

Freedom of Information Policy and Publication Scheme

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1. Introduction

- 1.1 Lancing Parish Council recognises the importance of openness, transparency and accountability in all aspects of its governance and service delivery. The Council is committed to ensuring that members of the public are able to access information relating to the decisions it makes, the services it provides and the way in which public funds are administered.
- 1.2 This document sets out the Council's Freedom of Information Policy together with its Publication Scheme in accordance with the Freedom of Information Act 2000 and guidance issued by the Information Commissioner's Office.
- 1.3 The Council acknowledges that public authorities should make information available proactively wherever possible and should assist members of the public seeking access to information held by the authority.

2. The Freedom of Information Act and Purpose of this Policy

- 2.1 The Freedom of information Act 2000 provides members of the public with a general right of access to recorded information held by public authorities, subject to certain exemptions and exclusions set out within legislation.
- 2.2 The purpose of this policy is to explain:
 - How information held by the Council may be accessed;
 - The procedures for making Freedom of Information requests;
 - The information routinely made available by the Council;
 - The circumstances in which information may be withheld;
 - How the Council complies with its statutory obligations.
- 2.3 The Council has adopted the Model Publication Scheme approved by the Information Commissioner's Office and will maintain and review this scheme in accordance with current legislation and guidance.

3. The Council's Commitment to Openness and Transparency

- 3.1 Lancing Parish Council is committed to promoting a culture of openness and transparency and already makes substantial amounts of information available to the public through its website, published meeting papers, council notices and direct contact with the Parish Office.
- 3.2 The Council will seek to ensure that information is made available promptly and in a manner that is clear and accessible.
- 3.3 Where information is not already published under this scheme, it may still be requested under the Freedom of Information Act 2000 or, where appropriate, the Environmental Information Regulations 2004.
- 3.4 The Council also recognises the need to balance openness with the proper protection of confidential information, commercially sensitive information and personal data.

4. Freedom of Information Requests

4.1 Requests for Information

Any person may make a request for recorded information held by the Council. Requests should be made in writing and should clearly describe the information requested. Requests may be submitted by letter, email or other written format.

To assist the Council in responding efficiently, applicants should provide:

- Their name;
- A correspondence address or email address;
- Sufficient detail to identify the information requested.

4.2 Timescales for Responses

The Council will normally respond to requests for information within 20 working days of receipt of a valid request.

Where clarification is required in order to identify the information requested, the statutory response period may be suspended until sufficient clarification has been received.

4.3 Information Which May Be Withheld

Certain information may be exempt from disclosure under the Freedom of Information Act 2000.

Examples of information that may be withheld include:

- Personal information protection by data protection legislation;
- Confidential information;
- Legally privileged information;
- Commercially sensitive information;
- Information relating to ongoing investigations or legal proceedings.

Where information is withheld, the Council will explain the reasons for doing so unless prevented by law.

4.4 Vexatious or Repeated Requests

The Council reserves the right to refuse vexatious or repeated requests in accordance with section 14 of the Freedom of Information Act 2000.

4.5 Personal Data

Where requested information contains personal data, the Council will consider its obligation under the UK General Data Protection Regulation and the Data Protection Act 2018.

Personal data may be redacted or withheld where disclosure would breach data protection legislation.

5. Environmental Information Regulations

5.1 Certain requests relating to environmental matters may fall under the Environmental Information Regulations 2004 rather than the Freedom of Information Act 2000.

5.2 Environmental information may include information relating to:

- Land and property;
- Parks, open spaces and allotments;
- Beaches and coastline;
- Biodiversity and trees;
- Environmental policies and maintenance activities.

- 5.3 The Council will process requests for environmental information in accordance with the Environmental Information Regulations 2004 and applicable guidance issued by the Information Commissioner's Office.

6. Model Publication Scheme

- 6.1 This model publication scheme has been prepared and approved by the Information Commissioner. It may be adopted without modification by any public authority without further approval and will be valid until further notice.
- 6.2 This publication scheme commits an authority to make information available to the public as part of its normal business activities. The information covered is included in the classes of information mentioned below, where this information is held by the authority. Additional assistance is provided to the definition these classes in sector specific guidance manuals issued by the Information Commissioner.
- 6.3 The Scheme commits an authority -
- a) To proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by the authority and falls within the classifications below.
 - b) To specify the information which is held by the authority and falls within the classifications below.
 - c) To proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within this scheme.
 - d) To produce and publish the methods by which the specific information is made routinely available so that it can be easily identified and accessed by members of the public.
 - e) To review and update on a regular basis the information the authority makes available under this scheme.
 - f) To produce a schedule of any fees charged for access to information which is made proactively available.
 - g) To make this publication scheme available to the public.
 - h) To publish any dataset held by the authority that has been requested, and any updated versions it holds, unless the authority is satisfied that it is not appropriate to do so; to publish the dataset, where reasonably practicable, in an electronic form that is capable of re-use; and, if any information in the dataset is a relevant copyright work and the public authority is the only owner, to make the information available for re-use under the terms of the Re-use of Public Sector Information Regulations 2015, if they apply, and otherwise under the terms of the Freedom of Information Act section 19. The term 'dataset' is defined in section 11(5) of the Freedom of Information Act. The term 'relevant copyright work' is defined in section 19(8) of that Act.

7. Classes of Information

The Council published information within the following classes:

- 7.1 **Class One – Who We Are and What We Do**
Organisational information, structures, locations and contacts, constitutional and legal governance.
- 7.2 **Class Two – What We Spend and How We Spend It**
Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts.
- 7.3 **Class Three – What Our Priorities Are and How We Are Doing**

Strategies, plan, performance indicators, audits, inspections and review.

7.4 Class Four – How We Make Decisions

Strategies and plans, performance indicators, audits, inspections and reviews.

7.5 Class Five – Our Policies and Procedures

Current written protocols, policies and procedures for delivering our services and responsibilities.

7.6 Class Six – Lists and Registers

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

7.7 Class Seven – The Services We Offer

Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses

7.8 The classes of information will not generally include:

- Information the disclosure of which is prevented by law, or exempt under the Freedom of Information Act, or is otherwise properly considered to be protected from disclosure.
- Information in draft form.
- Information that is no longer readily available as it is contained in files that have been placed in archived storage, or is difficult to access for similar reasons.

8. The Method by Which Information Published Under this Scheme Will Be Made Available

8.1 Lancing Parish Council will clearly indicate to the public what information is covered by this scheme and how it can be obtained.

8.2 Where it is within the capacity of a public authority, information will be provided on a website. Where it is impracticable to make information available on a website or when an individual does not wish to access the information by website, a public authority will indicate how information can be obtained by other means and provide it by those means.

8.3 In exceptional circumstances some information may be available only by viewing in person. Where this manner is specified, contact details will be provided. An appointment to view the information will be arranged within a reasonable timescale.

8.4 Information will be provided in the language in which it is held or in such other language that is legally required. Where an authority is legally required to translate any information, it will do so.

8.5 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

9. Charges Which May Be Made for Information Published Under This Scheme

9.1 The purpose of this scheme is to make the maximum amount of information readily available at minimum inconvenience and cost to the public. Charges made by the authority for routinely published material will be justified and transparent and kept to a minimum.

9.2 Material which is published and access on a website will be provided free of charge.

9.3 Charges may be made for information subject to a charging regime specified by Parliament.

- 9.4 Charges may be made for actual disbursement costs incurred by the Council, including:
- Photocopying;
 - Printing;
 - Postage and packaging;
 - Large format reproduction.
 - The costs directly incurred as a result of viewing or otherwise obtaining information.
- 9.5 Charges may also be made for information provided under this scheme where they are legally authorised, they are in all the circumstances, including the general principles of the right of access to information held by public authorities, justified and are in accordance with a published schedule or schedules of fees which is readily available to the public.
- 9.6 The Council may also refuse a request or charge a fee where the cost of compliance exceeds the appropriate statutory limit under the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004.
- 9.7 If a charge is to be made, confirmation of the payment due will be given before the information is provided. Payment may be requested prior to provision of the information.

10. Schedule of Charges

Type of Charge	Description	Basis of Charge
Disbursement cost	Photocopying: black & white – 5p per page (A4)	Actual cost incurred by the Council
Disbursement cost	Photocopying: colour – 10p per page (A4)	Actual cost incurred by the Council
Disbursement cost	Postage	Actual cost of Royal Mail standard 2 nd class
Statutory Fee	An additional charge may be made if the cost to the Parish Council for retrieval and collation is unreasonable. Notice of this charge will be given in advance of providing the information with an estimate wherever possible for approval by the person making the request	Hourly rate of officer time based upon actual hours required to gather and compile information which will be recorded for scrutiny by the person making the request.

11. Written Requests

Information held by Lancing Parish Council that is not published under this scheme can be requested in writing, when its provision will be considered in accordance with the provisions of the Freedom of Information Act.

12. Internal Review Procedure

The Parish Council would normally expect the parish Clerk (or other named officer) to understand what information you have asked for and be able to tell you where you can find it. If the information you receive is not what you asked for or need, you should first contact the Parish Clerk (or named officer). If the information is not available, you will be told why.

If an applicant is dissatisfied with the Council's response to a request for information, they may request an internal review. Requests for internal review should normally be submitted within 40 working days of the Council's response. The review will normally be conducted by the Parish Clerk or another suitably appointed person who was not involved in the original decision whenever practicable. The Council aims to complete internal reviews within 20 working days.

13. Complaints to the Information Commissioner's Office

If an applicant remains dissatisfied following a internal review, they may complain to the Information Commissioner's Office.

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Telephone: 03030 123 1113

Website: <https://ico.org.uk>

14. Records Management and Retention

The Council will maintain records in accordance with its Document Retention and Disposal Policy and legal obligations. Information will be retained only for as long as necessary and disposed of securely where appropriate.

15. Accessibility and Equality

The Council is committed to ensuring information is accessible. Where reasonably practicable, information will be made available in alternative formats upon request. The Council will comply with obligations under the Equality Act 2010 and accessibility legislation.

16. Appendix A - Information available from Lancing Parish Council

Class One – Who we are and what we do

Organisational information, structures, locations and contacts.

Information to be published Current information only unless otherwise stated	How information can be obtained	
	Website	Paper Copy
Members of the Council and its Committees	✓	✓
Contact details for Council members	✓	✓
Declarations of Interests of Council members	✓	✓
Members as Representatives on Outside Bodies	✓	✓
Contact details for the Parish Clerk	✓	✓
Location and Accessibility of Parish Council Office	✓	✓
Staffing structure (name and job title)	✓	✓

Class Two – What we spend and how we spend it

Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit.

Information to be published Current and previous financial year as a minimum	How information can be obtained	
	Website	Paper Copy
Financial Regulations	✓	✓
Monthly Accounts	✓	✓
Annual Accounts (current and previous year)	✓	✓
Annual Return Form and Auditor's Report	✓	✓
Finalised budget	✓	✓
Precept	✓	✓
Deposits and Investments	✓	✓
Grants/Sponsorships (given and received)	✓	✓
Insurances • Employers Liability • Fidelity Guarantee Cover • Libel and Slander Liability Cover • Officer Indemnity Cover • Personal Accident Cover • Property Damage Cover • Public Liability • Vehicle Insurance	x	✓
List of current contracts awarded and value of contract	✓	✓
Members' allowances and expenses	✓	✓

Class Three – What our priorities are and how we are doing

Strategies and plans, performance indicators, audits, inspections and reviews.

Information to be published Current information only unless otherwise stated	How information can be obtained	
	Website	Paper Copy
Annual Report	✓	✓
Strategies and Plans, Performance Indicators, Audits, Inspections and Reviews	✓	✓

Class Four – How we make decisions

Decision making processes and records of decisions.

Information to be published Current and previous council year as a minimum	How information can be obtained	
	Website	Paper Copy
Timetable of Council, Committee Meetings	✓	✓
Agendas of Council, Committee and Sub-Committee Meetings	✓	✓
Minutes of Council, Committee and Sub-Committee Meetings (excluding information properly regarded as confidential)	✓	✓
Reports presented to council (excluding information properly regarded as confidential)	✓	✓
Responses to planning applications	✓	✓

Class Five – Our policies and procedures

Current written protocols, policies and procedures for delivering our services and responsibilities.

Information to be published	How information can be obtained	
	Website	Paper Copy
Policies and procedures for the conduct of council business: • Standing Orders • Terms of Reference & Scheme of Delegation • Code of Conduct for Members • Risk Assessments	✓	✓
Policies and procedures about the employment of staff: • Health and Safety Policy • Equality, Diversity and Inclusion Policy • Bullying and Sexual Harassment Policy • Training and Development Policy • Employee Absence Policy • Employee Grievance and Disciplinary Procedures • Retirement Policy	✓	✓
Policies and procedures for the provision of services: • Freedom of Information Publication Scheme • Data Protection Policy • Information Technology Policy • Communication Policy & Strategy • Complaints Procedure • Document Retention Policy • Grant Aid Policy Statement & Application Form • Personal Safety Guide for Councillors • Regulations Relating to Recreation Areas	✓	✓

Class Six – Lists and Registers

Information held in registers required by law and other lists and registers relating to the functions of the authority.

Information to be published Currently maintained lists and registers only	How information can be obtained	
	Website	Paper Copy
Assets Register	x	✓
Deeds and documents relating to land ownership	x	✓
Licenses and Agreements: Parish Hall • PRS (Performing Right Society License) License [music] • Single Title Screening Licence [film] • Tenant/Franchisee Agreements • Waste Disposal Agreements • Boiler Test Certificate • Electrical Test Certificate • Fire Alarm Test Certificate • Security Alarm Test Certificate	x	✓

Beaches and Beach Green • Adur and Worthing Beach Office Agreement • Kiosks Agreement • Car Parks Agreement • Bank Holiday Market Agreement • Grass Cutting Agreement • Widewater Football and Open Spaces • Lancing United Football Club Agreement • Football Pitch Hire Agreement • Sussex County Football Association Lease Agreement The following information is available <u>excluding personal data</u>: • Allotment Licence • Beach Hut Licence • Beach Green Hire Agreement & Booking Form • Parish Hall Hire Agreement & Booking Form • Wayleaves		
Tender Documentation for Council owned facilities	x	✓
Register of members' interests	✓	✓
Register of gifts and hospitality	✓	✓

Class Seven – The services we offer

Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses

Information to be published Current information only	How information can be obtained	
	Website	Paper Copy
Parish Hall	✓	✓
Parks, Play Areas, Recreational Grounds, Nature Reserve	✓	✓
Car Parks	✓	✓
Allotments (excluding details of tenant)	✓	✓
Beach Huts (excluding details of ownership)	✓	✓
Seating and Litter Bins	x	✓
Clocks and Memorials	x	✓
Christmas Lighting and Market	x	✓
Newsletter	✓	✓
A summary of services for which the council is entitled to recover a fee, together with those fees (e.g. administration charges)	x	✓