

# Freedom of Information Publication Scheme

April 2020



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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     |

## 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    |



## 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 classes of information it publishes
- How and where information is published
- Whether a charge is made for information

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

The information listed in this Scheme is supplied free of charge and can be accessed from the Council's web-site at: [www.southderbyshire.gov.uk](http://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.

Freedom of Information Requests to the Council should be made to [FOI@southderbyshire.gov.uk](mailto:FOI@southderbyshire.gov.uk)

### Classes of information

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

| Section | Category  | Type of information   |
|---------|---|---|
| 2       | <i>Details about the Council</i>                        | The Council's Constitution, organisational information, structures, policies and procedures.                  |
| 3       | <i>The Council's Finances</i>                           | Information on the cost of services, financing, audit reports, pay, pensions, contracts and invoice payments. |
| 4       | <i>The Council's priorities and service performance</i> | The Corporate Plan, Annual Reports, the main service plans and strategies.                                    |



|   |   |  |
|---|---|--|
| 5 | <i>How the Council makes decisions</i>                              | Details about Committees, the Council's Constitution and communications.                                     |
| 6 | <i>Lists and Registers that the Council is required to maintain</i> | This includes licensed premises, contaminated land and community assets.                                     |
| 7 | <i>Services provided</i>  | A summary of the Departmental structure, together with details of the main services provided by the Council. |

## Exemptions

Although the Act creates a general right of access to information, it also sets out exemptions. This relates to information that if published, might prejudice the health, safety or security of the Council, its staff, systems, services and property.

If the Council feels that information 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, details of which are available at: <http://www.southderbyshire.gov.uk/about-us/freedom-of-information>

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 1998, 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*. Details on how to request this information is available at: <https://www.southderbyshire.gov.uk/about-us/data-privacy-and-cookies>

## Charges for Information and Requests

It is not the Council's intention to charge for information requests and it is rare to do so. However, where the administrative burden is considered to be excessive in order to answer a request, then the Council reserves the right to charge. In this case, a charge will be made for disbursements such as printing and administrative time, where costs exceed £500.



## Management of the Scheme

The Council Officer responsible for adopting and 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.

<http://www.southderbyshire.gov.uk/about-us/freedom-of-information>

<https://www.southderbyshire.gov.uk/about-us/data-privacy-and-cookies>

## 2. Details about the Council

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.

### The Council's constitution and democratic structure

The Constitution contains the core documents which govern the Council. This consists of a number of documents that are available for public inspection and include the main policies and procedures. The documents include:

- The Articles of the Constitution
- Committee structures and Terms of Reference
- Council procedural rules
- Financial regulations
- Codes of Practice for procuring goods and services
- Standards of Conduct for Members and Officers
- The management structure of the Council

The Constitution and associated documents are available at

<http://southderbyshire.cmis.uk.com/southderbyshire/Documents/PublicDocuments.aspx>

### Contacting the Council

The various ways in which the Council can be contacted are available at

<http://www.southderbyshire.gov.uk/about-us/contact-us>

This includes the main business hours and the availability of various services.



## Contacting Elected Councillors (Members)

Details can be found at <http://www.southderbyshire.gov.uk/about-us/councillors-and-meetings>

This includes information about their roles, individual profiles and times of their surgeries. It also details any interests that they may have that could potentially conflict with their role as an elected representative.

## Elections

The most recent election results are available at <http://www.southderbyshire.gov.uk/our-services/voting-and-elections>

This includes details about how to register to vote and where voting takes place.

## 3. The Council's finances

### The Council's statement of accounts

The Statutory Accounts and Financial Statements are available at <http://www.southderbyshire.gov.uk/about-us/financial-information/spending-and-budgets>

### Financial Reporting

In accordance with the Councils' annual financial cycle, the Finance and Management Committee receive reports at each meeting detailing the Council's financial position.

These reports are a mixture of in-year budget monitoring, year-end reporting, budget and Council Tax setting, together with longer-term financial planning. Details are available at [https://southderbyshire.cmis.uk.com/southderbyshire/Committees/tabid/62/ctl/ViewCMIS\\_CommitteeDetails/mid/489/id/493/Default.aspx](https://southderbyshire.cmis.uk.com/southderbyshire/Committees/tabid/62/ctl/ViewCMIS_CommitteeDetails/mid/489/id/493/Default.aspx)

### Detailed spending

Details all expenditure incurred by the Council above £250 is available at <http://www.southderbyshire.gov.uk/about-us/open-data-and-transparency>

### Fees and charges

Details about the various fees and charges levied by the Council are available at <http://www.southderbyshire.gov.uk/about-us/financial-information/fees-and-charges>

Details about the Council's major contracts, together with tendering opportunities and the Council's procurement policy are available at <http://www.southderbyshire.gov.uk/about-us/financial-information/contracts-and-tenders>



## Members allowances

Details of allowances paid to elected members are available at <http://www.southderbyshire.gov.uk/about-us/financial-information/pay-and-allowances>

## Officers pay

Details of how pay is calculated is contained in a *Pay Policy Statement* which is updated annually and is available at <http://www.southderbyshire.gov.uk/about-us/financial-information/pay-and-allowances>

## 4. The Council Priorities and Service Performance

### The Corporate Plan

The Council's main strategy and priorities are set out in a Corporate Action Plan which is available at <http://www.southderbyshire.gov.uk/about-us/performance>

### Departmental service plans

Targets and performance by Department are available at <http://www.southderbyshire.gov.uk/about-us/performance>

### Annual Report

The latest report is available at <http://www.southderbyshire.gov.uk/about-us/performance>

### The South Derbyshire Partnership

The Council is a key part in delivering wider services and priorities across the District in partnership with other agencies from the public and community sectors. Details of its work, services, etc. are available at <http://www.southderbyshire.gov.uk/about-us/partnerships>

### Monitoring performance

In accordance with the Performance Management Framework, Performance against the Corporate Plan and Departmental Plans is monitored on a quarterly basis. This is achieved through reports to the respective Policy Committees of the Council.

Quarterly reports to the *Environmental and Development Services Committee* are available at [https://southderbyshire.cmis.uk.com/southderbyshire/Committees/tabid/62/ctl/ViewCMIS\\_CommitteeDetails/mid/489/id/491/Default.aspx](https://southderbyshire.cmis.uk.com/southderbyshire/Committees/tabid/62/ctl/ViewCMIS_CommitteeDetails/mid/489/id/491/Default.aspx)

To the *Housing and Community Services Committee* at [https://southderbyshire.cmis.uk.com/southderbyshire/Committees/tabid/62/ctl/ViewCMIS\\_CommitteeDetails/mid/489/id/496/Default.aspx](https://southderbyshire.cmis.uk.com/southderbyshire/Committees/tabid/62/ctl/ViewCMIS_CommitteeDetails/mid/489/id/496/Default.aspx)

To the *Finance and Management Committee* at [https://southderbyshire.cmis.uk.com/southderbyshire/Committees/CurrentCommittee/tabid/148/ctl/ViewCMIS\\_CommitteeDetails/mid/534/id/493/Default.aspx](https://southderbyshire.cmis.uk.com/southderbyshire/Committees/CurrentCommittee/tabid/148/ctl/ViewCMIS_CommitteeDetails/mid/534/id/493/Default.aspx)



## 5. How the Council makes decisions

### The decision making structure

The Council's decision-making structure is achieved through a delegated Committee system, with major decisions and minutes of all Committees being ratified by the Full Council.

Details of all Committee meetings and decision notices are available via an on-line system at <http://southderbyshire.cmis.uk.com/southderbyshire/Committees.aspx>

### Timetable of meetings

This is available at <http://southderbyshire.cmis.uk.com/southderbyshire/Meetings.aspx>

### Have your say

There are various ways in which the public can become involved and inform Council policy and decision making. Information is available at <http://www.south-derbys.gov.uk/about-us/have-your-say>

### Consultations

From time to time, the Council is required or deems it necessary to undertake wide consultation before making a key decision. Details of how this is undertaken, together with areas subject to recent and upcoming consultation are available at <http://www.southderbyshire.gov.uk/about-us/have-your-say/consultations>

### Area Forums

The Council also runs local area and safer neighbourhood meetings in conjunction with the Derbyshire Police and Derbyshire County Council. Although these forums are not decision making bodies, they are used as a forum to communicate with local residents and to obtain feedback on issues and forward planning.

Details of the 6 specific areas and meeting dates are available at <http://www.southderbyshire.gov.uk/our-services/crime-and-community-safety/safer-neighbourhoods>

## 6. Lists and registers

As a statutory body, the Council is required to hold public registers covering matters such as registered caravan sites, contaminated land and private hire drivers, etc. Some of the registers are not available for public inspections such as the Housing Register as this contains personal information.

A full list of public registers is available at <http://www.southderbyshire.gov.uk/our-services/licensing/public-registers>





Several of the registers are maintained directly on the Council's website whilst others may be available on request.

### Assets of community value

Under statutory provisions contained in "The Community Right to Bid," the Council is required to maintain a register of assets nominated as community value.

This register, together with details on how to make a nomination are available at <http://www.southderbyshire.gov.uk/our-services/planning-and-building-control/planning/assets-of-community-value>

### Social housing assets

The Council is also required to publish details of its social housing stock regarding its value and number. This data is available at <http://www.southderbyshire.gov.uk/about-us/open-data-and-transparency>

## 7. The Council's services

### Departmental structure

A summary of the Council's departmental structure is available at <http://www.southderbyshire.gov.uk/about-us/about-the-council>

### Services provided

A list of the all services provided by the Council can be accessed from the main web page by clicking on the appropriate button at <http://www.southderbyshire.gov.uk/>

