

Freedom of Information Publication Scheme

DPA

October 2021

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Version Control

| Version | Description of version | Effective Date |
|---------|---|----------------|
| 1.0 | Publication of original scheme | December 2011 |
| 2.0 | Review and update | February 2016 |
| 3.0 | Put into new template | March 2017 |
| 4.0 | Website links updated | January 2018 |
| 5.0 | Put into new template and website links updated | April 2020 |
| 6.0 | Review following Audit | September 2021 |

Approvals

| Approved by | Date |
|--|---------------|
| Finance and Management Committee | December 2011 |
| Director of Finance and Corporate Services | February 2016 |
| Director of Finance and Corporate Services | March 2017 |
| Strategic Director (Corporate Resources) | April 2020 |
| Finance and Management Committee | October 2021 |



1. Introduction

Under the Freedom of Information Act 2000 (*the Act*) the Council has a duty to adopt and maintain a Publication Scheme (*the Scheme*) setting out:

- The method by which information published under the Scheme will be made available
- Charges which may be made for information published under this scheme
- The classes of information it publishes

The aim of the Scheme is to set out what information is automatically or routinely published by the Council. This is to ensure that as much information as possible which may be of interest to the Public, is available without the need for specific requests to be made.

Obtaining Information: General Points

The information listed in this Scheme is supplied free of charge and can be accessed from the Council's website at: www.southderbyshire.gov.uk

Where applicable, the appropriate link is highlighted in this Scheme to the category of information listed. Where this is not the case, the Scheme sets out where and how the information can be accessed.

Information held by the Council that is not published directly under this Scheme can be requested in writing, when its provision will be considered in accordance with the FOI Act.

Freedom of Information Requests to the Council should be made to:
FOI@southderbyshire.gov.uk

Exemptions

Although the Act creates a general right of access to information, it also sets out exemptions. The classes of information will not generally include:

- Information the disclosure of which is prevented by law, or is exempt under the Act, or is otherwise properly considered to be protected from disclosure as it could for example, prejudice the health, safety or security of the Council, its staff, IT systems, services and property.
- Information in draft form.
- Information that is no longer available as it is contained in files that have been placed in archive storage or is difficult to access for similar reasons.



If the Council feels that information prevented by law is exempt, it will rely on one of the provisions in the Act to decline a request for information.

The requester has the right of appeal under the Council's internal procedure for FOIs, details of which are available at: [FOI Process and Procedure](#)

If after the appeal, the information is still not disclosed to the satisfaction of the requester, they can ask the Information Commissioner's Office (ICO) to review the decision. The ICO is the Government department that oversees and enforces FOI and can be contacted at: <https://ico.org.uk/>

Data Protection

A significant amount of information that the Council holds is personal and confidential to individuals. This information is not generally available under a FOI request.

Under the Data Protection Act 2018, the Council has a duty to safeguard such information. Individuals have a right to see what information the Council holds on them personally through a *Subject Access Request (SAR)*.

Details on how to request this information is available at: [Data Protection and SAR Application](#)

Management of the Scheme

The Council Officer responsible for maintaining the Scheme is the Strategic Director (Corporate Resources). The Council's nominated Data Protection Officer is the Head of Business Change and ICT.

Further information regarding FOI and Data Protection can be accessed at the links below. This includes contact points and sources of information.

[About FOI](#)

[About Data Protection](#)

2. How Information Published Under the Scheme is made available

Information is generally available on the Council's website. Where it is impracticable to make information available on the website or where a requester does not wish to access the information by that means, the Council will indicate how information can be obtained and provided by other means.



In exceptional circumstances some information may be available only by viewing in person. Where this manner is specified, contact details will be provided and an appointment made to view the information 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 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.

3. Charges which may be made for Information Provided

The purpose of this Scheme is to make the maximum amount of information readily available at minimum inconvenience and cost to the Public. Information published and accessed on the Council's website is clearly provided free of charge.

Charges may be made for information subject to a charging regime specified by the Government or by law, although none are known at this time.

Charges may also be made for making datasets that are relevant copyright works available for re-use. These charges will be in accordance with the terms of the *Re-use of Public Sector Information Regulations 2015*, where they apply, or with regulations made under Section 118 of the FOI Act.

Outside of this, **it is not** the Council's intention to charge for information requests and it is rare to do so. Most requests are now dealt with electronically and this avoids costs previously associated with paper format.

However, where the costs associated with photocopying, printing, postage or any other costs associated with retrieving the information, **exceed £25**, then the Council reserves the right to recover these costs. This will be made clear to a requestor before the request is dealt with and the appropriate charge will need to be paid before the information is provided.

In addition, where the administrative burden is considered to be excessive in order to answer a request, then the Council reserves the right to refuse the request under Section 12 of the Freedom of information Act.

In determining whether a request is excessive, the Council applies a limit of £450 (18 hours of staff time) as set out in Section 12. If the Council considers that this limit will be breached, it will liaise with the requestor to determine what information can be provided



within the limit.

It should be noted that in accordance with the Freedom of Information Act, no charge can be made for staff time in answering requests whether they breach the limit or not.

4. Classes of Information

This Scheme details information that can be readily accessed; this covers the categories summarised below, with further details contained in the sections which follow.

Who we are and what we do (Section A)

- Organisational information, locations and contacts, constitutional and legal governance.

What we spend and how we spend it (Section B)

- Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts.

What our priorities are and how we are doing (Section C)

- Strategy and performance information, plans, assessments, inspections and reviews.

How we make decisions (Section D)

- Policy proposals and decisions, decision making processes, internal criteria and procedures, consultations

Our policies and procedures (Section E)

- Current written protocols for delivering functions and responsibilities

Lists and registers (Section F)

- Information held in registers required by law and other lists and registers relating to the functions of the Council

The services we offer (Section G)

- Advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered.



The Council also receives many repeat requests for the same information. Therefore, to save time and resources, these datasets are published at set times during the year and relate to:

- **Business Rates Rating List**
- **Organisations receiving Business Rates Relief**
- **Business Rates - Credit Balances**
- **Private Hire Vehicle Register.**

These data sets can be accessed at [FAQs and Common Datasets](#)



A. Who we are and what we do

A significant amount of information about the Council can be accessed from the Council's main web page: <http://www.southderbyshire.gov.uk/>

A variety of information can then be accessed by following the menus and associated links.

[About the District](#)

[About the Council](#)

Organisational Chart: The Leadership Team and Heads of Service

[How to Contact us and Social Media Channels](#)

[The Democratic Process and Elected Members](#)

[Elections and Voting](#)

B. What we spend and how we spend it

[Accounts and Financial Statements](#)

[Budgets and Medium-term Financial Plans](#)

[Fees and Charges](#)

[The Contracts Register and Tenders](#)

[Pay Policy and Member's Allowances](#)

[Detailed Transactions](#)

C. What are our priorities and how we are doing

[The Corporate Plan](#)

[Service Plans by Directorate](#)

[The Annual Report](#)

[Performance Monitoring](#)

[Annual Governance Statement](#)



D. How we make decisions

[Committee Meetings, Reports, Minutes and Decision Notices](#)

[Timetable of Meetings](#)

[Become involved, Consultations, Comments and Complaints](#)

[Safer Neighbourhood and Area Forums](#)

E. Our Policies and Procedures

[The Council's Constitution, Rules of Procedure and Regulations](#)

F. Lists and Registers

[Public Registers](#)

[Assets of Community Value](#)

G. The services we offer

[A list and summary of services](#)

