

# **HARBOROUGH DISTRICT COUNCIL**



## **PUBLICATION SCHEME**

**Last Revised: May 2017**

## Access to Information

The Council is not obliged to respond to requests for information which is already published. The Council's Publication Scheme provides guidance on accessing information and where they are available includes links to relevant online data.

If you wish to access data which is not available online or has not been published by other means you will need to submit a request for information under the Freedom of Information Act 2000 or Environmental Information Regulations 2004. You do not need to specify under which piece of legislation your request is submitted. An [online form](#) is available for you to make requests at [www.harborough.gov.uk/information](http://www.harborough.gov.uk/information)

**The Freedom of Information Act 2000** gives individuals the right of access to all types of 'recorded' information held (subject to certain exemptions) and aims to increase openness and accountability within public authorities.

Public authorities have two main responsibilities under the Act: to produce a 'Publication Scheme' (a guide to the information held which is publicly available) and dealing with individual requests for information.

Anyone is able to make a request for information, although the request must be made in writing, including e-mail. The request must contain the applicant's name and address and clear details of the information sought. An Information Request Form is available on this site. The Act gives applicants two related rights:

- to be told whether the information is held by the public authority,
- to receive the information (and where possible, in the manner requested, i.e. as a copy or summary, or the applicant may ask to inspect a record).

Public authorities are obliged to provide information recorded both before and after the Act was passed. A response must be provided to the applicant within 20 working days unless a fee or exemption applies. Most of the information we hold is available free of charge. However, certain information and multiple copies of documents will be subject to a fee.

**The Environmental Information Regulations 2004** provide similar rights of access to Environmental Information.

Environmental Information can be summarised as

- (i) the state of the elements of the environment, such as air and atmosphere, water, soil, land, landscape and natural sites and the interaction between these elements
- (ii) Factors such as substances, energy, noise, radiation or waste affecting or likely to affect the elements of the environment

- (iii) Measures such as policies, legislation, plans, programmes, environmental agreements, and activities affecting or likely to affect or protect the elements of the environment
- (iv) Reports on the implementation of environmental legislation
- (v) cost-benefit and other economic analyses and assumptions used within the framework of environmental measures and activities
- (vi) the state of human health and safety, including the contamination of the food chain, conditions of human life, cultural sites and built structures in as much as they are or may be affected by the state of the elements of the environment.

The Environmental Information Regulations also require requests to be answered within 20 working days but there is a provision to extend the response time to 40 working days for complex and voluminous requests. Information requested under the Environmental Information Regulations is also subject to a number of exemptions.

### **Submitting a request for information**

When a request for information is received it is the responsibility of the Council to determine the appropriate legislation and to deal with the request accordingly.

You can submit your request using the online form on our website or by letter or email. It will be helpful if you can try to make your request as specific as possible as this will reduce the possibility of processing your request for information being delayed whilst we seek further clarification.

### **Processing your request for information**

Once your request is received and providing it is clear what you are asking for an acknowledgement will be sent and we will start to process your request. The acknowledgement will indicate the date by which you should expect to receive a response (normally within 20 working days).

We will identify if we hold the requested information and if any exclusions may apply. Under the Freedom of Information Act exemptions may be absolute or qualified whereas under the Environmental Information Regulations all exemptions are qualified. If a qualified exemption applies then the Council will need to determine whether the public interest favours withholding the information (the public interest test). If a qualified exemption is claimed then the balance of factors for and against disclosure will be explained in our response.

Providing that no exemptions are upheld then the information will be relayed to you (where possible in the format you requested) before the expiry of the period for response set out in the acknowledgement.

The legislation gives a right of access to information rather than documents, although the information requested will often consist of documents. The Council reserves the right to charge reasonable copying costs for providing such information in response to a request for information. There is no charge for processing a request under the Freedom of Information Act unless the cost involved exceeds £450 (the Council has the right to refuse to process a request exceeding this threshold or to charge the actual cost of retrieval). Under the Environmental Information Regulations there is no such 'cost limit' for dealing with requests but requests which cost a disproportionate amount can be refused on the basis that they are manifestly unreasonable, subject to the public interest test.

Processing costs will be calculated using an assumed hourly rate of £25 and any associated copying costs will be calculated at a rate of 10p per copy (20p for double sided).

### **What can I do if I am unhappy with the response?**

If you are unhappy with the response you receive (or a response is not received within the 20 working days) then you can request an internal review by writing to Information and Complaints, Harborough District Council, The Symongton Building, Adam and Eve Street, Market Harborough, Leicestershire, LE16 7AG.

There are no statutory time limits under the Freedom of Information legislation for the internal review process but under the Environmental Information Regulations a request for review must be made within 40 working days of the date of the Council's response and the review must then be completed within 40 working days (from receipt of the request for review).

Harborough District Council will make every effort to conclude the review process within 28 days of your request.

If you are still unhappy with the Council's response then you can complain to the Information Commissioner who can issue a Decision Notice. The Decision Notice can either order the Council to disclose some or all of the information, or decide that information was correctly withheld. If you are still unhappy following the Information Commissioner's Decision Notice then you have the right of appeal to the Information Tribunal.

Further information can be obtained from the website of the Information Commissioner's Office: [Information Commissioners Office](#)

## Harborough District Council Publication Scheme

Every public authority has a duty to adopt and maintain a publication scheme in order to facilitate pro-active release of information. Harborough District Council has adopted the model publication scheme produced by the Information Commissioner with effect from 1<sup>st</sup> January 2009.

[model publication scheme](#)

In accordance with the model publication scheme the Council undertakes to make information under the seven classes of information set out in the model scheme routinely available. Where possible this will be via this website but where this is not currently possible or it is inappropriate to do so then the following guide to the information available gives appropriate contact details.

### Local Government Transparency Code 2015

The Local Government Transparency Code 2015 sets out the minimum data and information that all Local Authorities must publish, the frequency it should be published and how it should be published.

You can find the information that we are required to publish quarterly, annually and only once. As this is a new requirement not all of the information is currently available.

All of the information provided can be used and re-used under the terms of the Open Government Licence, published by the National Archive - please familiarise yourself with the terms of the licence before re-using any of the data.

Information published under the Transparency Code is available [here](#).

### Guide to Publication Scheme

Where information is available online a link to the relevant page on the web is provided. All requests to inspect information contained in the publication scheme which is not currently available online should be made through Customer Services:

**Telephone:** 01858 82 82 82

**Fax:** 01858 82 10 00

**Text:** 07797 87 82 82

E-mail: [customer.services@harborough.gov.uk](mailto:customer.services@harborough.gov.uk)

## **Who we are and what we do**

<b>Information</b>	<b>Online</b>	<b>Location/Link</b>
Council's Constitution	Y	<a href="#">Constitution</a>
Democratic Structure	Y	<a href="#">Democratic Structure</a>
Directorate Structure	Y	<a href="#">Structure</a>
Location and Opening Times	Y	<a href="#">Office Locations and Opening Times</a>
Currently Elected Councillors and Contact Details	Y	<a href="#">Councillors</a>
Contact details for all customer-facing departments	Y	<a href="#">Office Locations and Opening Times</a>
Most recent election results	Y	<a href="#">Election Results</a>
Relationship with other Authorities	N	Corporate Services

## **What we spend and how we spend it**

Financial Statements, Budgets and Variance Reports	Part	<a href="#">Statement of Accounts</a> Financial Services
Capital Programme	N	Financial Services
Spending Reviews	N	Financial Services
Financial Audit Reports	N	Financial Services
Member's Allowance Scheme and Allowances Paid	Y	<a href="#">Member Allowances</a>
Staff Allowances and Expenses	Y	<a href="#">Staff allowances</a>
Pay and Grading Structure	N	Human Resources
Election Expenses	N	Corporate Services (Elections and Land Charges Team)
Procurement Procedures	Y	<a href="#">Procurement Procedures</a>
Details of Contracts Currently Being Tendered	N	Commissioning Services
List of Contracts Awarded and their Value	N	Commissioning Services
District Auditor's Report	Y	<a href="#">Auditor's Report</a>
Financial Statements for Projects and Events	N	Financial Services
Internal Financial Regulations	Y	<a href="#">Financial Regulations</a> Financial Services
Funding for Partnership Arrangements	N	Financial Services

## **What our priorities are and how we are doing**

Annual Reports	Y	<a href="#">Corporate Plan</a>
Strategies and Business Plans	Y	<a href="#">Corporate Plan</a>
Internal and external Organisation Performance Reviews	N	Relevant Service Area
Strategies developed in partnership with other authorities	Y	<a href="#">Corporate Plan</a>

Economic Development	Y	<a href="#">Harborough Open for Business Prospectus</a> <a href="#">Core Strategy</a> <a href="#">New Local Plan</a>
Forward Plan	Y	<a href="#">Forward Plan</a>
Capital Strategy	N	Financial Services
Statistical information produced in accordance with the Council's and departmental requirements	N	Relevant Service Area
Impact Assessments	N	Relevant Service Area
Service Standards	N	Relevant Service Area

### **How we make decisions**

Timetable of Meetings	Y	<a href="#">Meetings and Dates</a>
Agenda, Officer's reports, background papers and minutes	Y	<a href="#">Agenda, Reports and Minutes</a>
Facts and analyses of facts considered when framing major policies	Y	<a href="#">Agenda, Reports and Minutes</a>
Public consultations	Y	<a href="#">Consultations</a>
Internal communications guidance, criteria used for decision making, internal instructions, manuals guidelines	N	Relevant Service Area

### **Our policies and procedures**

Policies and procedures for conducting council business	Y	<a href="#">Constitution</a>
Policies and procedures for delivering our services	N	Relevant Service Area
Policies and procedures about the recruitment and employment of staff	N	Human Resources
Customer Service	Y	<a href="#">Customer Service</a>
Records management and personal data policies	N	Corporate Services (Information and Complaints) Information Governance Policy
Charging regimes and policies	Y	<a href="#">Fees and Charges</a>
Planning Policy – Core Strategy and adopted local plan	Y	<a href="#">Core Strategy and adopted local plan</a>
Planning Policy – New Local Plan	Y	<a href="#">New Local Plan</a>

### **Lists and registers**

<b>Environmental Services</b>		
Register of Food Premises	N	Regulatory Services
Register of Contaminated Land	N	Regulatory Services

Register of PartA2 and B Processes under the Environmental Permitting Regulations 2007	N	Regulatory Services
Register of Private Drinking Water Supplies	N	Regulatory Services
Register of Cooling Towers	Y	<a href="#">Register of Cooling Towers</a>
Pet Shops	N	Regulatory Services
Animal Boarders	N	Regulatory Services
Dog Breeders	N	Regulatory Services
Dangerous Wild Animals	N	Regulatory Services
Riding Establishments	N	Regulatory Services
Stray Dogs	N	Regulatory Services
Skin Piercers (acupuncture, tattooing, ear piercing, electrolysis)	N	Regulatory Services
Register of Scrap Metal Dealers	N	Regulatory Services
<b>Licensing</b>		
Licensing Register	Y	<a href="#">Public Access - Licensing</a>
Register of Private Hire and Hackney Carriage Drivers	Y	<a href="#">Public Access - Licensing</a>
Private Hire Register	Y	<a href="#">Public Access - Licensing</a>
Hackney Carriage Register	Y	<a href="#">Public Access - Licensing</a>
Street Collections Register	Y	<a href="#">Public Access - Licensing</a>
House to House Collections	Y	<a href="#">Public Access - Licensing</a>
Lotteries	Y	<a href="#">Public Access - Licensing</a>
Gambling Licences	Y	<a href="#">Public Access - Licensing</a>
<b>Built Environment</b>		
Register of Planning Applications	Y	<a href="#">Public Access - Planning Online</a>
Planning Enforcement Register	Y	<a href="#">Public Access - Enforcements</a>
Planning Enforcement Enquiries	Y	<a href="#">Enforcement Enquiries</a>
Hazardous Substances Register	N	Development Management
Register of Tree Preservation Orders	N	Development Management
Register of Environmental Impact Assessment Screening Opinions	Y	Planning Register – <a href="http://www.harborough.gov.uk/view-and-comment-on-planning-applications">www.harborough.gov.uk/view-and-comment-on-planning-applications</a> Use 'Application Type' on 'Advanced' search tab
Assets of Community Value	Y	<a href="#">List of Assets of Community Value</a>
Conservation Areas	Y	<a href="#">Conservation Areas</a>
<b>Corporate Services</b>		
Register of Electors	N	Corporate Services (Elections and Land Charges Team). Available for supervised viewing at Customer Services, The Symington Building, Adam and Eve Street, Market Harborough
Register of Members Allowances	N	Financial Services
Register of Members Interests	N	Legal and Democratic Services
Register of Gifts and Hospitality (Councillors)	N	Legal and Democratic Services



Register of Local land Charges	N	Corporate Services (Elections and Land Charges Team). Requests for personal inspection should be emailed to <a href="mailto:landcharges@harborough.gov.uk">landcharges@harborough.gov.uk</a> accompanied by a location plan with the search area delineated by a red line.
Register of Burials	N	Corporate Services (Cemeteries). Requests for inspection should be made by email to <a href="mailto:cemeteries@harborough.gov.uk">cemeteries@harborough.gov.uk</a>
Land and Property Gazetteer	N	Corporate Services
Footpaths and Bridleways	N	Development Management
<b>Corporate Assets</b>		
Assets Register	Y	<a href="#">Assets Register</a>

### **Services provided by the Council**

A comprehensive guide to services provided by the Council is available through the Council's website at [www.harborough.gov.uk](http://www.harborough.gov.uk)

The Services Directory on the left hand side of the page gives access to information on all services provided by the Council as well as useful links to associated websites and information. The alphabetical list at the top of the page gives access to services which can be accessed online or information on how the service can be accessed.