

Freedom of Information Act 2000

Guide to Information provided by Community/Town Councils in Wales under the model publication scheme

Introduction

This template guide is written for the use of Community and Town Councils in Wales.

It gives examples of the kinds of information the Information Commissioner's Office (ICO) would expect you to provide in order to meet your commitments under the model publication scheme, introduced through the Freedom of Information Act 2000 (FOIA).

In 2008, the ICO introduced a generic model publication scheme, for adoption by all public authorities that are subject to FOIA.

The model publication scheme commits you to 'produce and publish the method by which the specific information will be available so that it can be easily identified and accessed by members of the public'.

The [Model publication scheme](#) is available on the ICO website. Further details are available in ICO guidance: [Using the definition documents](#).

You must adopt the model scheme in full, unedited and promote it alongside the guide to information. You do not need to tell the ICO that you have adopted the scheme; we will assume you have done so unless we hear otherwise.

You are in breach of FOIA if you have not adopted the model scheme or are not publishing in accordance with it.

Information included in the guide to information

The template lists the information that the ICO thinks you are likely to hold and should make proactively available within each class. When completed, this will provide a list of all the information you

will routinely make available, explain how it can be accessed and whether or not a charge will be made for it.

You must:

- complete the relevant columns in the template guide;
- state how an applicant can obtain the specific information and if there is a cost involved;
- ensure the public can access the completed guide and the information listed in it.

The ICO expects you to make the information in this template guide available unless:

- you do not hold the information;
- the information is exempt under one of the FOIA exemptions or Environmental Information Regulations (EIR) exceptions, or its release is prohibited by another statute (eg UK GDPR);
- the information is readily and publicly available from an external website; such information may have been provided either by you or on your behalf. You must provide a direct link to that information;
- the information is archived, out of date or otherwise inaccessible; or,
- it would be impractical or resource-intensive to prepare the material for routine release.

If the information is only held by another public authority, you should provide details of where to obtain it.

The guidance is not meant to give an exhaustive list of everything that should be covered by a publication scheme. The legal commitment is to the model publication scheme, and you should look to provide as much information as possible on a routine basis.

As a minimum, the ICO expects you to make available information that is required by statute.

Publishing datasets for re-use

As a public authority, you must publish under your publication scheme any dataset you hold that has been requested, together with any updated versions, unless you are satisfied that it is not appropriate to do so. So far as reasonably practicable, you must publish it in an electronic form that is capable of re-use.

If the dataset or any part of it is a relevant copyright work and you are the only owner, you must make it available for re-use under the terms of a specified licence. Datasets in which the Crown owns the copyright or the database rights are not relevant copyright works.

The [2018 section 45 Code of Practice](#) recommends that public authorities make datasets available for re-use under the [Open Government Licence](#).

The term 'dataset' is defined in section 11(5) of FOIA. The terms 'relevant copyright work' and 'specified licence' are defined in section 19(8) of FOIA. The ICO has published [guidance on Datasets \(section 11, 19 & 45\)](#). This explains what is meant by "not appropriate" and "capable of re-use".

Fees and charging

Information available through your publication scheme should be readily available at a low cost or at no cost to the public. If you do charge for this information, the ICO expects the charges to be justifiable, clear and kept to a minimum.

You can charge for activities such as printing, photocopying and postage as well as information that you are legally authorised to charge for. You must inform anyone requesting information of any charge before you provide the information. You may ask for payment before providing the information. Guidance on the ICO website provides more details about [charging for information in a publication scheme](#).

If you charge a fee for licensing the re-use of datasets, you should state in the guide to information how this is calculated and whether the charge is made under the Re-use Fees Regulations or under other legislation. You cannot charge a re-use fee if you make the datasets available for re-use under the [Open Government Licence](#).

The actual charges should be entered in the column on the Guide to Information. A schedule of charges is attached to the template guide, and you should use this to set out the basis on which you are making the charges.

Model publication scheme

The table below identifies the specific information the ICO expects you to publish under each of the seven classes of information set out in the [model publication scheme](#).

Guide to Information available from Mawr Community Council under the model publication scheme

This template guide covers only information we currently hold. If we do not hold some of the information listed below, we will mark it as 'not held' in the table.

Information to be published	How the information can be obtained	Cost
Class 1 - Who we are and what we do Information about us, structures, locations and contacts Current information only		
Who's who on the Council and its Committees: list of Council's members, party affiliation (if any), office held and, if relevant, the ward each member represents	Website	Free
A telephone number and generic email address as well as postal address. Where possible, provide the contact details for Clerk and Council members (including co-opted members), with telephone number, and email address	Website	Free
Location of main Council office and accessibility details	N/A	Free
Staffing structure	Website	Free

Gender Pay Gap Reporting in line with the Government's guidance on the gender pay gap reporting (if applicable)	Not applicable – Mawr Community Council employs fewer than 250 employees.	
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 Provide this information for the current and previous financial year.		
Annual audited accounts	Website	Free
Finalised budget	Website	Free
Precept	Website	Free
Borrowing Approval letter	Not held	
Financial Standing Orders and Regulations	Website	Free
Grants given and received	Website (where published) / Minutes / On request	Free
List of current contracts awarded and value of contract	Website (where published) / On request	Free
Members' allowances and expenses	Website / Annual Return	Free
Statement of payments made to all elected members	Website / Annual Return	Free
Class 3 – What our priorities are and how we are doing Strategies and plans, performance indicators, audits, inspections and reviews		

As a minimum, provide this information for the current and previous year		
Community Plan	Not held	
Annual Report	Website (when produced)	Free
Local charters drawn up in accordance with WG and Welsh Local Government Association (WLGA) guidelines	Not held	
Data Protection impact assessments (in full or summary format) or any other impact assessment (eg Health & Safety Impact Assessment, Equality Impact Assessments etc), as appropriate and relevant	On request (where held and subject to any exemptions)	Free
Class 4 – How we make decisions Decision making processes and records of decisions As a minimum, provide this information for the current and previous council year		
Timetable, agenda and minutes of meetings, including Council and any committee/sub-committee meetings and community meetings, unless an exemption applies to the information or parts of it. In so far as reasonably practicable, we also publish documents referred to at those meetings	Website	Free
Reports presented to Council meetings, unless an exemption applies to the information or parts of it	Website	Free
Responses to consultation papers	Website (where applicable)	Free

Responses to planning applications	Website / Minutes	Free
Bye-laws	Not held	
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, eg: • Procedural standing orders • Committee and sub-committee terms of reference • Delegated authority in respect of officers • Code of Conduct • Policy statements •	Website	Free
Policies and procedures for the provision of services and about the employment of staff: • Internal policies relating to the delivery of services • Equality and diversity policies • Health and safety policy • Recruitment policies and current vacancies, including opportunities for becoming a co-opted member • Policies and procedures for handling requests for information • Customer Service and Complaints procedures, including those covering requests for information and operating the publication scheme	Website	Free
Information security policy	Website	Free
	Website	Free

Records management policies, including records retention, destruction and archive		
Data protection policy (including data sharing and CCTV usage) and privacy notice	Website	Free
Welsh Language standards, ie details of how we comply with the requirements of the Welsh Language Act 1993 and/or the Welsh Language Measure (Wales) 2011	Website	Free
Class 6 – Lists and Registers Currently maintained lists and registers only		
Any publicly available register or list, in most circumstances existing access provisions will suffice	Website / Minutes	Free
Assets register	Website	Free
Disclosure log detailing responses to previous FOI and EIR requests	Not held (to be published if created)	
Register of members' interests	Website	Free
Register of gifts and hospitality	Not held	
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		
Allotments	Not held	
Burial grounds and closed churchyards	Not held	

Community centres and village halls	Website	Free
Parks, playing fields and recreational facilities	Website	Free
Seating, litter bins, clocks, memorials and lighting	Website/on request	Free
Bus shelters	Website/on request	Free
Markets	Not held	
Public conveniences	Website/on request	Free
Agency agreements	Not held	
Services for which we are entitled to recover a fee, together with those fees (eg burial fees)	Website	Free
Additional Information Any additional information published proactively that is not itemised in the lists above	Website	Free

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 – n/a	Actual cost *
	Photocopying – n/a	Actual cost
	Postage	Actual cost of Royal Mail standard 2 nd class
Statutory Fee		In accordance with the relevant legislation (quote the actual statute)
Other		

* the actual cost incurred