan.
- **Best value performance indicators**
Information about the Council's Best Value Performance Plan and about inspections and annual governance reports.
- **Auditor's reports on the best value performance plan and performance indicators**
For example, within Audit Reports, the Annual Report and Best Value Reports.
- **Inspection reports**
Publicly available inspection reports, for example, Local Development Framework Annual Monitoring Reports, The Council's Annual Report, and Youth Service Quarterly Reports.
- **Local Area Agreements**
Partnership agreements made by the Council by working with various groups and partnerships in the public, private, voluntary, community and faith sectors.
- **Statistical information produced in accordance with the Council's and departmental requirements**
For example, information about schools attendance, and population and employment.
- **Impact assessments**
Executive Reports containing Impact Assessment (Such as Equality Impact Assessments)
- **Service standards**
Customer Charter and Service Standards.

- **Public service agreements**

Local public service agreements.

4. How we make decisions

- **Timetable of council meetings**

Committee dates for the current year.

- **Agendas, officers' reports, background papers and minutes of council committee, sub committee and standing forum meetings**

Public information on the Council's decision recording system.

- **Major policy proposals and decisions**

Information on The Council's Forward Plan and via public information on the Council's decision recording system.

- **Facts and analysis of facts considered when framing major policies**

Information on The Council's Forward Plan and via public information on the Council's decision recording system.

- **Public consultations**

Consultation papers or information, any summary of the responses and the outcome of the consultation exercise.

5. Our policies and procedures

- **Policies and procedures for conducting council business**

The Council's Constitution.

- **Policies and procedures about the recruitment and employment of staff**

For example, employment information, current vacancies, Equality and Diversity Policy, Health and Safety Policy.

- **Customer service**

For example, Customer Service Charter and Complaints Policy.

- **Information Governance**

For example, Data Protection Policy, Subject Access Requests, Freedom of Information, Environment Information Regulations, privacy notices

- **Charging regimes and policies**

For example, Licensing Fees and Charges, Building Control Charges, Service Charges for Council Tenants, Local Land Charges.

6. Lists and registers

Available for inspection only

- **Public registers and registers held as public records**

For example, Index of Births, Deaths and Marriages, Register of Electors, Register of Premises Licences and Club Premises Licences, Register of Hackney Carriage Drivers.

- **Asset registers**

Corporate Asset Management Plan.

- **Register of councillors' financial and other interests**

Register of Members' Interests in accordance with the Local Government Act 2000 [Section 81]

- **Highways, licensing, planning, commons, footpaths etc**

For example, Definitive Maps, Register of adopted highways, Register of Planning Applications, Register of Common Land.

7. Services provided by the council

Details of all the Council's Services can be found in the Council's Directory of Service.

- **Regulatory and licensing responsibilities**

For example, hackney carriage licensing, motor salvage licensing, amusement licensing, liquor licensing.

- **Services for local businesses**

For example, business services and advice in respect of financial support, property advice, business opportunities, recruitment of staff.

- **Services for other organisations**

For example, student groups, youth groups and club activities.

- **Services for members of the public**

Details of all the Council's Services can be found in the Council's Directory of Services.

- **Services for which the council is entitled to recover a fee, together with those fees**

For example, Licensing Fees and Charges, Building Control Charges, Service Charges for Council Tenants, Local Land Charges.

- **Information for visitors to the area, leisure information, events, museums, libraries and archive collections**

Information about the local area.

- **Leaflets, booklets and newsletters**

Various leaflets and council publications available in council offices, district centres, libraries etc.

- **Advice and guidance**

For example, advice on debts and benefits, consumer advice, affordable house.

- **Media releases**

Press statements and releases.

- **Election information**

For example, elections, results, forthcoming elections and voting procedures.