

10) Appendix A: Freedom of Information Publication Scheme

1) Introduction

The Local Government Boundary Commission for England (LGBCE) is required under the Freedom of Information act 2000 (“FOIA”) to adopt and maintain a publication scheme. The LGBCE publication scheme reflects its commitment to routinely and proactively publish information and make it available to the public. In reviewing its publication scheme the LGBCE takes account of the latest advice and guidance from the Information Commissioner’s Office.

Under FOIA, the publication scheme which the LGBCE is required to adopt and maintain must specify:

- the classes of information which it publishes or intends to publish
- the manner in which the information is or is intended to be published, and
- whether the material is or is intended to be made available to the public free of charge or on payment.

The purpose of the publication scheme is to ensure that a large amount of information is readily available to the public and to inform the public of the extent of information which is available. ‘Readily available’ means information which is available on the LGBCE’s website, can be purchased from HMSO or TSO, can be obtained from a public library or will be supplied by the LGBCE immediately on request in writing, by telephone or by e-mail from the LGBCE.

In accordance with the publication scheme the LGBCE is expected to make available as much information as it can within the following seven classes:

- Who we are and what we do
- What we spend and how we spend it
- What are our priorities and how are we doing
- How we make decisions
- Policies and procedures
- Lists and registers
- The services we offer

2) Who we are and what we do

The LGBCE was established as an independent statutory authority on 1 April 2010 under the Local Democracy, Economic Development and Construction Act 2009 (the 2009 Act). The LGBCE is headed by a Chair and four Commissioners. They are independent of political parties and are accountable directly to Parliament through a Committee chaired by the Speaker of the House of Commons.

Before April 2010 there was a Boundary Committee of the Electoral Commission which carried out corresponding review work. The Electoral Commission had various boundary review powers. The 2009 Act established a completely new regime of powers and duties. Information on the work of the Boundary Committee may be found in the accounts and reports of the Electoral Commission, up to 2009-10.

The LGBCE's aim is to provide equality and fairness in local electoral arrangements and to ensure local government structures reflect communities and support efficient service delivery.

This aim is underpinned by two objectives:

- The provision of fair boundary arrangements for local authority elections in England, and
- Keeping the map of English local government in good repair.

The Chair and Commissioners are supported by a Chief Executive and staff of nearly 26.

More information about the LGBCE's purpose and structure can be found at <http://www.lgbce.org.uk/about-us>.

The LGBCE's aims, values and objectives are set out in more detail in its Corporate Plan at <http://www.lgbce.org.uk>.

3) What we spend and how we spend it

The LGBCE's resource accounts are prepared in accordance with an accounts direction, issued by HM Treasury under paragraph 14 (2) of Schedule 1 to the 2009 Act. Under paragraph 15 (2) of Schedule 1 the Comptroller and Auditor General is charged with certifying and laying before Parliament the annual resource accounts.

Upon approval, the House of Commons orders the printing of the resource accounts. The capital programme, assets and large contracts are incorporated within the resource accounts.

The LGBCE is accountable to Parliament for its expenditure as provided for by paragraph 11 (2) of Schedule 1 to the 2009 Act. Parliamentary House of Commons approval for its spending plans is sought annually through a Supply Estimate presented to the House of Commons, specifying the estimated expenditure and requesting the necessary funds to be voted.

The cost, and associated income, of the LGBCE's work in meeting the objectives listed above is shown in the statement of operating costs by aims and objectives in the accounts.

The LGBCE was established on 1 April 2010. Our resource accounts are published annually and are available on the website.

4) What are our priorities and how are doing

Our objectives are laid out in our corporate plan, which sets our strategic direction over the next five years and outlines the activities and resources that will enable us to deliver our aims and objectives. A copy of the corporate plan can be found on our website..

Key items identified include how we intend to:

- demonstrate our effectiveness
- set and monitor performance standards
- liaise with the local government community in developing our review-related policies and procedures

In accordance with paragraph 17 of Schedule 1 to the 2009 Act, we will also publish an annual report which will measure the LGBCE's progress against the objectives set out in the corporate plan. Copies of all our annual reports can be found on our website.

5) How We Make Decisions

Our decision-making procedures will be set out in our corporate governance document, which is also available on our website.

The LGBCE is responsible for conducting four types of reviews, namely electoral reviews, structural reviews community governance reviews and principal area boundary reviews. Electoral reviews are directed by the LGBCE, while principal areas reviews and community governance reviews can be undertaken following a request from the Secretary of State, a local authority or on the LGBCE's own initiative.

The LGBCE may also provide advice to the Secretary of State, at his request, on any proposal he receives from a local authority for a change from two tier to unitary local government. This would be considered a structural reviews.

Further information relating to the LGBCE and our decision-making procedure can be found at:

<http://www.lgbce.org.uk/about-us>.

Minutes of LGBCE meetings are published online, and papers submitted to these meetings are available on request, subject to the redaction of material relating to sensitive legal advice and ongoing reviews, the outcome of which will be published at a later date. Redactions in relation to ongoing reviews are removed when we publish decisions on those reviews.

<http://www.lgbce.org.uk/about-us/commissioners-minutes>

We also publish on our website the representations we receive in relation to reviews. All representations from members of the public are redacted to preserve the confidentiality of personal information.

6) Policies and procedures

Our policies and procedures are listed below in the appendix.

7) Charging

Access to information through our website is free. The LGBCE may make a charge for information which has to be collated specially to meet a request. We may also charge if a considerable volume of paper is to be copied or despatched. The LGBCE will not charge without first advising what it is likely to charge before incurring the relevant costs.

8) Freedom of Information Act 2000

The Freedom of Information Act 2000 (FOIA) came into force on 1 January 2005. It establishes a general right of access to all types of recorded information held by public authorities, sets out exemptions to the right and places a number of obligations on public authorities. The FOIA applies to a large number of public authorities, including the LGBCE. It entitles you to make a written request for information held by the LGBCE, and, unless the information falls under one of the specified exemptions in the FOIA, to:

- i) be informed in writing by the LGBCE whether it holds the information specified in the request, and
- ii) have that information sent to you if the LGBCE does hold the information.

The FOIA obliges the LGBCE to provide the information requested within 20 working days, calculated from the day after receipt of the request, in most circumstances. The FOIA also provides an appeal process whereby you may apply to the Information Commissioner for a decision as to whether the LGBCE dealt with your request properly and in accordance with the Act.

However, the Information Commissioner will expect applicants first to have exhausted any internal complaint process. Details of the LGBCE's Complaints Procedure can be found at: <https://www.lgbce.org.uk/about-us/transparency>

Copies of the FOIA are available from the Stationery Office (TSO). It is also available on the HMSO website at <http://www.legislation.gov.uk/>

Requests for information under the FOI should be made to the Freedom of Information Officer at foi@lgbce.org.uk or in writing to:

9) The FOI Officer

Local Government Boundary Commission for England
14th Floor, Millbank Tower
Millbank
London
SW1P 4QP

Most of the information held by the LGBCE is readily available to members of the public and others, and does not require a request under the FOIA to access it. Besides contacting the LGBCE in writing, the public can access information via the website at www.lgbce.org.uk and can request copies of publications promoted on the website. Details of how to do this are on the website.

10) Data Protection Act 1998

The Data Protection Act 1998 provides individuals with access to personal data about themselves held by public bodies. The right of access extends to personal information about the requester which is held on computer or in structured manual records. The FOIA has extended this right to personal information held on any type of file as from 1 January 2005.

The LGBCE does not hold information on individuals (other than employees) except as required by legislation, or for business purposes. Applicants for information relating to individuals other than the requester will be dealt with under the FOIA.

However if you wish to apply for access to personal information, you may do so by writing to the FOI Officer, at the address given above.

A request for access must be dealt with within 40 days of receipt of the request.

If you consider that your request for access to your personal data was not dealt with in accordance with the Data Protection Act 1998 you may:

- i) Use the LGBCE's Complaints Procedure
- ii) Apply to the court
- iii) Write to the Information Commissioner

11) Complaints Procedure

If you have any comments about the LGBCE's Publication Scheme, or if you feel that you have not been supplied with information in accordance with the FOIA, you may write to Lynn Ingram, Finance Director at the address given above, or alternatively email lynn.ingram@lgbce.org.uk.

The LGBCE aims to deal with complaints within 15 working days.

Further detail of the Complaints Procedure can be found at:

<https://www.lgbce.org.uk/about-us/transparency>

12) Review of the Publication Scheme

Consistent with the Information Commissioner's Office (ICO) guidance, the LGBCE has reviewed the Publication Scheme in the light of the ICO's model publication. The LGBCE will be reviewed every year.

13) Contacting the LGBCE

The address of The Local Government Boundary Commission for England is:

Local Government Boundary Commission for England

14th Floor, Millbank Tower

Millbank

London

SW1P 4QP

Tel: 0330 500 1525

Fax: 0330 500 1526

www.lgbce.org.uk

Appendix: Classes of information

Class	Definition	Format	Links
1 Who we are and what we do			
Relevant Legislation	Details of relevant legislation that affects the Local Government Boundary Commission for England (LGBCE).	Hard copy; website	<p>Local Democracy, Economic Development and Construction Act 2009 (LDEDC). http://www.opsi.gov.uk/acts/acts2009/ukpga_20090020_en_1</p> <p>Local Government and Public Involvement in Health Act 2007 (LGPIH). http://www.opsi.gov.uk/acts/acts2007/ukpga_20070028_en_1</p> <p>Local Government Act 1992 (LGA). http://www.opsi.gov.uk/acts/acts1992/Ukpga_19920019_en_1</p>
Appointments to the LGBCE.	Details of the Chair of the Commission and Commissioners.	Hard copy; website	http://www.lgbce.org.uk/about-us/commissioners
Organisational structure	Organisational chart showing the structure and staffing of the LGBCE.	Hard copy; website	http://www.lgbce.org.uk/_documents/lgbce-documents/files/non-review-specific-documents/organisation-chart.pdf
Job descriptions	Job descriptions relating to different roles currently performed by the LGBCE.	Hard copy	
Vacancies	List of staff vacancies at any point of time.	Hard copy; website	http://www.lgbce.org.uk/about-us/recruitment

Partner organisations	Identify the organisations that we work with frequently.	Hard copy	
Locations and contact details	Contact details for the LGBCE office.	Hard copy; website	http://www.lgbce.org.uk/about-us/our-offices

Class	Definition	Format	Links
2 What we spend and how we spend it			
Financial statements, budgets variance reports	LGBCE Annual accounts for each financial year.	Hard copy; website	Link not yet available.
Fees and expenses	Fees and expenses paid to Commissioners, and expenses paid to the Chief Executive, Director of Reviews and Finance Director, are published quarterly on the website.	Hard copy; website	http://www.lgbce.org.uk/about-us/fees-and-expenses
Salary bands for the grade structure	Pay levels for posts, not indicative of individual salaries. Fees paid to Commissioners and salaries by band of senior staff are also available retrospectively for each year in resource accounts.	Hard copy; website	Link not yet available
Job descriptions	Job descriptions for different roles within the LGBCE.	Hard copy	
Vacancies	Staff vacancies at any point of time.	Hard copy; website	http://www.lgbce.org.uk/about-us/recruitment

Class	Definition	Format	Links
3 What are our priorities and how we are doing			
Annual Report and Resource Accounts	Annual Report & Accounts published by the LGBCE.	Hard copy; website	Links not yet available because the first year's Accounts and Report will not be published until summer 2011.
Corporate Plan	The Corporate plan published each year by the LGBCE.	Hard copy; website	http://www.lgbce.org.uk/_documents/lgbce-documents/guidance/lgbce-corporate-plan-2010-11-to-2014-15-web.pdf
Corporate Governance Framework	Framework reviewed annually and other updates as necessary.	Hard copy; website	Link not yet available.
National Audit Office	National Audit Office's yearly reports to Speakers Committee on LGBCE.	Hard copy; website	Link not yet available.

Class	Definition	Format	Links
4 How we make decisions			
LGBCE meetings	Minutes of formal meetings of the LGBCE. (Agendas also available on request)	Hard copy; website	http://www.lgbce.org.uk/about-us/commissioners-minutes
Commissioners announcements	Announcements and resumes of speeches by Commissioners in the course of LGBCE business.	Hard copy; website	Link not yet available

Class	Definition	Format	Links
5 Policies & Procedures			
Codes of conduct and practice	Codes of conduct and practice for Commissioners and staff of the LGBCE.	Hard copy	
Internal protocols	Protocols including internal working arrangements and protocol on Parliamentary Questions.	Hard copy	
Equality Scheme	Equality scheme produced by the LGBCE in compliance with the Race Relations act 1976 (as amended), Disability Discrimination act 1995, Equality Act 2006.	Hard copy; website	Link not yet available
Staff policies	Internal policies establishing the procedures and practices expected of staff employed by the LGBCE. Some of these policies include exempt information; the reason for excluding this information, which may cover security or health and safety, will be made clear.	Hard copy	

Requests under section 1, FOI Act 2000, and responses thereto.	Requests received by the LGBCE for information under the FOI Act 2000, and copies of responses, including summaries of information provided.	Hard copy; website	http://www.lgbce.org.uk/about-us/foi-requests
Data Protection Information	Information regarding how the LGBCE collects and handles personal information and how to request access to information about yourself.	Hard copy; website	http://www.lgbce.org.uk/about-us/data-protection
Records management policies	Policies and guidance for staff covering information and records management.	Hard copy	Link not yet available.
Complaints procedure	Procedures relating to complaints about the LGBCE's performance and service delivery and complaints relating to the handling of an FOI request.	Hard copy; website	http://www.lgbce.org.uk/about-us/complaints-procedure http://www.lgbce.org.uk/about-us/foi-requests/how-do-i-make-a-freedom-of-information-request
FOI policy and procedure	Internal policy and procedure detailing how an FOI request is dealt with	Hard copy	

Class	Definition	Format	Links
6 Lists & Registers			
Registers of interests, gifts and hospitality.	Register of interests, gifts and hospitality for all Commissioners, the Chief Executive, Director of Reviews and Finance Director.	Hard copy; website	http://www.lgbce.org.uk/about-us/fees-and-expenses

Class	Definition	Format	Links
7 Services we offer			
Research Reports	Research reports directly undertaken by the LGBCE and research undertaken by others procured by the LGBCE.	Hard copy; website	http://www.lgbce.org.uk/guidance-policy-and-publications/policy-and-research
Advice and guidance			
Electoral Reviews	Guidance to support individuals where an electoral review is taking place.	Hard copy; website	http://www.lgbce.org.uk/documents/lgbce-documents/guidance/electoral-review-guidance-web.pdf http://www.lgbce.org.uk/documents/lgbce-documents/guidance/electoral-review-technical-guidance-v4-2010-03-30.pdf
Structural review guidance	Guidance and procedural advice issued for Structural reviews.	Hard copy; website	http://www.lgbce.org.uk/about-us/about-structural-reviews
Community Governance Reviews (CGR)	Joint LGBCE and Department of Communities and Local Government guidance on CGR's. For Local Authorities conducting or considering conducting a CGR.	Hard copy; website	http://www.lgbce.org.uk/documents/lgbce-documents/guidance/community-governance-review-guidance.pdf
Other review bodies	Guidance for the public highlighting the LGBCE's sole responsibilities.	Website	http://www.lgbce.org.uk/current-consultations-1/other-review-bodies
Boundary and electoral reviews			

Electoral and Structural Review reports	Draft and final reports on local authority electoral reviews and structural reviews.	Hard copy; website; CD Rom	http://www.lgbce.org.uk/all-reviews
Submissions	Proposals received from external parties regarding future electoral arrangements for local authorities; received during stages 1 and 3 of an electoral review.	Website	http://www.lgbce.org.uk/all-reviews
Consultation	Details of the start of public consultation in an electoral review area.	Hard copy; website	http://www.lgbce.org.uk/news-and-media/latest-news
Electoral data	Electorate figures provided by local authorities	Hard copy; website	http://www.lgbce.org.uk/all-reviews
Review checklists	Any checklists the LGBCE develop to apply in the course of reviews	Hard copy; website	Link not yet available
Regular Publications			
Press releases	Press releases issued by the LGBCE advising the public about electoral or structural reviews and other matters.	Hard copy; website	http://www.lgbce.org.uk/news-and-media/latest-news
Current and planned reviews	Details of areas where LGBCE is conducting reviews and areas where the LGBCE is in the process of reviewing.	Hard copy; website	http://www.lgbce.org.uk/current-consultations-1

Public notices and advertisements	Public notices and advertisements advising the public on electoral reviews and generally.	Hard Copy	National and local newspapers
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