



## **DODINGTON PARISH COUNCIL LOCAL GOVERNMENT TRANSPARENCY CODE**

### **Introduction**

*(taken from House of Commons Library Briefing Paper Number 06046, 10 Nov 2015)*

The 2010-15 Coalition Government's *Programme for government* contained a section on government transparency. This stated:-

The Government believes that we need to throw open the doors of public bodies, to enable public to hold politicians and public bodies to account. We also recognise that this will help to deliver better value for money in public spending, and help us achieve our aim of cutting the record deficit. Setting government data free will bring significant economic benefits by enabling business and non-profit organisation to build innovative applications and websites.\*

Among the commitments specifically affecting local authorities were the following:

- We will require all councils to publish meeting minutes and local service performance data.
- We will require all councils to publish items of spending above £500, and to publish contracts and tenders in full.
- We will ensure that all data published by public bodies is published in an open and standardised format, so that it can be used easily and with minimal cost by third parties.

\*HM Government, *The Coalition: Our Programme for government*, May 2010, p.20

### **Application**

*(taken from DCLG Local Government Transparency Code 2015 Feb 2015)*

The Code is issued by the Secretary of State for Communities and Local Government in exercise of his powers under section 2 of the Local Government, Planning and Land Act 1980 ('the Act') to issue a Code of Recommended Practice ('the Code') as to the publication of information by local authorities about the discharge of their functions and other matters which he considers to be related. It is issued following consultation in accordance with section 3(11) of the Act.

The Code does not replace or supersede the existing legal framework for access to and re-use of public sector information provided by:-

- Freedom of Information Act 200 (as amended by the Protection of Freedoms Act 2012)
- Environmental Information Regulations 2004
- Re-use of Public Sector Information Regulations 2005
- INSPIRE regulations 2009, and
- Sections 25 and 26 of the Local Audit and Accountability Act 2014 which provide rights for persons to inspect a local authority's accounting records and supporting documentation, and to make copies of them.

The Code only applies to local authorities in relation to descriptions of information or data where that type of local authority undertakes the particular function to which the information or data relates (ie. DPC don't have to publish anything on car parking charges or housing stock – as this isn't relevant to them)

The Code only applies in England

## **Definitions**

In this Code: 'Local Authority' means:-

- Local Authorities in England, including combined authorities, fire and rescue authorities and National Park authorities (the list is extensive – see back page if interested) **and to parish councils with either gross income or expenditure over £200,000.** (It doesn't apply to Police and Crime Commissioners).

## **The Code and its status as legally binding**

Following consultation in 2012-13 the Government made regulations under section 3 of the 1980 Act to require (rather than simply recommend) the publication of data sets specified in Part 2 of the Code (see back page for full set of information).

These regulations apply to all of the categories of authority covered by the Code, **with the exception of parish and town councils with either a gross income or expenditure UNDER £6.5 million.**

For those councils, the code is recommended practice BUT it isn't legally binding.

(NB Smaller parish and town councils with gross income or expenditure less than £25,000 are subject to a separate transparency code).

## **Transparency Code for Dodington Parish Council**

Under the Transparency Code – it is necessary for Dodington Parish Council to agree a policy for publication of information.

This policy sets out:-

- The information that will be published on DPC website
- How frequently the information will be published
- How long it will be archived for
- What members of public should do if they want earlier information \*

\*(Ultimately this builds on / links into the Model Publication Scheme that was adopted in 2008 and which upon adoption of this policy will need amending / updating accordingly).

### **Information to be published on a Weekly / Monthly basis - electronically**

- Agendas to be published 3 days in advance of meeting to which it relates
- Meeting minutes and papers to be published (in draft if not approved) within a month of meeting to which they relate

### **Information to be published on a Quarterly basis – electronically**

- Items of expenditure over £500
- Information of invitations to tender, commissioned activity and purchase order with a value over £5000

### **Information to be published on an Annual basis – electronically**

This information must be published by 1<sup>st</sup> July each year at latest.

- Data on land and building assets held by parish council
- Grants to voluntary, community and social enterprise organisations
- The parish councils constitution (Standing Orders and Financial Regulations)
- End of year accounts
- Annual governance statement
- List of councillors (and their responsibilities if applicable)
- Details of staffing structure

The Council resolved at its meeting on 24 February 2016 to adopt this policy in relation to The Transparency Code 2015.

Date adopted \_\_\_\_\_

Chairman's signature \_\_\_\_\_

Minute number \_\_\_\_\_

## **Full List of what defines a 'Local Authority' in the Code**

- A county council in England
- A district council
- A parish council which has gross annual income or expenditure (whichever is higher) exceeding £200,000
- A London borough council
- The Common Council of the City of London in its capacity as a local authority
- The Council of the Isles of Scilly
- A National Park authority for the National Park in England
- The Broads Authority
- The Greater London Authority so far as it exercises its functions through the Mayor
- The London Fire and Emergency Planning Authority
- Transport for London
- A fire and rescue authority
- A joint authority
- A joint waste authority
- An economic prosperity board established under section 88 of the Local Democracy, Economic Development and Construction Act 2009
- A combined authority established under section 103 of that Act
- A waste disposal authority
- An integrated transport authority

## **Full List of data to be published (larger councils £25,000 +) electronically**

### Quarterly

- Individually items of expenditure exceeding £500
- Information on invitations to tender, every contract, framework agreement, commissioned activity and purchase order with a value of over £5000
- Details of every transaction on a Government Procurement Card used by the authority

### Annually

- Data on the land and buildings assets held by the authority
- Grants to voluntary, community and social enterprise organisations
- The authority's organisation chart, covering the top three levels in the organisation, including salary bands
- Details of trade union facility time, number of representatives and spending upon them
- The number of controlled parking spaces with their area
- Data on the value of the authority's social housing stock
- Data on senior salaries
- The pay multiple
- The authority's constitution
- Details of counter-fraud work
- Details of waste contracts
- Data on parking revenues

## **Full List of data to be published (smaller councils under £25,000) electronically**

Annually (although some items such as agenda's / minutes will need to be published more frequently – agenda's min of 3 days before meeting and minutes in draft at least one month after meeting)

- All items of expenditure above £100
- End of year accounts
- Annual governance statement
- Internal audit report
- Details of public land and building assets
- Agenda's, approved minutes and papers of formal meetings, and
- List of councillor or member responsibilities