

Cabinet
14 Tachwedd 2022

POLISI RHYDDID GWYBODAETH

Y Pwrpas:

Ystyried y Polisi Rhyddid Gwybodaeth diwygiedig (a elwir ar hyn o bryd yn Gôd Ymarfer ar Ganiatáu i'r Cyhoedd Weld Gwybodaeth).

Yr argymhellion / penderfyniadau allweddol sydd eu hangen:

Cymeradwyo'r ddogfen bolisi newydd.

Y Rhesymau:

- Mae'r Côt Ymarfer presennol ar Ganiatáu i'r Cyhoedd Weld Gwybodaeth wedi mynd y tu hwnt i'w ddyddiad adolygu;
- Cydymffurfio â gofynion y Côt Ymarfer a gyhoeddwyd gan Swyddfa'r Cabinet o dan Adran 45 o Ddeddf Rhyddid Gwybodaeth 2000;
- Cynorthwyo gyda chydymffurfio â'r Côt Ymarfer hwn a'r ddeddfwriaeth.

Angen i'r Cabinet wneud penderfyniad

OES

Angen i'r Cyngor wneud penderfyniad

NAC OES

YR AELOD CABINET SY'N GYFRIFOL AM Y PORTFFOLIO: Y Cyngorydd Philip Hughes

Y Gyfarwyddiaeth: Y Prif
Weithredwr

Enw Pennaeth y Gwasanaeth:
Noelwyn Daniel

Awdur yr Adroddiad: John
Tillman

Swyddi:

Pennaeth TGCh a Pholisi
Corfforaethol

Rheolwr Llywodraethu
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**EXECUTIVE SUMMARY
CABINET
14TH NOVEMBER 2022**

Freedom of Information Policy

1. BRIEF SUMMARY OF PURPOSE OF REPORT.

This revised Policy sets out the principles which underpin Carmarthenshire County Council's approach to the promotion of open government and reinforces its commitment to openness.

It reflects the key features of the Freedom of Information Act 2000 (the Act), including the categories of exempt information specified within this legislation.

The document was originally approved as the Code of Practice on Public Access to Information on 14th May 2013 and has far exceeded its review date. This was therefore identified as an Internal Audit action.

Upon reviewing the document in September and October 2019, the following key changes have been made:

- The new draft takes into account the requirements of the Cabinet Office's latest Freedom of Information Code of Practice (4th July 2018), which sets out best practice in discharging functions and responsibilities under the Act;
- The title of the document has been simplified and shortened, to avoid confusion with the Cabinet Office document.

(All changes have been highlighted within the attached draft Policy document).

DETAILED REPORT ATTACHED?

YES

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report:

Signed: **Noelwyn Daniel**

Head of ICT & Corporate Policy

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
YES	YES	NONE	NONE	NONE	YES	NONE

1. Policy, Crime & Disorder and Equalities

The recommendation is that this Policy be implemented and supported by other Council policies, specifically:

- Records Management Policy;
- Information Security Policy;
- Handling Personal Data Policy.

2. Legal

The changes made to the Policy reflect the requirements set out in a Code of Practice issued by the Cabinet Office under Section 45 of the Freedom of Information Act 2000. The Policy is designed to assist with compliance with this Code of Practice and the legislation.

3. Staffing Implications

The Policy applies to all information held by the Council and therefore all staff that handle or are responsible for this information.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Noelwyn Daniel

Head of ICT & Corporate Policy

(Please specify the outcomes of consultations undertaken where they arise against the following headings)

1. Scrutiny Committee request for pre-determination	N/A
If yes include the following information: -	
Scrutiny Committee	
Date the report was considered:-	
Scrutiny Committee Outcome/Recommendations:-	

2. Local Member(s)

Name(s) of local member(s) and individual comments to be included, if appropriate.

None

3. Community / Town Council None

4. Relevant Partners None

5. Staff Side Representatives and other Organisations None

**CABINET PORTFOLIO HOLDER(S)
AWARE/CONSULTED**

Yes

Include any observations here

**Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:**

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Draft Freedom of Information Policy (prepared in October 2019)	n/a	n/a
Code of Practice on Public Access to Information	n/a	https://www.carmarthenshire.gov.wales/media/3297/code_of_practice.pdf?v=201711241220400000
Cabinet Office Freedom of Information Code of Practice	n/a	www.gov.uk/publications
Information Commissioner’s Office – Guide to Freedom of Information	n/a	https://ico.org.uk/for-organisations/guide-to-freedom-of-information/
The Freedom of Information Act 2000	n/a	Freedom of Information Act 2000 (legislation.gov.uk)
Protection of Freedoms Act 2012	n/a	https://www.legislation.gov.uk/ukpga/2012/9/contents/enacted