

# report

meeting	<b>NOTTINGHAMSHIRE AND CITY OF NOTTINGHAM FIRE AUTHORITY</b>	
date	13 December 2002	agenda item

## REPORT OF THE CLERK

### FREEDOM OF INFORMATION ACT 2000 - THE AUTHORITY'S PUBLICATION SCHEME

#### 1 **Purpose of report**

This report summarises the requirements of the Freedom of Information Act as they relate to the Authority and recommends appropriate action.

#### 2 **Background**

Public authorities, including the Fire Authority, are required by the Freedom of Information Act to adopt and maintain a publication scheme setting out

- the classes of information which they publish or intend to publish
- the manner in which the information will be published
- whether the information is available free of charge or on payment.

A significant amount of information about the Authority will be made available in the scheme itself. The scheme will also provide for individuals to have a right of access to further information. People already have a right to see information about themselves held on computer and on certain paper files under the Data Protection Act. The Freedom of Information Act extends these rights to all types of information held, whether personal or non-personal, subject to a number of exceptions. These include national security, law enforcement, commercial interests and personal data.

#### 3 **Timetable**

The Act is being implemented in stages. For local government generally, including Fire Authorities, the timetable is as follows:-

- by the 31 December 2002 – the Authority's publication scheme to be submitted to the Information Commissioner (formerly the Data Protection Commissioner)

- by 28 February 2003 – the scheme comes into force
- from 1 January 2005 – the new right of access comes into force and individual requests for information must be complied with.

#### 4 **The Authority's publication scheme**

In adopting its scheme the Authority is required to have regard to the public interest in allowing public access to information held by the Authority and in the publication of reasons for decisions made. The scheme has to be approved by the Information Commissioner.

A model publication scheme has been commissioned from Masons, Solicitors, by a group of Combined Fire Authorities and Fire and Civil Defence Authorities. **Attached** is a copy of the model scheme incorporating some of the detail specifically relating to this Authority. Some further work is required to complete the document and it is proposed therefore to authorise the Clerk in consultation with the Chief Fire Officer to finalise the scheme and submit to the Information Commissioner.

#### 5 **Recommendation**

It is recommended that the Clerk in consultation with the Chief Fire Officer be authorised to finalise the Authority's publication scheme and submit it to the Information Commissioner.

#### 6 **Background documents available for inspection**

Information Commissioner Guidance on Publication Schemes

**Tony Austin**  
**Clerk to the Authority**

***This is the Publication Scheme of the Nottinghamshire and City of Nottingham Fire Authority  
which covers the geographical area of the County of Nottinghamshire***

*Our full title and address for sending any documents is: Nottinghamshire Fire and Rescue Services Headquarters,  
Bestwood Lodge, Arnold, Nottingham NG5 8PD*

*The senior officer responsible for maintenance of this scheme is:*

**1. Introduction: what a publication scheme is and why it has been developed**

One of the aims of the Freedom of Information Act 2000 (which is referred to as FOIA in the rest of this document) is that public authorities should be clear and proactive about the information they will make public. To do this they must produce a publication scheme, setting out:

- § The classes of information which they publish or intend to publish;*
- § The manner in which the information will be published; and*
- § Whether the information is available free of charge or on payment.*

The Authority's publication scheme consists of information already published and held by the Authority or information which is to be published in the future. That means that all information in our publication scheme is either available for you on our website to download and print off or available in traditional document form. Information within the publication scheme will be available either free or at a charge – we explain which is free or which will be provided at a charge later in this scheme.

Some information which we hold may not be made public, for example information about national security or court records.

## **2. Classes of information published by the Authority**

The publication scheme guides you to information which we currently publish (or have recently published) or which we will publish in the future – this is split into ‘classes’ of information.

The ‘classes’ of information currently published are contained in section 4 of this Scheme. Details of how the information is or will be published and any fees charged for information contained in the publication scheme are set out in the same section.

The classes in the scheme are based on our departmental functions. Under each heading there is a list of the information which we publish which relates to that function.

For example, information under the heading of ‘personnel’ includes recruitment, training, discipline policies and so on.

### 3. What we do: Functions of the Fire Authority and Fire & Rescue Service in Nottinghamshire.

The Authority is responsible for carrying out the duties required by the Fire Services Act 1947. These include:

- § securing the services of a fire brigade for its area;
- § securing the efficient training of its fire fighters;
- § making sure arrangements are in place to receive calls and summon members of the fire brigade;
- § gathering information on the character of buildings and water supplies;

- § securing arrangements to alleviate damage to property in the course of firefighting;
- § giving fire safety advice; and
- § enforcing laws providing for fire safety within its area.

The Authority sets the fire authority's annual budget and the cost of carrying out its duties are met by council tax in each council area.

The Authority also carries out other functions, such as rescue services or attending non-fire incidents. These include:

- § rescuing trapped and/or injured people where no fire is involved e.g. at road accidents;
- § dealing with spillages and accidental release of substances endangering life or the environment e.g. chemical or toxic substances inadvertently released; and
- § responding to extreme weather conditions e.g. pumping water from flooded property (for information about this see under Rescue Services below)

As part of its duties laid down in the Fire Services Act 1947, the Authority provides fire advice in the community. This means educating the public about fire safety.

The Authority is a Combined Fire Authority established in April 1998 following local government reorganisation. Nottinghamshire County Council and Nottingham City Council are the Councils represented on the Authority but it is independent from them. Representative members of each Council sit on the Authority (12 councillors nominated by the County Council and six by the City Council) which oversees the Fire Brigade's finances, strategies and operations.

#### 4. Classes of Information Currently Published

Class	Sub-Heading	Format of Information	Availability & Cost
Operational – fire fighting & rescue.	<ul style="list-style-type: none"> <li>• Policies / Procedures Manuals – <i>e.g. major incident plans</i></li> <li>• Fire Cover/Areas</li> <li>• Vehicles/Appliances</li> <li>• Equipment</li> <li>• Special Services <i>e.g. pumping out flooded premises</i></li> <li>• <b><i>[Firefighting at Sea</i></b></li> <li>• <b><i>Mountain Rescue</i></b></li> <li>• <b><i>Firefighting from Rivers]</i></b></li> </ul>	<p>Brochures &amp; Internal documents</p> <p>Maps / Plans</p> <p>Leaflets</p> <p><b><i>[website]</i></b></p>	<p><a href="http://www.notts-fire.gov.uk">www.notts-fire.gov.uk</a></p> <p><b><i>[Local Libraries]</i></b></p> <p>Information Officer</p> <p><b><i>[delete / retain above as appropriate]</i></b></p> <p><b>Cost – <i>[Free / £]</i></b></p>

<b>Personnel *</b> <b>[&amp; Training]</b>	<ul style="list-style-type: none"> <li>• Recruitment</li> <li>• Terms and Conditions</li> <li>• Discipline Procedure</li> <li>• Staff Appraisal Policy</li> <li>• Statistics</li> <li>• Equal Opportunities</li> <li>• <b>[Training Strategy</b></li> <li>• <b>Pension information</b></li> <li>• <b>Operational Training Manuals</b></li> <li>• <b>Non-Uniformed</b> (excluding Personal Data)</li> <li>• <b>Integrated Personnel Development System (IPDS)]</b></li> </ul>	Application Forms  Documents  Leaflets  <b>[add document format]</b>  <b>[website]</b>	<b>[Insert as above as appropriate]</b>          <b>Cost – [Free / £]</b>
Occupational Health & Safety – <i>advice to Staff &amp; public on Fire related issues.</i>	<ul style="list-style-type: none"> <li>• Occupational Health Advice</li> <li>• Risk Assessment – <i>evaluating risks to people</i></li> <li>• <b>[Welfare</b></li> <li>• <b>Statistics]</b></li> </ul>	Leaflets Tables  <b>[website]</b>	<b>Cost – [Free / £]</b>
Managing the Service	<ul style="list-style-type: none"> <li>• Guidance on Management</li> <li>• Policies and Procedures</li> <li>• Brigade Structure</li> </ul>	Official publications  <b>[website]</b>	<b>Cost – [Free / £]</b>

Plans & Procedures	<ul style="list-style-type: none"> <li>• Corporate Plan</li> <li>• Best Value Plans</li> <li>• Strategies e.g. <i>Community Fire Safety</i></li> <li>• Service Orders e.g. <i>dealing with burning vehicles</i></li> <li>• Service Plans</li> </ul>	<p>Authority Reports</p> <p>Brochures <b>[website]</b></p>	Cost – <b>[Free / £]</b>
Budgets	<ul style="list-style-type: none"> <li>• Annual Budget</li> <li>• Financial Summary</li> <li>• Annual Statement of Accounts <b>[from 1986]</b></li> </ul>	<p>Authority Reports</p> <p><b>[website]</b></p>	Cost – <b>[Free / £]</b>
Premises (locations of stations etc)	<ul style="list-style-type: none"> <li>• Fire Stations</li> <li>• Training Centres</li> <li>• Headquarters</li> </ul>	<p>Tables &amp; Plans</p> <p><b>[website]</b></p>	<p>7</p> <p>8</p> <p>9</p> <p>10    Cost – <b>[Free / £]</b></p>
Purchasing & Supply	<ul style="list-style-type: none"> <li>• Policy Statement – <i>purchasing strategy</i></li> <li>• <b>[Uniforms]</b></li> <li>• <b>[Stationery]</b></li> <li>• Operational Equipment</li> <li>• Vehicles, Appliances &amp; Cars</li> <li>• Smoke alarms</li> </ul>	<p><b>[add document format]</b></p> <p><b>[website]</b></p>	Cost – <b>[Free / £]</b>
Information & Communication	<ul style="list-style-type: none"> <li>• Equipment: Software &amp; Hardware</li> </ul>	<b>[add document format]</b>	



Technology	<ul style="list-style-type: none"> <li>• Policies &amp; Strategies e.g. <i>the Implementing Electronic Government Statement</i></li> <li>• Technical Specifications</li> <li>• IT Development</li> <li>• <b>[Communications Networks]</b></li> <li>• <b>Communications Procedures]</b></li> <li>• Collaborative Projects e.g. <i>Radio Strategy Project</i></li> </ul>	<b>[website]</b>	Cost – <b>[Free / £]</b>
Public Relations	<ul style="list-style-type: none"> <li>• News/Press Releases</li> <li>• Incidents of interest</li> <li>• <b>[Complaints Procedure]</b></li> <li>• <b>[News Letters]</b></li> </ul>	Documents  <b>[website]</b>	Cost – <b>[Free / £]</b>
Fire Safety:  Community FS       Technical FS & Enforcement	<ul style="list-style-type: none"> <li>• Community FS Plan – how we promote Fire Safety</li> <li>• Fire Safety at Home &amp; Community</li> <li>• FS for Schools/Kids</li> <li>• Statistics</li> <li>• Fire Safety Campaign</li> <li>• <b>[Young Firefighters]</b></li> <li>• <b>[Other initiatives]</b></li> <li>• Commercial FS</li> <li>• Policy &amp; Procedure</li> </ul>	Leaflets  Brochures  Posters  Stickers Manuals  Documents  <b>[website]</b>	

	<ul style="list-style-type: none"> <li>• Guidance</li> <li>• Statistics</li> </ul>		Cost – [Free / £]
Performance	<ul style="list-style-type: none"> <li>• Best Value Indicators</li> <li>• BV Performance Plans &amp; Reviews</li> <li>• Statistics</li> <li>• Audit Reports</li> <li>• HM Fire Service Inspectorate Reports</li> <li>• Performance Management</li> </ul>	Reports & Documents  <i>[website]</i>	Cost – [Free / £]
Committees & Partnerships *	<ul style="list-style-type: none"> <li>• Fire Authority</li> <li>• Public Protection</li> <li>• Premises</li> <li>• <b><i>[Trades Unions Liaison]</i></b></li> <li>• Management Board <b><i>[(from Feb 2003)]</i></b></li> <li>• Equal Opportunities</li> <li>• Local Partnership Agreements e.g. <i>smoke alarms</i></li> </ul>	Agendas/ Open Reports & Minutes  Reports  Brochures  <i>[website]</i>	Cost – [Free / £]
<b><i>[For London Fire Emergency Planning Authority &amp; Fire Civil Defence Authorities: Emergency Planning – civil</i></b>	<ul style="list-style-type: none"> <li>• <b><i>Civil Defence plans</i></b></li> <li>• <b><i>Control of Major Accident Hazards Plans</i></b></li> <li>• <b><i>Pipeline and Radiation Plans</i></b></li> <li>• <b><i>Public Information Zone (high risk areas)</i></b></li> </ul>	<b><i>[add document format]</i></b>	

<b>defence Pipelines, Radiological emergencies Major Accident Hazards</b>		<b>[website]</b>	<b>Cost – [Free / £]</b>
<b>[Brigade Museum / Historical Interest</b>	<ul style="list-style-type: none"> <li><b>Public information</b></li> </ul>	<b>Leaflets etc]</b>	<b>Cost – [Free / £]</b>

\* some information might be confidential or exempt from publication by law - we cannot therefore publish this

- Information available on our website**

Nottinghamshire and City of Nottingham Fire Authority maintains a website at [www.notts-fire.gov.uk](http://www.notts-fire.gov.uk) and has an ongoing commitment to make as much information available on its website as possible.

## 5. Other Useful website addresses

The information you are looking for may also be available from the following organisations or on their websites. The websites listed below are an excellent source of information and if the documents are downloaded or printed off by the enquirer they provide a quick response at little cost.

However, the Authority takes no responsibility nor warrants the accuracy of information contained on the following sites:

- Chief and Assistant Chief Fire Officers Association (CACFOA) -[www.fire-uk.org](http://www.fire-uk.org)
- Office of the Deputy Prime Minister (ODPM)  
*Fire Health & Safety Directorate*  
*Fire Research Division*

*Fire Policy Division  
Her Majesty's Fire Service Inspectorate  
[www.odpm.gov.uk/fire](http://www.odpm.gov.uk/fire)*

- UK Online Government – [www.ukonline.gov.uk](http://www.ukonline.gov.uk)
- Local Government Association (LGA) - [www.lga.gov.uk](http://www.lga.gov.uk)
- FireNet International – [www.fire.org.uk](http://www.fire.org.uk)

## **6. Making an application for other information to the Authority**

As well as being able to access information which is publicly available under the Publication Scheme we will answer queries under the existing Code of Practice on Access to Government Information. This allows you to write and ask us to supply you with specific information.

You can also apply for a copy of the personal data we hold about you under the Data Protection Act 1998 - that is information relating to an applicant that has arisen through their employment with the Authority or information obtained about an individual through the Authority's statutory functions. There is a fee of £10 and you should contact the Authority's data protection officer on **[ INSERT CONTACT DETAILS ]**.

## **7. Applications for information after January 2005 under FOIA**

After January 2005 you will be able to ask the Authority for information which is not already published elsewhere nor exempt under the FOIA. Under the FOIA you will have the right to ask for information to be provided in a particular way and we will try to meet your request. You will be able to ask for assistance if you have any difficulty in formulating or making an application by contacting the Authority's Information Officer. We will help you as much as possible but we are not required to look for the information you request unless we have:

- § a clear and understandable request with enough detail to locate the information;
- § your name and address so we can respond to your request; and

§ an indication about the form in which you want the information.

This will ensure that your application is dealt with as quickly as possible. You should give as much detail as you can in order to assist us in locating the information that you require. Some documents may include exempt information so you will only get the information which is not exempt. You only have a right to information and not necessarily to documents. Some documents may include exempt information so you will only get the information from them which is not exempt.

Any fee charged will be calculated by looking at the costs directly and reasonably incurred locating the information you have asked for and giving it to you. You will then be sent a 'fees notice' which you will have to pay within three months of your request – you will not receive information until you have paid the costs in the fees notice.

If the estimated cost of providing the information would be above the appropriate limit set by the government then we will not be under a duty to provide the information. However, the Authority will inform you if the limit will be exceeded and we will try to let you know what can be provided within the limit. Despite not being obliged to provide information which exceeds the limit the Authority will still be under a duty to advise and assist.

In order to protect the Authority there will be rules which govern multiple applications for information which are clearly trying to avoid the financial limits set by the government. However, we will try to help you as much as possible to get the information you want.

## **8. Complaints and Feedback**

If you want to make any comments about this publication scheme or if you require further assistance or need to make a complaint then initially this should be addressed to the Authority's Information Officer at ***[INSERT CONTACT DETAILS]***.

If you are not satisfied with the assistance that you get from the Authority or if we have not been able to resolve your complaint and you feel that a formal complaint needs to be made then this should be addressed to the office of the

Information Commissioner. This is the organisation that ensure compliance with the Freedom of Information Act 2000 and that deals with formal complaints. They can be contacted at:

***Information Commissioner, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF***

*or*

**Enquiry/Information Line: 01625 545 745**

**E Mail: [data@dataprotection.gov.uk](mailto:data@dataprotection.gov.uk).**

***This document will be made available in other languages  
or on audio cassette upon request.***