

CILYBEBYLL COMMUNITY COUNCIL, September 2018

FREEDOM OF INFORMATION ACT (FOIA) 2000

PUBLICATION SCHEME

1. BACKGROUND

- 1.1 The Freedom of Information Act 2000 (“The Act”) gives a general right of access to all types of recorded information held by public authorities, subject to specified exemptions, and places a number of obligations on defined public authorities. Any person who makes a request to a public authority for information must be informed whether the public authority holds that information and, subject to exemptions, must be supplied with that information.
- 1.2 Individuals have the right of access to information about themselves under the Data Protection Act 2018 (supersedes the 1998 Act). As far as public authorities are concerned, the Freedom of Information Act extended the right to allow public access to all types of information held.
- 1.3 Cilybebyll Community Council is a public authority for the purposes of the Act and is required to adopt, produce and publish a publication scheme setting out the classes of information it holds, the manner in which it intends to publish the information and whether a charge will be made for the information. The purpose of the Council’s scheme is to ensure that a significant amount of information is available, without the need for a specific request. It enables the Council to publish more information proactively and to develop a greater culture of openness.
- 1.4 A Model Publication Scheme has been prepared and approved by the Information Commissioner (ICO). It is a generic model which had to be adopted and operated by all public authorities from 01 January 2009 without modification, but duly completed to reflect the Council’s intentions.

2. SCOPE AND FORMAT OF PUBLISHED INFORMATION

- 2.1 The Information Commissioner approved a model publication scheme for Town and Community Councils in England and Wales. This scheme dictated the scope and format of published information and the Cilybebyll Community Council Publication Scheme was duly prepared, based the model scheme, and was adopted some years ago.

2.2 When originally prepared the Council's scheme predated certain requirements imposed by Welsh Government relating to information to be published on council websites. The scheme has, therefore, been reviewed and an amended version is attached to this report for consideration by Members with formal adoption at the next Annual Meeting. Much of the information specified in the various classes is now available on the Council's website for inspection although hard copy will continue to be available if requested.

3. EXCLUDED INFORMATION AND AGE LIMITATIONS

3.1 The following information is excluded from the Council's Publication Scheme.

- a) Personal information relating to Councillors – individual Member information, the Register of Interests and a Statement of Payments are required by Welsh Government to be published on the Council's website
- b) Information relating to private individuals including Council employees' personal records, by virtue of it being personal data under the Data Protection legislation.
- c) General correspondence sent or received by the Council
- d) Commercially sensitive information including quotations, tenders, contracts, insurance policies, leases/tenancy details and documents relating to any litigation.
- e) Unless otherwise specified in the scheme, information relating to planning, highways and rights of way/footpaths is available from NPTCBC as Local Planning and Local Highway Authority respectively.
- f) Information relating to allotments and land, including individual tenancy agreements and rent payment records, under both privacy and data protection legislation.

3.2 In certain classes there may be a limitation on the age of some documentation which is automatically available as a matter of course within the scheme. Information beyond a specified age limit may still be available automatically under the scheme or may need to be requested specifically. Where age limitations apply these are indicated in brackets.

4 CHARGING POLICY

4.1 Information as hard copy can be inspected at the Council offices, by appointment, free of charge, but some will be available on community centre notice boards.

- 4.2 Information which can be photocopied without breaching copyright laws will be copied by the Community Council at a cost of 10p per A4 sheet.
- 4.3 Where the Council is required to undertake a detailed search of records which will take longer than 18 hours, (in line with the appropriate cost ceiling - section 12 of the FOIA), an estimate of costs will be determined and conveyed to the applicant, so that the applicant may consider whether it would be appropriate to narrow the scope of the request.
- 4.4 The cost of actual Royal Mail postage will be charged if applicable.

5 SCHEME REVIEW

- 5.1 This scheme will be reviewed no later than three years from the date of approval by the Information Commissioner.

6. GENERAL INFORMATION:

Cilybebyll Community Council
13 Heol y Parc
Alltwen
Pontardawe
SWANSEA
SA8 3BN

Tel: 01792 864061
Email address: cilybebyllcc@gmail.com

Web site: www.cilybebyll.net

Officer responsible for scheme: Rowland Lanchbury, Clerk to the Council

Information available from CILYBEBYLL COMMUNITY COUNCIL under the MODEL PUBLICATION SCHEME, and prepared in accordance with the FREEDOM OF INFORMATION ACT

Information to be published	How the information can be obtained	Cost
Class1 - Who we are and what we do (Organisational information, structures, locations and contacts) This will be current information only		
Who's who on the Council and its Committees	Website Hard copy – contact Clerk	Free 10p/sheet + postage
Contact details for Clerk and Council members (named contacts where possible with telephone number and email address (if used))	Website Hard copy – contact Clerk	Free 10p/sheet + postage
Location of main Council office and accessibility details	Website Hard copy – contact Clerk	Free 10p/sheet + postage
Staffing structure	Website Hard copy – contact Clerk	Free 10p/sheet + postage
Class 2 – What we spend and how we spend it (Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit) Current and previous financial year as a minimum		
Annual Precept	Website Hard copy Minutes – contact Clerk	Free 10p/sheet + postage
Accounts – Annual Return, Annual Financial Statement	Website Hard copy on community centre notice boards – contact Clerk	Free 10p/sheet + postage
Accounts - reports by Internal and External Auditors	Hard copy for Inspection – contact Clerk	
Annual Budget	Hard copy – contact Clerk	Free 10p/sheet + postage
VAT Records	Hard copy for Inspection – contact Clerk	
Financial Regulations	Website Hard copy – contact Clerk	Free 10p/sheet + postage

Information to be published	How the information can be obtained	Cost
Grants given and received	Website - Minutes Hard copy – contact Clerk	Free 10p/sheet + postage
List of current contracts awarded and value of contract	Website - Minutes Hard copy Minutes – contact Clerk	Free 10p/sheet + postage
Members' Remuneration – Statement of Payments	Website Hard copy – contact Clerk	Free 10p/sheet + postage
Class 3 – What our priorities are and how we are doing (Strategies and plans, performance indicators, audits, inspections and reviews)		
NPT Local Well Being Plan (current and previous year as a minimum)	Available from Neath Port Talbot CBC	
Local charters drawn up in accordance with WAG, OVW & WLGA guidelines	Not applicable – none prepared	
Class 4 – How we make decisions (Decision making processes and records of decisions) Current and previous council year as a minimum		
Timetable of meetings (Council, any committee/sub-committee meetings and community meetings)	Website Hard copy – contact Clerk	Free 10p/sheet + postage
Agendas of meetings (as above)	Website Hard copy – contact Clerk	Free 10p/sheet + postage
Minutes of meetings (as above) – excluding information that is properly regarded as confidential	Website Hard copy – contact Clerk	Free 10p/sheet + postage
Reports presented to council meetings – excluding information that is properly regarded as confidential	Hard copy for inspection – contact Clerk	
Responses to consultation papers	Hard copy – contact Clerk	10p/sheet + postage
Responses to planning applications	Website – Minutes Hard copy – contact Clerk	Free 10p/sheet + postage
Bye laws – None within Council's responsibility	Hard copy – contact Clerk	10p/sheet + postage

Information to be published	How the information can be obtained	Cost
Class 5 – Our policies and procedures (Current written protocols, policies and procedures for delivering our services and responsibilities) Current information only		
Policies and procedures for the conduct of council business: <ul style="list-style-type: none"> • Procedural standing orders • Committee and sub-committee terms of reference – not required as roles explicit • Delegated authority in respect of officers - no delegated powers available • Code of Conduct • Policy statements, where relevant 	Unless otherwise stated and as appropriate – Website Hard copy – contact Clerk	Free 10p/sheet + postage
Policies and procedures for the provision of services and about the employment of staff: <ul style="list-style-type: none"> • Internal policies relating to the delivery of services • Equality and Diversity policy • Health and Safety policy • Recruitment policies • Complaints procedures 	Electronic or hard copy where available – contact Clerk Written policies and procedures which are not available – deference to procedures adopted by NPT CBC or through One Voice Wales, where necessary – contact Clerk. Complaints should be made to the Chairman of the Council or to the Clerk in writing	Free 10p/sheet + postage
Data Protection Policy	Website Hard copy – contact Clerk	Free 10p/sheet + postage
Freedom of Information Act, Publication Scheme	Website Hard copy – contact Clerk	Free 10p/sheet + postage
Records Management Policy (records retention, destruction and archive)	Website Hard copy – contact Clerk	Free 10p/sheet + postage
Schedule of hire charges	Website Hard copy – contact Clerk	Free 10p/sheet + postage
Class 6 – Lists and Registers Currently maintained lists and registers only		
Asset Register	Hard copy for inspection	

Information to be published	How the information can be obtained	Cost
Disclosure log (indicating the information that has been provided in response to requests; recommended as good practice, but may not be held by community councils) – none held		
Members' Declaration of Acceptance of Office	Hard copy for inspection – contact Clerk	
Register of Members' interests	Website Hard copy Minutes – contact Clerk	Free 10p/sheet + postage
Register of gifts and hospitality – none held, not applicable given nature of Council		
Class 7 – The services we offer (Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses) Current information only		
Information to be published	How the information can be obtained	Cost
Allotments and Land – site plan	Hard copy for inspection – contact Clerk	
Burial grounds and closed churchyards – none within Council's responsibility		
Community centres and village halls	Website Hard copy – contact Clerk	Free 10p/sheet + postage
Parks, playing fields and recreational facilities	Website Hard copy – contact Clerk	Free 10p/sheet + postage
Seating, litter bins, clocks, memorials and lighting – within Council premises only	Website Hard copy – contact Clerk	Free 10p/sheet + postage
Bus shelters – none within Council's responsibility		
Markets - none within Council's responsibility		
Public conveniences - none within Council's responsibility		
Agency agreements – maintenance of public rights of way for principal council	Hard copy – contact Clerk	10p/sheet + postage
A summary of services for which the council is entitled to recover a fee, together with those fees (eg burial fees) - none within Council's responsibility		

SCHEDULE OF CHARGES

This describes how the charges have been arrived at and should be published as part of the guide.

TYPE OF CHARGE	DESCRIPTION	BASIS OF CHARGE
Disbursement cost	Photocopying @ 10p per sheet (black & white)	Actual cost *
	Photocopying @ 10p per sheet (colour)	Actual cost
	Postage	Actual cost of Royal Mail standard 2 nd class
Statutory Fee	None applicable	In accordance with the relevant legislation (quote the actual statute)
Other	None applicable	

* the actual cost incurred by the public authority