

Freedom of Information Act 2000

Publication Scheme

of the

**Amber Valley Borough Council
Town Hall
Market Place
Ripley
Derbyshire
DE5 3XE**

Introduction

The Freedom of Information Act 2000 (the FOI Act) requires all public authorities, which includes Amber Valley Borough Council, to

- adopt and maintain a publication scheme;
- publish information in accordance with the scheme; and
- keep a scheme under review.

This is the Amber Valley Borough Council's scheme under the Act. The idea of the scheme is to let everyone know what information will be automatically, or routinely, published by the Borough Council. The way that the Act does this is to require that the schemes specify classes of information. The way that we have arranged this in the scheme is to set out seven classes which are:-

- The Council and its constitution
- Council finances
- Council policies
- Council decisions
- Council performance
- Council services
- Council news

The rest of this document deals with those classes. In each case the scheme gives the title of the class, a definition, as appropriate, an explanation and finally a description of how the information can be seen, i.e. its location on the website or at an office.

In other words – what the information is, what is included, what it is about and where it is. The description of each class will also have to contain any exemptions, i.e. information that might fall within the broad definition that will not be routinely published. It will be seen that under this scheme, that applies only in one case to agenda papers on exempt items as defined by legislation.

In preparing this scheme we have had regard to the public interest. We have taken notice of the sort of information that people normally ask us for and what they are interested in. We have also had regard overall to the public interest of disclosure of information in the interests of open and accountable local government as well as having regard to information which is already published and the rights that the FOI Act will in due course bring to everyone when the public access provisions come in under the legislation in 2005. We aim to operate voluntarily under this scheme in

advance of this timetable and will announce the start date as soon as our preparations are complete.

The scheme and this new legislation does not limit in any way other rights that people have to information not does it limit in any way the very large amount of information that we otherwise publish outside the scheme.

Therefore, planning applications will continue to be available for public inspection.

Additionally, we will continue publishing a large amount of material by way of guidance or assistance about various services on a routine basis as we have done.

A great deal of the information that we hold is personal and private to individuals.

The FOI Act does not deal with this. The relevant legislation is the Data Protection Act. The FOI Act will not be making public private and confidential information about peoples private Council Tax, Benefit etc arrangements with the Council. The individual concerned however, does have access to that information under the Data Protection Act. In other words therefore your private affairs and business with the Council as an individual are not the subject of this publication scheme.

The Council has appointed its Chief Executive, Peter Carney who is based at The Town Hall, Market Place, Ripley, Derbyshire DE5 3XE (tel 01773 841600, fax 01773 841606, e-mail peter.carney@ambervalley.gov.uk) as the officer responsible for this scheme on behalf of the Council. Day to day responsibility lies with the Assistant Chief Executive, John Grady (tel 01774 841630, fax 01773 841616, e-mail john.grady@ambervalley.gov.uk) to whom queries about this scheme should be sent in the first instance.

Additionally the Chief Executive Officer deals with complaints. The Council has a set complaints procedure and any complaints about Data Protection or the Freedom of Information Act or other services generally may be dealt with by contacting his office.

The opportunity to complain to the Council through its Chief Executive does not limit any rights people have to complain to the Freedom of Information Commissioner (again, either about Freedom of Information or Data Protection) at the following address:-

Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Fax: 01625 524 510 DX: 20819 Wilmslow

Tel: 01625 545 745 e-mail: dataprotection.gov.uk

Because this is a new requirement on councils it is the intention of the Council's Chief Executive to review this its first publication scheme during the first twelve months. Thereafter it is anticipated that a publication scheme would be reviewed, renewed and submitted to the Information Commissioner every three years.

The relevant information under each class will automatically be published and or updated as required.

This publication scheme itself will be made available on our website and will be deposited at our offices within the Borough. A copy will also be made available to the County Library Service within the Borough and to each of our town and parish councils. In deciding to distribute the scheme this way we have had regard to the geographical nature of the Borough, issues of access and the public interest. This publication scheme and the documents to which it refers are available in the first language of the Borough – namely English. If people have any difficulty with other languages and/or with access or require large print or otherwise require particular assistance, they are invited to contact the Chief Executive's office.

No charge will be made by the Council for examining the information within this publication scheme. A charge may be made at rates determined from time to time by the Council for any photocopies sought.

This publication scheme does not refer to any other executive agencies. In other words the information it defines and classifies relates to the Council only.

The Publication Scheme should set out what this authority's responsibilities are. We have done this by including a class of information that defines our services and hopefully usefully for you sets them out also in an A-Z format with appropriate contacts.

If you have any suggestions about this scheme, please contact the Chief Executive's office.

Class I

(a) **Title**

The Council and its Constitution.

(b) **Definition**

The Constitution of the Council pursuant to the Local Government Act 2000.

(c) **Explanation**

This is a document that includes all the rules, responsibility for functions (including delegations to officers), standing orders and workings of the Council including contract and financial procedures, codes and protocols, the members' allowances scheme, committees and management structure.

(d) **Location**

Town Hall, Market Place, Ripley and the Council's website:
www.ambervalley.gov.uk

Class II

(a) **Title**

Council Finances.

(b) **Definition**

General Revenue Fund Estimates and Capital Programme 2002/2003 and succeeding financial years.
Annual Statement of Accounts 2000/2001 and succeeding financial years.
Budget Strategy 2002/2003 and succeeding financial years.

(c) **Explanation**

The Council's income and expenditure service by service for the financial year.

(d) **Location**

Town Hall, Market Place, Ripley and the Council's website:
www.ambervalley.gov.uk

Class III

(a) **Title**

Council Policies.

(b) **Definition**

The Policy framework of the Council as defined by the constitution.

(c) **Explanation**

All Council strategies and policies approved by the Council statutory or otherwise. For example and including:-

- Annual Audit Plan;
- Arts Strategy;
- Asset Management Plan;
- Best Value Performance Plan;
- Capital Plan/Programme;
- Community Strategy;
- Council's Corporate Plan;
- Crime and Disorder Reduction Strategy;
- Cultural Strategy;
- Economic & Tourism Development Strategy;
- Environmental Strategy;
- Food Enforcement Service Delivery Plan;
- Investors in People;
- Plans and strategies which together comprise the Development Plan;
- Risk Identification and Management Strategy;

- The plan and strategy which comprise the Housing Investment Programme;
- Towards a Healthier Amber Valley.

(d) **Location**

Town Hall, Market Place, Ripley and the Council's website:
www.ambervalley.gov.uk

Class IV

(a) **Title**

Council Decisions.

(b) **Definition**

Cabinet, Committee and Council Agenda and Minutes.

EXCEPT: Items falling within Schedule 12A Part 1 Local Government Act 1972 as from time to time amended.

(c) **Explanation**

The reports and decisions of the Cabinet, committees and the Council, except 'private' information as defined above and explained in the introduction.

(d) **Location**

Town Hall, Market Place, Ripley and the Council's website:
www.ambervalley.gov.uk

Class V

(a) **Title**

Council Performance.

(b) **Definition**

Best Value Performance Plan 2002 and succeeding years.

(c) **Explanation**

An annual document detailing the council's performance in selected service areas including comparative figures.

(d) **Location**

Town Hall, Market Place, Ripley and the Council's website:
www.ambervalley.gov.uk

Class VI

(a) **Title**

Council Services.

(b) **Definition**

An alphabetical A-Z Index of Council Services, The Rough Guide to Amber Valley Borough Council and Helping You leaflets.

(c) **Explanation**

A list of contacts for each service and advice and information.

(d) **Location**

Town Hall, Market Place, Ripley and the Council's website:
www.ambervalley.gov.uk

Class VII

(a) **Title**

Council News.

(b) **Definition**

The Council newspaper and press releases issued by the Council.

(c) **Explanation**

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(d) **Location**

Town Hall, Market Place, Ripley and the Council's website:
www.ambervalley.gov.uk