

WICKHAM MARKET PARISH COUNCIL ESSENTIALS

No. 11: Transparency



1. Background

- 1.1. Local Government Transparency Code 2015 applies to Councils with turnover greater than £200k. Wickham Market Parish Council is currently not subject to this code. However, it is good practice, so the Council aim to meet the requirements. Further advice can be found in the Practitioners Guide.¹
- 1.2. The code is issued to meet the Government's desire to place more power into citizens' hands to increase democratic accountability and make it easier for local people to contribute to the local decision making process and help shape public services.
- 1.3. The Code does not replace or supersede the existing legal framework²
- 1.4. the Government believes that in principle all data held and managed by local authorities should be made available to local people unless there are specific sensitivities³ to doing so.

2. Three principles have guided the development of this Code:

- 2.1. demand led – new technologies and publication of data should support transparency and accountability.
- 2.2. open – provision of public data should become integral to local authority engagement with local people so that it drives accountability to them. Its availability should be promoted and publicised so that residents know how to access it and how it can be used.
- 2.3. timely – It should be made public as soon as possible following production

3. This Code ensures local people can now see and access data described in Annex A

- 3.1. How money is spent: for example, all spending transactions over £500.
- 3.2. Use of assets: ensuring that local people are able to scrutinise how well their local authority manages its assets.
- 3.3. Decision making: – how decisions are taken and who is taking them.
- 3.4. issues important to local people – such as parking

4. Data protection

- 4.1. Where local authorities are disclosing information which potentially engages the Data Protection Act 1998, they must ensure that the publication of that information is compliant with the provisions of that Act.
- 4.2. The Act does not inhibit information being published about councillors because of legitimate public interest.
- 4.3. The Act also does not automatically prohibit information being published naming the suppliers with whom the authority has contracts, including sole traders.

5. Commercial confidentiality

- 5.1. Local authorities should expect to publish details of contracts newly entered into – commercial confidentiality should not, in itself, be a reason for local authorities to not follow the provisions of this Code.

6. Exclusions and exemptions

- 6.1. Authorities should ensure that they do not contravene the provisions of sections 100A, 100B or 100F of the Local Government Act 1972.
- 6.2. Where information would otherwise fall within one of the exemptions from disclosure identified in footnote 1 then it is at the discretion of the local authority whether or not to rely on that exemption or publish the data. Local authorities should start from the presumption of openness and disclosure of information, and not rely on exemptions to withhold information unless absolutely necessary.

7. Key information to be published

- 7.1. This is summarised for Wickham Market Parish Council in Annex1
- 7.2. In addition to this requirement, local authorities must place a link on their website to these published data or place the data itself on their website, together with a list of responsibilities (for example, the services and functions they are responsible for, budget held and number of staff)

¹ Local Government Association: Local Transparency Guidance – publishing data

² Freedom of Information Act 2000 (as amended by the Protection of Freedoms Act 2012), Environmental Information Regulations 2004, Re-use of Public Sector Information Regulations 2005, Infrastructure for Spatial Information in the European Community (INSPIRE) Regulations 2009, sections 25 and 26 of the Local Audit and Accountability Act 2014 which provide rights for persons to inspect a local authority's accounting

³ Protecting vulnerable people or commercial and operational considerations

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Annex A: Table summarising information to be published relevant to Wickham Market Parish Council	
Information title	Information which must be published at least quarterly ⁴
Expenditure exceeding £500	<p>Details of each individual item of expenditure that exceeds £500⁵. Includes items of expenditure⁶, consistent with Local Government Association guidance⁷.</p> <p>For each individual item of expenditure the following information must be published:</p> <ul style="list-style-type: none"> • date the expenditure was incurred • local authority department which incurred the expenditure • beneficiary • summary of the purpose of the expenditure • amount • Value Added Tax that cannot be recovered • merchant category (eg. computers, software etc).
Gov Procurement Card	None for Wickham Market Parish Council
Procurement information⁸	<p>Details of every invitation to tender for contracts with a value that exceeds £5,000.</p> <p>Details of any contract, commissioned activity, purchase order, framework agreement and any other legally enforceable agreement with a value that exceeds £5k.</p>
Information title	Information which must be published annually ⁹
Local authority land	<p>Details of all land and building assets including:</p> <ul style="list-style-type: none"> • Service and office properties occupied or controlled by user bodies, both freehold and leasehold • undeveloped land <p>For each land or building asset, the following information must be published</p> <ul style="list-style-type: none"> • Unique Property Reference Number and Unique asset identity • Name of the building/land with street name (road address, post town & Postcode) • Map reference – local authorities may use either Ordnance Survey or ISO6709 systems to identify the location of an asset • Whether the local authority owns the freehold or a lease for the asset and for whichever category applies, the local authority must list all the characteristics that apply from the options given below: <p><i>For freehold assets:</i></p> <ul style="list-style-type: none"> • occupied by the local authority • ground leasehold • leasehold • licence • vacant (only publish the first part of the postcode) <p><i>For leasehold assets:</i></p> <ul style="list-style-type: none"> • occupied by the local authority • ground leasehold • sub leasehold • licence <p><i>For other assets:</i></p> <p>free text description eg. rights of way, access etc.</p> <ul style="list-style-type: none"> • whether or not the asset is land only or it is land with a permanent building.
Social housing asset value	None for Wickham Market Parish Council

⁴ For full details refer to the Local Government Transparency code 2015 s2.1

⁵ Net of VAT

⁶ Excludes individuals' salaries

⁷ <http://www.local.gov.uk/practitioners-guides-to-publishing-data>

⁸ Infrequent for WMPC so refer to Local Government Transparency Code 2015 Annex A for details

⁹ For full details refer to the Local Government Transparency code 2015 s2.2

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Grants to voluntary, community and social enterprise organisations	<p>Publish details of all grants to voluntary, community and social enterprise organisations. This can be achieved by either:</p> <ul style="list-style-type: none"> • tagging and hence specifically identifying transactions which relate to voluntary, community and social enterprise organisations within published data on expenditure over £500 <p>For each identified grant, the following information must be published as a minimum:</p> <ul style="list-style-type: none"> • date the grant was awarded • time period for which the grant has been given • local authority department which awarded the grant • beneficiary • beneficiary's registration number • summary of the purpose of the grant • amount
Organisation chart	<p>Publish an organisation chart covering staff in the top three levels of the organisation. WMPC only has 3 employees</p>
Trade union facility time	<p>None for Wickham Market Parish Council</p>
Parking account¹⁰	<p>None for Wickham Market Parish Council</p>
Parking spaces	<p>Local authorities must publish the number of marked out controlled on and off-street parking spaces within their area, or an estimate of the number of spaces where controlled parking space is not marked out in individual parking bays or spaces. Wickham Market Village Hall does not currently have any <u>controlled</u> parking spaces.</p>
Senior salaries	<p>None for Wickham Market Parish Council the number of employees whose remuneration in that year was at least £50,000 in brackets of £5,000</p>
Constitution	<p>Local authorities must publish their Constitution on their website¹¹.</p>
Pay multiple¹²	<p>Not relevant to Wickham Market Parish Council¹³ as WMPC is not a relevant authority for these purposes¹⁴</p>
Fraud¹⁵	<p>Publish the following information: total number of fraud cases investigated.</p>

¹⁰ A parking account kept under section 55 of the Road Traffic Regulation Act 1984 as modified by Regulation 25 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007.

¹¹ Local Government Act 2000 s9p

¹² Localism Act 2011 s38 to s43

¹³ Openness and accountability in local pay: Guidance under section 40 of the Localism Act

¹⁴ Localism Act 2011 s43 (1)

¹⁵ For further details refer to Local Government Transparency Code 2015 Annex B