

## GOVERNANCE COMMITTEE

*17<sup>th</sup> January 2013*

### REPORT OF HEAD OF COMMUNICATIONS

#### REFRESHED FREEDOM OF INFORMATION POLICY

##### **1.0 PURPOSE OF REPORT**

1.1 To provide for a refreshed Freedom of Information Policy.

##### **2.0 RECOMMENDATIONS**

**2.1 That the refreshed Freedom of Information Policy be adopted.**

**2.2 That the Head of Communications be given delegated authority to revise the policy in future in line with current legislation and best practice.**

##### **3.0 KEY ISSUES**

3.1 The Council's original Freedom of Information Policy ensured a basic compliance with the requirements of the Freedom of Information Act 2000, but has needed refreshing to take account of subsequent Regulations, most recently those relating to Open Data and Transparency.

3.2 The refreshed Policy also allows rewording to accommodate the Environmental Information Regulations 2004 more fully, as requests under these Regulations have increased since the FOI Act came into effect in January 2005.

##### **4.0 POLICY AND CORPORATE IMPLICATIONS**

4.1 The Council as a public authority within the meaning of the Freedom of Information Act 2000 is required to have a Freedom of Information Policy which should be publicly available. This refreshed Policy will ensure continued compliance with the law.

##### **5.0 FINANCIAL AND OTHER RESOURCE IMPLICATIONS**

5.1 There are no specific implications for financial and other resources of adopting a refreshed Policy.

##### **6.0 LEGAL IMPLICATIONS/POWERS**

6.1 Adopting the refreshed Policy will ensure continued compliance with the law, and allow for compliance with Open Data and Transparency Regulations.

##### **7.0 COMMUNITY SAFETY**

7.1 There are no community safety issues directly arising from this report.

##### **8.0 EQUALITIES**

8.1 Adoption of the refreshed Policy should ensure continued compliance with the Public Sector Equality Duty in s149 of the Equality Act 2010 and ultimately with Article 14 on non-discrimination in Schedule 1 of the Human Rights Act 1998, via the requirement to give effect to the Convention Rights under s6 of that Act.

8.2 An equality impact assessment has been completed.

**9.0 RISKS**

9.1 The risks of non-compliance with Freedom of Information legislation and Regulations can be significantly reduced by adopting the refreshed Policy which ensures that the Council's approach is up-to-date.

Probability



Very High A				
High B			1	
Significant C				
Low D		2		
Very Low E				
Almost Impossible F				
	IV Neg- ligible	III Marg- inal	II Critical	I Catast- rophic

Impact

Risk No.	Description
1	Not adopting the refreshed Policy will leave the Council open to increased risk of non-compliance
2	Adopting the refreshed Policy will significantly reduce the risk of non-compliance

**10.0 CLIMATE CHANGE**

10.1 There are no climate change issues directly arising from this report.

**11.0 CONSULTATION**

11.1 Consultation on the refreshed Policy is not a requirement. Once adopted, it will be placed on the Council's website to replace the old Policy, so that it is publicly available, and meets the requirement of 'digital by default'.

**12.0 WARDS AFFECTED**

12.1 All wards are potentially affected.

---

Contact Officer: Stewart Tiltman, Performance & Information Management Officer  
 Date: 21<sup>st</sup> December 2012  
 Appendices: N/A  
 Background Papers: N/A  
 Reference:

