

# RIBBLE VALLEY BOROUGH COUNCIL

## REPORT TO ACCOUNTS AND AUDIT COMMITTEE

Agenda Item No 8

meeting date: 19 NOVEMBER 2014  
title: UPDATE ON CHANGES TO TRANSPARENCY REQUIREMENTS  
submitted by: DIRECTOR OF RESOURCES  
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### 1 PURPOSE

- 1.1 The purpose of this report is to provide members of the Audit and Audit Committee with an update following the recent government response to a consultation by the Department for Communities and Local Government on the Code of Recommended practice on Data Transparency in Local Government.
- 1.2 This report sets out the key changes in terms of additional information that is recommended to be published, and the action the Council is taking to comply with this.

### 2 BACKGROUND

- 2.1 In April 2010, the Council began to publish data on spend and salaries in order to meet the requirements of the Department of Communities and Local Government (DCLG) as part of its efforts to improve local transparency and accountability across Whitehall and local government.
- 2.2 The Department for Communities and Local Government has now issued the Local Government Transparency Code 2014 (Annex 1) 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.
- 2.3 There are now a number of items that **must** be published, in some cases quarterly and in others annually. Additionally the Code details further information that the DCLG **recommend** that council's publish.

### 3 PUBLICATION REQUIREMENTS

- 3.1 The new and extended requirements of the Government's Transparency Code are developed on three principles:
  - **Demand Led** – there are growing expectations that new technologies and publication of data should support transparency and accountability. It is vital that public bodies recognise the value to the public of the data they hold, understand what they hold, what their communities want and then release it in a way that allows the public, developers and the media to use it.
  - **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. Presentation should be helpful and accessible to local people and other interested persons.

- **Timely** – the timeliness of making public data available is often of vital importance. It should be made public as soon as possible following production even if it is not accompanied with detailed analysis.

3.2 A summary of the publication areas covered are shown in the table below:

| <b>MUST be published Quarterly</b><br><b>First publication to be by</b><br><b>31 December 2014</b>  | <b>MUST be published Annually</b><br><b>First publication to be by</b><br><b>2 February 2015</b>   |
|---|--|
| <ul style="list-style-type: none"> <li>• Expenditure exceeding £500</li> <li>• Government Procurement Card Transactions</li> <li>• Procurement Information</li> </ul> | <ul style="list-style-type: none"> <li>• Local Authority Land</li> <li>• Grants to Voluntary, Community and Social Enterprise Organisations.</li> <li>• Organisation Charts</li> <li>• Trade Union Facility Time</li> <li>• Parking Account</li> <li>• Parking Spaces</li> <li>• Senior Salaries</li> <li>• Constitution</li> <li>• Pay Multiple</li> <li>• Fraud</li> </ul> |

- 3.3 As mentioned earlier in the report, there are extensions to the basic requirements which broaden the level of data required to be published in the table above. This includes reporting more details and also lower threshold levels. This is detailed in Annex 1 in Part 3, starting on page 19.
- 3.4 A great deal of work would be required to provide the additional recommendations that are not at the moment statutory. The current statutory requirements in the table above started as a best practice recommendation; therefore it is assumed that in the future the additional items recommended for publication may become statutory requirements at some time in the future.
- 3.5 With regard to the items listed at 3.2 above. The majority of the requirements are reported across our website and the main work in such instances would be including these on our main 'Transparency' webpage. However, there will need to be some additional work on the Procurement Information, which is not currently in a readily accessible format, and this work is currently underway.
- 3.6 The transparency originated as a financially driven requirement, but as the table at paragraph 3.2 demonstrates, this is not necessarily still the case.

#### 4 CONCLUSION

- 4.1 The requirements of the Transparency Code 2014 have been extended from the previous recommended best practice, and include areas wider than those that are financially based.
- 4.2 There are now new publishing deadlines, but which we currently feel confident in meeting.
- 4.3 The extended 'recommended' reporting areas would require an extensive investment of time but are not yet a statutory requirement.

HEAD OF FINANCIAL SERVICES

DIRECTOR OF RESOURCES

AA25-14/LO/AC  
31 October 2014



Department for  
Communities and  
Local Government

# Local Government Transparency Code 2014

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# Part 1: Introduction

## Policy context

1. This 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. Transparency is the foundation of local accountability and the key that gives people the tools and information they need to enable them to play a bigger role in society. The availability of data can also open new markets for local business, the voluntary and community sectors and social enterprises to run services or manage public assets.
2. 'Data' means the objective, factual data, on which policy decisions are based and on which public services are assessed, or which is collected or generated in the course of public service delivery. This should be the basis for publication of information on the discharge of local authority functions.
3. 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 sensitivities (eg. protecting vulnerable people or commercial and operational considerations) to doing so. It encourages local authorities to see data as a valuable resource not only to themselves, but also their partners and local people.
4. Three principles have guided the development of this Code:
  - **Demand led** – there are growing expectations that new technologies and publication of data should support transparency and accountability. It is vital that public bodies recognise the value to the public of the data they hold, understand what they hold, what their communities want and then release it in a way that allows the public, developers and the media to use it
  - **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. Presentation should be helpful and accessible to local people and other interested persons, and
  - **Timely** – the timeliness of making public data available is often of vital importance. It should be made public as soon as possible following production even if it is not accompanied with detailed analysis.

5. Respondents to the Government's consultation on 'Improving Local Government Transparency: Making 'The Code of Recommended Practice for Local Authorities on Data Transparency' enforceable by regulations'<sup>1</sup> suggested datasets that should be included in this Code<sup>2</sup>. The Government has decided not to include them. However, local authorities are encouraged to consider what respondents said and look to go further than this Code, in line with the principle that all data held and managed by local authorities should be made open and available to local people unless there are specific sensitivities to doing so. Annex A summarises the publication requirements for datasets covered by this Code.
6. Fraud can thrive where decisions are not open to scrutiny and details of spending, contracts and service provision are hidden from view. Greater transparency, and the provisions in this Code, can help combat fraud. Local authorities should also use a risk management approach with strong internal control arrangements to reduce the risk of any payment fraud as a result of publishing public data. Local authorities should refer to the Chartered Institute of Public Finance and Accountancy Red Book 2 – Managing the Risk of Fraud – Actions to Counter Fraud and Corruption<sup>3</sup>. Annex B provides further information on combating fraud.

## Application

7. This 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. It replaces any previous Codes issued in relation to authorities in England under those powers.
8. The Code does not replace or supersede the existing legal framework for access to and re-use of public sector information provided by the:
  - 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 Regulations 2009, and
  - Section 15 of the Audit Commission Act 1998 which provides a right for persons interested to inspect a local authority's accounting records and supporting documentation, and to make copies of them, for a limited period each year.

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<sup>1</sup>[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/14855/Making\\_the\\_Code\\_of\\_Recommended\\_Practice\\_mandatory\\_-\\_consultation.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/14855/Making_the_Code_of_Recommended_Practice_mandatory_-_consultation.pdf)

<sup>2</sup>[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/266815/Transparency\\_Code\\_Government\\_Response.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/266815/Transparency_Code_Government_Response.pdf) (See paragraph 37)

<sup>3</sup>[http://www.cipfanetworks.net/governance/documentation/default\\_view.asp?library=157&category=1255&content\\_ref=7550](http://www.cipfanetworks.net/governance/documentation/default_view.asp?library=157&category=1255&content_ref=7550)



9. This Code does not apply to Police and Crime Commissioners, for whom a separate transparency framework applies.
10. This 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.
11. The Code applies in England only.

## Definitions

12. In this Code:

“local authority” means:

- a county council in England
- a district council
- a parish council which has gross annual income or expenditure (whichever is the 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 a 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 (constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies, and a metropolitan county fire and rescue authority)
- a joint authority established by Part IV of the Local Government Act 1985 (fire and rescue services and transport)
- a joint waste authority, i.e. an authority established for an area in England by an order under section 207 of the Local Government and Public Involvement in Health Act 2007
- 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, i.e. an authority established under section 10 of the Local Government Act 1985, and
- an integrated transport authority for an integrated transport area in England.

“voluntary and community sector organisations” means a non-governmental organisation that is value-driven and which principally reinvests its surpluses to further social, environmental or cultural objectives.

“a social enterprise<sup>4</sup>” means a business that trades for a social and/or environmental purpose and is a business which:

- aims to generate its income by selling goods and services, rather than through grants and donations
- is set up to specifically make a difference, and
- reinvests the profits it makes for the purpose of its social mission.

“a small or medium sized enterprise” means an undertaking which has fewer than 250 employees.

## Data protection

13. The Government believes that local transparency can be implemented in a way that complies with the Data Protection Act 1998. 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. The Data Protection Act 1998 does not restrict or inhibit information being published about councillors or senior local authority officers because of the legitimate public interest in the scrutiny of such senior individuals and decision makers. The Data Protection Act 1998 also does not automatically prohibit information being published naming the suppliers with whom the authority has contracts, including sole traders, because of the public interest in accountability and transparency in the spending of public money.

14. For other situations where information held by local authorities contains public data which cannot be disclosed in a Data Protection Act compliant manner, the Information Commissioner’s Office has published guidance on anonymisation of datasets, enabling publication of data which can yield insights to support public service improvement, whilst safeguarding individuals’ privacy<sup>5</sup>.

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<sup>4</sup> <https://www.gov.uk/set-up-a-social-enterprise>

<sup>5</sup> [http://ico.org.uk/for\\_organisations/data\\_protection/topic\\_guides/anonymisation](http://ico.org.uk/for_organisations/data_protection/topic_guides/anonymisation)

## Commercial confidentiality

15. The Government has not seen any evidence that publishing details about contracts entered into by local authorities would prejudice procurement exercises or the interests of commercial organisations, or breach commercial confidentiality unless specific confidentiality clauses are included in contracts. 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. Therefore, local authorities should consider inserting clauses in new contracts allowing for the disclosure of data in compliance with this Code.

## Exclusions and exemptions

16. Authorities should ensure that they do not contravene the provisions of sections 100A, 100B or 100F of the Local Government Act 1972.
17. Where information would otherwise fall within one of the exemptions from disclosure under the Freedom of Information Act 2000, the Environmental Information Regulations 2004, the Infrastructure for Spatial Information in the European Community Regulations 2009 or falls within Schedule 12A to the Local Government Act 1972 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.

## Timeliness and errors

18. Data should be as accurate as possible at first publication. While errors may occur, the publication of information should not be unduly delayed to rectify mistakes. Instead, publication should be used to help address any imperfections and deficiencies. This concerns errors in data accuracy, not errors in redacting personal data. The best way to achieve this is by having robust information management processes in place.
19. Where errors in data are discovered, or files are changed for other reasons (such as omissions), local authorities should publish revised information making it clear where and how there has been an amendment. Metadata on data.gov.uk should be amended accordingly.

## Further guidance and support

20. The Department for Communities and Local Government will work with sector led organisations such as the Local Government Association and the Local eGovernment Standards Body, the Local Public Data Panel and the Information Commissioner's Office to ensure guidance on transparency (eg. technical guidance notes, best practice examples and case studies) is available to local authorities.

# Part 2: Information which must be published

## Part 2.1: Information to be published quarterly

21. Data covered by this section includes:

- expenditure exceeding £500 (see paragraphs 23 and 24)
- Government Procurement Card transactions (paragraph 25), and
- procurement information (see paragraphs 26 and 27).

22. The data and information referred to in this Part (2.1) must be published:

- on the first occasion, not later than 31 December 2014, and
- thereafter, not less than quarterly and not later than one month after the quarter to which the data and information is applicable.

### **Expenditure exceeding £500**

23. Local authorities must publish details of each individual item of expenditure that exceeds £500<sup>6</sup>. This includes items of expenditure<sup>7</sup>, consistent with Local Government Association guidance<sup>8</sup>, such as:

- individual invoices
- grant payments
- expense payments
- payments for goods and services
- grants
- grant in aid
- rent
- credit notes over £500, and
- transactions with other public bodies.

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<sup>6</sup> The threshold should be, where possible, the net amount excluding recoverable Value Added Tax.

<sup>7</sup> Salary payments to staff normally employed by the local authority should not be included. However, local authorities should publish details of payments to individual contractors (e.g. individuals from consultancy firms, employment agencies, direct personal contracts, personal service companies etc) either here or under contract information.

<sup>8</sup> <http://www.local.gov.uk/practitioners-guides-to-publishing-data>

24. For each individual item of expenditure the following information must be published:

- date the expenditure was incurred
- local authority department which incurred the expenditure
- beneficiary
- summary of the purpose of the expenditure<sup>9</sup>
- amount<sup>10</sup>
- Value Added Tax that cannot be recovered, and
- merchant category (eg. computers, software etc).

### **Government Procurement Card transactions**

25. Local authorities must publish details of every transaction on a Government Procurement Card. For each transaction, the following details must be published:

- date of the transaction
- local authority department which incurred the expenditure
- beneficiary
- amount<sup>11</sup>
- Value Added Tax that cannot be recovered
- summary of the purpose of the expenditure, and
- merchant category (eg. computers, software etc).

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<sup>9</sup> This could be the descriptor that local authorities use in their accounting system providing it gives a clear sense of why the expenditure was incurred or what it purchased or secured for the local authority.

<sup>10</sup> Where possible, this should be the net amount excluding recoverable Value Added Tax. Where Value Added Tax cannot be recovered – or the source of the data being used cannot separate out recoverable Value Added Tax – then the gross amount should be used instead with a note stating that the gross amount has been used.

<sup>11</sup> Where possible, this should be the net amount excluding recoverable Value Added Tax. Where Value Added Tax cannot be recovered – or the source of the data being used cannot separate out recoverable Value Added Tax – then the gross amount should be used instead with a note stating that the gross amount has been used.

## Procurement information

26. Local authorities must publish details of every invitation to tender for contracts to provide goods and/or services<sup>12</sup> with a value that exceeds £5,000<sup>13, 14</sup>. For each invitation, the following details must be published:

- reference number
- title
- description of the goods and/or services sought
- start, end and review dates, and
- local authority department responsible.

27. Local authorities must also publish details of any contract<sup>15</sup>, commissioned activity, purchase order, framework agreement and any other legally enforceable agreement with a value that exceeds £5,000<sup>16</sup>. For each contract, the following details must be published:

- reference number
- title of agreement
- local authority department responsible
- description of the goods and/or services being provided
- supplier name and details
- sum to be paid over the length of the contract or the estimated annual spending or budget for the contract<sup>17</sup>
- Value Added Tax that cannot be recovered
- start, end and review dates
- whether or not the contract was the result of an invitation to quote or a published invitation to tender, and
- whether or not the supplier is a small or medium sized enterprise and/or a voluntary or community sector organisation and where it is, provide the relevant registration number<sup>18</sup>.

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<sup>12</sup> This includes contracts for staff who are employed via consultancy firms or similar agencies.

<sup>13</sup> The threshold should be, where possible, the net amount excluding recoverable Value Added Tax.

<sup>14</sup> Tenders for framework agreements should be included, even though there may be no initial value.

<sup>15</sup> This includes contracts for staff who are employed via consultancy firms or similar agencies.

<sup>16</sup> The threshold should be, where possible, the net amount excluding recoverable Value Added Tax.

<sup>17</sup> Where possible, this should be the net amount excluding recoverable Value Added Tax. Where Value Added Tax cannot be recovered – or the source of the data being used cannot separate out recoverable Value Added Tax – then the gross amount should be used instead with a note stating that the gross amount has been used.

<sup>18</sup> For example, this might be the company or charity registration number.

## Part 2.2: Information to be published annually

28. Data covered by this section includes:

- local authority land (see paragraphs 30 and 31)
- grants to voluntary, community and social enterprise organisations (see paragraphs 32 and 33)
- organisation chart (see paragraph 34)
- trade union facility time (see paragraph 35)
- parking account (see paragraph 36)
- parking spaces (see paragraph 37)
- senior salaries (see paragraphs 38 and 39)
- constitution (see paragraph 40)
- pay multiple (see paragraphs 41 and 42), and
- fraud (see paragraph 43).

29. The data and information in this Part (2.2) must be published:

- on the first occasion, not later than 2 February 2015, and
- thereafter, not less than annually and not later than one month after the year to which the data and information is applicable<sup>19</sup>.

### **Local authority land**

30. Local authorities must publish details of all land and building assets including:

- all service and office properties occupied or controlled by user bodies, both freehold and leasehold
- any properties occupied or run under Private Finance Initiative contracts
- all other properties they own or use, for example, hostels, laboratories, investment properties and depots
- garages unless rented as part of a housing tenancy agreement
- surplus, sublet or vacant properties
- undeveloped land
- serviced or temporary offices where contractual or actual occupation exceeds three months, and
- all future commitments, for example under an agreement for lease, from when the contractual commitment is made.

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<sup>19</sup> In relation to parking account data, where the local authority's annual accounts have not been finalised, the authority should publish estimates within one month after the year to which the data is applicable and subsequently publish final figures as soon as the authority's accounts are finalised.

However, information about the following land and building assets are to be excluded from publication:

- social housing<sup>20</sup>
- rent free properties provided by traders (such as information booths in public places or ports)
- operational railways and canals
- operational public highways (but any adjoining land not subject to public rights should be included)
- assets of national security, and
- information deemed inappropriate for public access as a result of data protection and/or disclosure controls (eg. such as refuge houses).

31. For each land or building asset, the following information must be published together in one place:

- Unique Property Reference Number
- Unique asset identity - the local reference identifier used by the local body, sometimes known as local name or building block. There should be one entry per asset or user/owner (eg. on one site there could be several buildings or in one building there could be several users floors/rooms etc – where this is the case, each of these will have a separate asset identity). This must include the original reference number from the data source plus authority code
- name of the building/land or both
- street number or numbers - any sets of 2 or more numbers should be separated with the '-' symbol (eg. 10-15 London Road)
- street name – this is the postal road address<sup>21</sup>
- post town
- United Kingdom postcode
- map reference – local authorities may use either Ordnance Survey or ISO 6709 systems to identify the location of an asset, but must make clear which is being used. Where an Ordnance Survey mapping system is used (the grid system) then assets will be identified using Eastings before Northings. Where geocoding in accordance with ISO 6709 is being used to identify the centre point of the asset location then that reference must indicate its ISO coordinates

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<sup>20</sup> To avoid data protection issues it is recommended that the specific location details of social housing is not included in the published list.

<sup>21</sup> Local authorities should use the official postal address. Exceptionally, where this is not available, local authorities should use the address they hold for the 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:

*for freehold assets:*

- occupied by the local authority
- ground leasehold
- leasehold
- licence
- vacant (for vacant properties, local authorities should not publish the full address details and should only publish the first part of the postcode<sup>22</sup>).

*for leasehold assets:*

- occupied by the local authority
- ground leasehold
- sub leasehold
- licence.

*for other assets:*

- free text description eg. rights of way, access etc<sup>23</sup>.

- whether or not the asset is land only (i.e. without permanent buildings) or it is land with a permanent building.

## **Grants to voluntary, community and social enterprise organisations**

32. Local authorities must publish details of all grants to voluntary, community and social enterprise organisations. This can be achieved by either:

- tagging and hence specifically identifying transactions which relate to voluntary, community and social enterprise organisations within published data on expenditure over £500 or published procurement information, or
- by publishing a separate list or register.

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<sup>22</sup> The first part of the postcode, or Outward Code, refers to the area and the district only, [http://www.postcodeaddressfile.co.uk/products/postcodes/postcodes\\_explained.htm](http://www.postcodeaddressfile.co.uk/products/postcodes/postcodes_explained.htm)

<sup>23</sup> Where a local authority feels unable to verify rights of way information, for example, it should add a short narrative explaining why it is unable to identify and verify the information.

33. For each identified grant, the following information must be published as a minimum:

- 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<sup>24</sup>
- summary of the purpose of the grant, and
- amount.

### **Organisation chart**

34. Local authorities must publish an organisation chart covering staff in the top three levels of the organisation<sup>25</sup>. The following information must be included for each member of staff included in the chart:

- grade
- job title
- local authority department and team
- whether permanent or temporary staff
- contact details
- salary in £5,000 brackets, consistent with the details published under paragraph 38, and
- salary ceiling (the maximum salary for the grade).

### **Trade union facility time**

35. Local authorities must publish the following information on trade union facility time:

- total number (absolute number and full time equivalent) of staff who are union representatives (including general, learning and health and safety representatives)
- total number (absolute number and full time equivalent) of union representatives who devote at least 50 per cent of their time to union duties
- names of all trade unions represented in the local authority
- a basic estimate of spending on unions (calculated as the number of full time equivalent days spent on union duties multiplied by the average salary), and
- a basic estimate of spending on unions as a percentage of the total pay bill (calculated as the number of full time equivalent days spent on union duties multiplied by the average salary divided by the total pay bill).

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<sup>24</sup> For example, this might be the company or charity registration number.

<sup>25</sup> This should exclude staff whose salary does not exceed £50,000.

## Parking account

36. Local authorities must publish on their website, or place a link on their website to this data if published elsewhere:

- a breakdown of income and expenditure on the authority's parking account<sup>26, 27</sup>. The breakdown of income must include details of revenue collected from on-street parking, off-street parking and Penalty Charge Notices, and
- a breakdown of how the authority has spent a surplus on its parking account<sup>25,28</sup>.

## Parking spaces

37. 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.

## Senior salaries

38. Local authorities are already required to publish, under the Accounts and Audit (England) Regulations 2011 (Statutory Instrument 2011/817)<sup>29</sup>:

- the number of employees whose remuneration in that year was at least £50,000 in brackets of £5,000
- details of remuneration and job title of certain senior employees whose salary is at least £50,000, and
- employees whose salaries are £150,000 or more must also be identified by name.

39. 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) and details of bonuses and 'benefits-in-kind', for all employees whose salary exceeds £50,000. The key differences between the requirements under this Code and the Regulations referred to above is the addition of a list of responsibilities, the inclusion of bonus details for all senior employees whose salary exceeds £50,000 and publication of the data on the authority's website.

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<sup>26</sup> 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.

<sup>27</sup> Local authorities should also have regard to both statutory guidance, *The Secretary of State's Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions*, <http://assets.dft.gov.uk/publications/tma-part-6-cpe-statutory-guidance/betterprkstatutoryguid.pdf>, and non-statutory operational guidance, *Operational Guidance to Local Authorities: Parking Policy and Enforcement*,

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/212559/parkinginforcepolicy.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/212559/parkinginforcepolicy.pdf)

<sup>28</sup> Section 55 (as amended) of the Road Traffic Regulation Act 1984 sets out how local authorities should use a surplus on their parking account. Local authorities should breakdown how they have spent a surplus on their parking account within the categories set out in section 55.

<sup>29</sup> These Regulations are to be replaced by Regulations made under the Local Accountability and Audit Act 2014.

## Constitution

40. Local authorities are already required to make their Constitution available for inspection at their offices under section 9P of the Local Government Act 2000. Local authorities must also, under this Code, publish their Constitution on their website.

## Pay multiple

41. Section 38 of the Localism Act 2011 requires local authorities to produce Pay Policy Statements, which should include the authority's policy on pay dispersion – the relationship between remuneration of chief officers and the remuneration of other staff. Guidance produced under section 40 of that Act<sup>30</sup>, recommends that the pay multiple is included in these statements as a way of illustrating the authority's approach to pay dispersion.

42. Local authorities must, under this Code, publish the pay multiple on their website, defined as the ratio between the highest paid taxable earnings for the given year (including base salary, variable pay, bonuses, allowances and the cash value of any benefits-in-kind) and the median earnings figure of the whole of the authority's workforce. The measure must:

- cover all elements of remuneration that can be valued (eg. all taxable earnings for the given year, including base salary, variable pay, bonuses, allowances and the cash value of any benefits-in-kind)
- use the median earnings figure as the denominator, which should be that of all employees of the local authority on a fixed date each year, coinciding with reporting at the end of the financial year, and
- exclude changes in pension benefits, which due to their variety and complexity cannot be accurately included in a pay multiple disclosure.

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<sup>30</sup> Openness and accountability in local pay: Guidance under Section 40 of the Localism Act (February 2012), [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/5956/2091042.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/5956/2091042.pdf)

## Fraud

43. Local authorities must publish the following information about their counter fraud work<sup>31</sup>:

- number of occasions they use powers under the Prevention of Social Housing Fraud (Power to Require Information) (England) Regulations 2014<sup>32</sup>, or similar powers<sup>33</sup>
- total number (absolute and full time equivalent) of employees undertaking investigations and prosecutions of fraud
- total number (absolute and full time equivalent) of professionally accredited counter fraud specialists
- total amount spent by the authority on the investigation and prosecution of fraud, and
- total number of fraud cases investigated.

## Part 2.3: Information to be published once only

### Waste contracts

44. Local authorities must publish details of their existing waste collection contracts, in line with the details contained in paragraph 27. Local authorities must publish this information at the same time as they first publish quarterly procurement information under paragraphs 22, 26 and 27 of this Code.

## Part 2.4: Method of publication

45. Public data should be published in a format and under a licence that allows open re-use, including for commercial and research activities, in order to maximise value to the public. The Open Government Licence published by the National Archives should be used as the recommended standard. Where any copyright or data ownership concerns exist with public data these should be made clear. Data covered by Part 2 of this Code must be published in open and machine-readable formats (further information about machine-readable formats can be found in Part 3.2).

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<sup>31</sup> The definition of fraud is as set out by the Audit Commission in *Protecting the Public Purse*.

<sup>32</sup> S.I. 2014/899.

<sup>33</sup> For example, the Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013 gives local authorities the power to require information from listed bodies, during the investigation of fraud connected with an application for or award of a reduction under a council tax reduction scheme: <http://www.legislation.gov.uk/uksi/2013/501/contents/made>

## Part 3: Information recommended for publication

46. Part 2 of this Code set out details of the minimum data that local authorities must publish. 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 sensitivities to doing so. Therefore, it encourages local authorities to go much further in publishing the data they hold, recognising the benefits of sharing that data for local people, more effective service delivery and better policy making. Part 3 of this Code sets out details of data that the Government recommends local authorities publish.

### Part 3.1: Information recommended for publication

47. Data covered by this section includes:

- expenditure data (see paragraph 48)
- procurement information (see paragraphs 49 and 50)
- local authority land (see paragraph 51 and 52)
- parking spaces (see paragraphs 53 and 54)
- organisation chart (see paragraph 55)
- grants to voluntary, community and social enterprise organisations (see paragraphs 56 and 57), and
- fraud (see paragraph 58).

#### **Expenditure data**

48. It is recommended that local authorities go further than the minimum publication requirements set out in Part 2 and:

- publish information on a monthly instead of quarterly basis, or ideally, as soon as it becomes available and therefore known to the authority (commonly known as 'real-time' publication)
- publish details of all transactions that exceed £250 instead of £500. For each transaction the details that should be published remain as in paragraph 24
- publish all transactions on all corporate credit cards, charge cards and procurements, including those that are not a Government Procurement Card. For each transaction the details that should be published remain as set out in paragraph 25
- publish the total amount spent on remuneration over the period being reported on, and
- classify purpose of expenditure using the Chartered Institute of Public Finance and Accountancy Service Reporting Code of Practice to enable comparability between local authorities.

## Procurement information

49. It is recommended that local authorities place on Contracts Finder<sup>34</sup>, as well as any other local portal, every invitation to tender or invitation to quote for contracts to provide goods and/or services with a value that exceeds £10,000. For each invitation, the details that should be published are the same as those set out in paragraph 26.

50. It is recommended that local authorities should go further than the minimum publication requirements set out in Part 2 and publish:

- information on a monthly instead of quarterly basis, or ideally, as soon as it is generated and therefore becomes available (commonly known as 'real-time' publication)
- every invitation to tender for contracts to provide goods and/or services with a value that exceeds £500 instead of £5,000. The details that should be published are the same as those set out in paragraph 26
- details of invitations to quote where there has not been a formal invitation to tender. The details that should be published are the same as those set out in paragraph 26
- all contracts in their entirety where the value of the contract exceeds £5,000<sup>35</sup>
- company registration number at Companies House
- details of invitations to tender or invitations to quote that are likely to be issued in the next twelve months. The details that should be published are the same as those set out in paragraph 26
- details of the geographical (eg. by ward) coverage of contracts entered into by the local authority
- details of performance against contractual key performance indicators, and
- information disaggregated by voluntary and community sector category (eg. whether it is registered with Companies House, Charity or Charitable Incorporated Organisation, Community Interest Company, Industrial and Provident Society, Housing Association, etc).

## Local authority land

51. It is recommended that local authorities should go further than the minimum publication requirements set out in Part 2 and publish information on a monthly instead of annual basis, or ideally, as soon as it becomes available and therefore known to the authority (commonly known as 'real-time' publication). It is also recommended that local authorities should publish all the information possible on Electronic Property Information Mapping Service.

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<sup>34</sup> Documentation for all procurements valued at over £10,000 is stored on Contracts Finder for public viewing as part of government's transparency commitment. <https://online.contractsfinder.businesslink.gov.uk/>

<sup>35</sup> Where a contract runs into several hundreds of pages or more, a local authority should publish a summary of the contract or sections of the contract, if this would be more helpful to local people and businesses.

52. It is further recommended that local authorities also go further than the minimum publication requirements set out in paragraph 31 by publishing, alongside them in one place, the following information:

- size of the asset measured in Gross Internal Area (m<sup>2</sup>) for buildings or hectares for land, in accordance with the Royal Institute of Chartered Surveyors Code of Measuring Practice. The Gross Internal Area is the area of a building measured to the internal face of the perimeter walls at each floor level. Local authorities using Net Internal Area (m<sup>2</sup>) should convert measurements to Gross Internal Area using appropriate conversion factors<sup>36</sup> and state the conversion factor used
- services offered from the asset using the services listed in the Effective Services Delivery government service function list <http://doc.esd.org.uk/FunctionList/1.00.html> (listing up to five main services)
- reason for holding asset such as, it is occupied by the local authority or it is providing a service on the authority's behalf, it is an investment property, it supports economic development (eg. provision of small businesses or incubator space), it is surplus to the authority's requirements, it is awaiting development, it is under construction, it provides infrastructure or it is a community asset
- whether or not the asset is either one which is an asset in the authority's ownership that is listed under Part 5 Chapter 3 of the Localism Act 2011 (assets of community value) and/or an asset which the authority is actively seeking to transfer to the community
- total building operation (revenue) costs as defined in the corporate value for money indicators for public services<sup>37</sup>
- required maintenance - the cost to bring the property from its present state up to the state reasonably required by the authority to deliver the service and/or to meet statutory or contract obligations and maintain it at that standard. This should exclude improvement projects but include works necessary to comply with new legislation (eg. asbestos and legionella)
- functional suitability rating using the scale:
  - good – performing well and operating efficiently (supports the needs of staff and the delivery of services)
  - satisfactory – performing well but with minor problems (generally supports the needs of staff and the delivery of services)
  - poor – showing major problems and/or not operating optimally (impedes the performance of staff and/or the delivery of services)
  - unsuitable – does not support or actually impedes the delivery of services
- energy performance rating as stated on the Display Energy Certificate under the Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007.

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<sup>36</sup> Local authorities are not expected to re-measure buildings. Research undertaken for the Scottish Government offers one method of converting Net Internal Area to Gross Internal Area and can be found at: <http://www.scotland.gov.uk/Resource/Doc/217736/0121532.pdf>

<sup>37</sup> <http://www.nao.org.uk/wp-content/uploads/2013/02/2010-11-Estates-Management.pdf> (See page 17).



## **Parking spaces**

53. It is recommended that local authorities should publish the number of:

- free parking spaces available in the local authority's area and which are provided directly by the local authority, and
- parking spaces where charges apply that are available in the local authority's area and which are provided directly by the local authority.

54. Where parking space is not marked out in individual parking bays or spaces, local authorities should estimate the number of spaces available for the two categories in paragraph 53.

## **Organisation chart**

55. It is recommended that local authorities should go further than the minimum publication requirements set out in Part 2 and publish:

- charts including all employees of the local authority whose salary exceeds £50,000
- the salary band for each employee included in the chart(s), and
- information about current vacant posts, or signpost vacancies that are going to be advertised in the future.

## **Grants to voluntary, community and social enterprise organisations**

56. It is recommended that local authorities should go further than the minimum publication requirements set out in Part 2 and publish information on a monthly instead of annual basis where payments are made more frequently than a single annual payment, or ideally, as soon as the data becomes available and therefore known to the authority (commonly known as 'real-time' publication).

57. It is further recommended that local authorities publish information disaggregated by voluntary and community sector category (eg. whether it is registered with Companies House, charity or charitable incorporated organisation, community interest company, industrial and provident society, housing association, etc).

## **Fraud**

58. It is recommended that local authorities should go further than the minimum publication requirements set out in Part 2 and publish:

- total number of cases of irregularity investigated
- total number of occasions on which a) fraud and b) irregularity was identified
- total monetary value of a) the fraud and b) the irregularity that was detected, and
- total monetary value of a) the fraud and b) the irregularity that was recovered.

## Part 3.2: Method of publication

59. The Government endorses the five step journey to a fully open format:

- One star Available on the web (whatever format) but with an open license
- Two star As for one star plus available as machine-readable structured data (eg. Excel instead of an image scan of a table)
- Three star As for two star plus use a non-proprietary format (eg. CSV and XML)
- Four star All of the above plus use open standards from the World Wide Web Consortium (such as RDF and SPARQL<sup>21</sup>)
- Five star All the above plus links an organisation's data to others' data to provide context

60. The Government recommends that local authorities publish data in three star formats where this is suitable and appropriate<sup>38</sup>, alongside open and machine-readable format, within six months of this Code being issued.

**Shehla Husain**  
**A Senior Civil Servant in the Department for Communities and Local Government**

**Department for Communities and Local Government**  
**3 October 2014**

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<sup>38</sup> Statistical data, lists etc should be capable of being published in this format but others (eg. organisation charts) may be more difficult.

# Annex A: Table summarising all information to be published

| Information title                        | Information which must be published   | Information recommended for publication  |
|--|---|--|
| <p><b>Expenditure exceeding £500</b></p> | <p>Quarterly publication<br/>           Publish details of each individual item of expenditure that exceeds £500, including items of expenditure, consistent with Local Government Association guidance, such as:</p> <ul style="list-style-type: none"> <li>• individual invoices</li> <li>• grant payments</li> <li>• expense payments</li> <li>• payments for goods and services</li> <li>• grants</li> <li>• grant in aid</li> <li>• rent</li> <li>• credit notes over £500</li> <li>• transactions with other public bodies.</li> </ul> <p>For each individual item of expenditure the following information must be published:</p> <ul style="list-style-type: none"> <li>• date the expenditure was incurred</li> <li>• local authority department which incurred the expenditure</li> <li>• beneficiary</li> <li>• summary of the purpose of the expenditure</li> <li>• amount</li> <li>• Value Added Tax that cannot be recovered</li> <li>• merchant category (eg. computers, software etc).</li> </ul> | <ul style="list-style-type: none"> <li>• Publish information on a monthly instead of quarterly basis, or ideally, as soon as it becomes available and therefore known to the authority (commonly known as ‘real-time’ publication).</li> <li>• Publish details of all transactions that exceed £250 instead of £500. For each transaction the details that should be published remain as set out in paragraph 24.</li> <li>• publish the total amount spent on remuneration over the period being reported on.</li> <li>• classify purpose of expenditure using the Chartered Institute of Public Finance and Accountancy Service Reporting Code of Practice to enable comparability between local authorities.</li> </ul> |

| Information title                               | Information which must be published  | Information recommended for publication  |
|---|--|--|
| <b>Government Procurement Card transactions</b> | <p>Quarterly publication<br/>Publish details of every transaction on a Government Procurement Card. For each transaction, the following details must be published:</p> <ul style="list-style-type: none"> <li>• date of the transaction</li> <li>• local authority department which incurred the expenditure</li> <li>• beneficiary</li> <li>• amount</li> <li>• Value Added Tax that cannot be recovered</li> <li>• summary of the purpose of the expenditure</li> <li>• merchant category (eg. computers, software etc).</li> </ul>  | <ul style="list-style-type: none"> <li>• Publish all transactions on all corporate credit cards, charge cards and procurements, including those that are not a Government Procurement Card. For each transaction the details that should be published remain as set out in paragraph 25.</li> </ul>  |
| <b>Procurement information</b>                  | <p>Quarterly publication<br/>Publish details of every invitation to tender for contracts to provide goods and/or services with a value that exceeds £5,000. For each invitation, the following details must be published:</p> <ul style="list-style-type: none"> <li>• reference number</li> <li>• title</li> <li>• description of the goods and/or services sought</li> <li>• start, end and review dates</li> <li>• local authority department responsible.</li> </ul> <p>Quarterly publication<br/>Publish details of any contract, commissioned activity, purchase order, framework agreement and any other legally enforceable agreement with a value that exceeds £5,000. For each contract, the following details must be published:</p> <ul style="list-style-type: none"> <li>• reference number</li> <li>• title of agreement</li> <li>• local authority department responsible</li> </ul> | <p>Place on Contracts Finder, as well as any other local portal, every invitation to tender or invitation to quote for contracts to provide goods and/or services with a value that exceeds £10,000.</p> <p>Publish:</p> <ul style="list-style-type: none"> <li>• information on a monthly instead of quarterly basis, or ideally, as soon as it is generated and therefore becomes available (commonly known as ‘real-time’ publication)</li> <li>• every invitation to tender for contracts to provide goods and/or services with a value that exceeds £500 instead of £5,000</li> <li>• details of invitations to quote where there has not been a formal invitation to tender</li> <li>• all contracts in their entirety where the value of the contract exceeds £5,000</li> </ul> |

| Information title           | Information which must be published   | Information recommended for publication   |
|-----------------------------|---|---|
|                             | <ul style="list-style-type: none"> <li>• description of the goods and/or services being provided</li> <li>• supplier name and details</li> <li>• sum to be paid over the length of the contract or the estimated annual spending or budget for the contract</li> <li>• Value Added Tax that cannot be recovered</li> <li>• start, end and review dates</li> <li>• whether or not the contract was the result of an invitation to quote or a published invitation to tender</li> <li>• whether or not the supplier is a small or medium sized enterprise and/or a voluntary or community sector organisation and where it is, provide the relevant registration number.</li> </ul>   | <ul style="list-style-type: none"> <li>• company registration number at Companies House</li> <li>• details of invitations to tender or invitations to quote that are likely to be issued in the next twelve months</li> <li>• details of the geographical (eg. by ward) coverage of contracts entered into by the local authority</li> <li>• details of performance against contractual key performance indicators</li> <li>• information disaggregated by voluntary and community sector category (eg. whether it is registered with Companies House, charity or charitable incorporated organisation, community interest company, industrial and provident society, housing association, etc).</li> </ul>   |
| <b>Local authority land</b> | <p>Annual publication</p> <p>Publish details of all land and building assets including:</p> <ul style="list-style-type: none"> <li>• all service and office properties occupied or controlled by user bodies, both freehold and leasehold</li> <li>• any properties occupied or run under Private Finance Initiative contracts</li> <li>• all other properties they own or use, for example, hostels, laboratories, investment properties and depots</li> <li>• garages unless rented as part of a housing tenancy agreement</li> <li>• surplus, sublet or vacant properties</li> <li>• undeveloped land</li> <li>• serviced or temporary offices where contractual or actual occupation exceeds three months</li> <li>• all future commitments, for example under an agreement for lease, from when the contractual commitment is made.</li> </ul> | <p>Publish information on a monthly instead of annual basis, or ideally, as soon as it becomes available and therefore known to the authority (commonly known as 'real-time' publication). It is also recommended that local authorities should publish all the information possible on Electronic Property Information Mapping Service.</p> <p>Publish the following additional information:</p> <ul style="list-style-type: none"> <li>• the size of the asset measured in Gross Internal Area (m<sup>2</sup>) for buildings or hectares for land, in accordance with the Royal Institute of Chartered Surveyors Code of Measuring Practice. The Gross Internal Area is the area of a building measured to the internal face of the perimeter walls at</li> </ul> |

| Information title | Information which must be published  | Information recommended for publication   |
|-------------------|--|---|
|                   | <p>However, information about the following land and building assets are to be excluded from publication:</p> <ul style="list-style-type: none"> <li>• social housing</li> <li>• rent free properties provided by traders (such as information booths in public places or ports)</li> <li>• operational railways and canals</li> <li>• operational public highways (but any adjoining land not subject to public rights should be included)</li> <li>• assets of national security</li> <li>• information deemed inappropriate for public access as a result of data protection and/or disclosure controls (eg. such as refuge houses).</li> </ul> <p>For each land or building asset, the following information must be published together in one place:</p> <ul style="list-style-type: none"> <li>• Unique Property Reference Number</li> <li>• Unique asset identity - the local reference identifier used by the local body, sometimes known as local name or building block. There should be one entry per asset or user/owner (eg. on one site there could be several buildings or in one building there could be several users, floors/rooms etc – where this is the case, each of these will have a separate asset identity). This must include the original reference number from the data source plus authority code</li> <li>• name of the building/land or both</li> <li>• street number or numbers - any sets of 2 or more numbers should be separated with the ‘-’ symbol (eg. 10-15 London Road)</li> <li>• street name – this is the postal road address</li> <li>• post town</li> <li>• United Kingdom postcode</li> </ul> | <p>each floor level. Local authorities using Net Internal Area (m<sup>2</sup>) should convert measurements to Gross Internal Area using appropriate conversion factors and state the conversion factor used</p> <ul style="list-style-type: none"> <li>• the services offered from the asset, using the services listed in the Effective Services Delivery government service function list <a href="http://doc.esd.org.uk/FunctionList/1.00.html">http://doc.esd.org.uk/FunctionList/1.00.html</a> (listing up to five main services)</li> <li>• the reason for holding asset such as, it is occupied by the local authority or it is providing a service in its behalf, it is an investment property, it supports economic development (eg. provision of small businesses or incubator space), it is surplus to the authority’s requirements, it is awaiting development, it is under construction, it provides infrastructure or it is a community asset</li> <li>• whether or not the asset is either one which is an asset in the authority’s ownership that is listed under Part 5 Chapter 3 of the Localism Act 2011 (assets of community value) and/or an asset where the authority is actively seeking transfer to the community</li> <li>• total building operation (revenue) costs as defined in the corporate value for money indicators for public services</li> </ul> |

| Information title | Information which must be published  | Information recommended for publication  |
|-------------------|--|--|
|                   | <ul style="list-style-type: none"> <li>• map reference – local authorities may use either Ordnance Survey or ISO 6709 systems to identify the location of an asset, but must make clear which is being used. Where an Ordnance Survey mapping system is used (the grid system) then assets will be identified using Eastings before Northings. Where geocoding in accordance with ISO 6709 is being used to identify the centre point of the asset location then that reference must indicate its ISO coordinates</li> <li>• 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: <ul style="list-style-type: none"> <li><i>for freehold assets:</i> <ul style="list-style-type: none"> <li>○ occupied by the local authority</li> <li>○ ground leasehold</li> <li>○ leasehold</li> <li>○ licence</li> <li>○ vacant (for vacant properties, local authorities should not publish the full address details and should only publish the first part of the postcode)</li> </ul> </li> <li><i>for leasehold assets:</i> <ul style="list-style-type: none"> <li>○ occupied by the local authority</li> <li>○ ground leasehold</li> <li>○ sub leasehold</li> <li>○ licence</li> </ul> </li> <li><i>for other assets:</i> <ul style="list-style-type: none"> <li>○ free text description eg. rights of way, access etc.</li> </ul> </li> </ul> </li> <li>• whether or not the asset is land only (without permanent buildings) or it is land with a permanent building.</li> </ul> | <ul style="list-style-type: none"> <li>• required maintenance - the cost to bring the property from its present state up to the state reasonably required by the authority to deliver the service and/or to meet statutory or contract obligations and maintain it at that standard. This should exclude improvement projects but include works necessary to comply with new legislation (eg. asbestos and legionella)</li> <li>• functional suitability rating using the scale: <ul style="list-style-type: none"> <li>○ good – performing well and operating efficiently (supports the needs of staff and the delivery of services)</li> <li>○ satisfactory – performing well but with minor problems (generally supports the needs of staff and the delivery of services)</li> <li>○ poor – showing major problems and/or not operating optimally (impedes the performance of staff and/or the delivery of services)</li> <li>○ unsuitable – does not support or actually impedes the delivery of services</li> </ul> </li> <li>• energy performance rating as stated on the Display Energy Certificate under the Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007.</li> </ul> |

| Information title   | Information which must be published  | Information recommended for publication   |
|---|--|---|
| <b>Grants to voluntary, community and social enterprise organisations</b> | <p>Annual publication</p> <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"> <li>• tagging and hence specifically identifying transactions which relate to voluntary, community and social enterprise organisations within published data on expenditure over £500 or published procurement information or,</li> <li>• by publishing a separate list or register.</li> </ul> <p>For each identified grant, the following information must be published as a minimum:</p> <ul style="list-style-type: none"> <li>• date the grant was awarded</li> <li>• time period for which the grant has been given</li> <li>• local authority department which awarded the grant</li> <li>• beneficiary</li> <li>• beneficiary's registration number</li> <li>• summary of the purpose of the grant</li> <li>• amount</li> </ul> | <ul style="list-style-type: none"> <li>• Publish information on a monthly instead of annual basis where payments are made more frequently than a single annual payment, or ideally, as soon as the data becomes available and therefore known to the authority (commonly known as 'real-time' publication).</li> <li>• information disaggregated by voluntary and community sector category (eg. whether it is registered with Companies House, charity or charitable incorporated organisation, community interest company, industrial and provident society, housing association etc).</li> </ul> |
| <b>Organisation chart</b>   | <p>Annual publication</p> <p>Publish an organisation chart covering staff in the top three levels of the organisation. The following information must be included for each member of staff included in the chart:</p> <ul style="list-style-type: none"> <li>• grade</li> <li>• job title</li> <li>• local authority department and team</li> <li>• whether permanent or temporary staff</li> <li>• contact details</li> <li>• salary in £5,000 brackets, consistent with the details published for Senior Salaries</li> <li>• salary ceiling (the maximum salary for the grade).</li> </ul>   | <p>Local authorities should publish:</p> <ul style="list-style-type: none"> <li>• charts including all employees in the local authority whose salary exceeds £50,000</li> <li>• the salary band for each employee included in the chart(s)</li> <li>• information about current vacant posts, or signpost vacancies that are going to be advertised in the future.</li> </ul>   |



| Information title                | Information which must be published  | Information recommended for publication  |
|----------------------------------|--|--|
| <b>Trade union facility time</b> | <p>Annual publication</p> <p>Publish the following information:</p> <ul style="list-style-type: none"> <li>• total number (absolute number and full time equivalent) of staff who are union representatives (including general, learning and health and safety representatives)</li> <li>• total number (absolute number and full time equivalent) of union representatives who devote at least 50 per cent of their time to union duties</li> <li>• names of all trade unions represented in the local authority</li> <li>• a basic estimate of spending on unions (calculated as the number of full time equivalent days spent on union duties multiplied by the average salary), and</li> <li>• a basic estimate of spending on unions as a percentage of the total pay bill (calculated as the number of full time equivalent days spent on union duties multiplied by the average salary divided by the total pay bill).</li> </ul> |  |
| <b>Parking account</b>           | <p>Annual publication</p> <p>Publish on their website, or place a link on their website to this data published elsewhere:</p> <ul style="list-style-type: none"> <li>• a breakdown of income and expenditure on the authority's parking account. The breakdown of income must include details of revenue collected from on-street parking, off-street parking and Penalty Charge Notices</li> <li>• a breakdown of how the authority has spent a surplus on its parking account.</li> </ul>  |  |
| <b>Parking spaces</b>            | <p>Annual publication</p> <p>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.</p>   | <p>Local authorities should publish the number of:</p> <ul style="list-style-type: none"> <li>• free parking spaces available in the local authority's area and which are provided directly by the local authority, and</li> </ul> |

| Information title      | Information which must be published   | Information recommended for publication   |
|------------------------|---|---|
|                        |   | <ul style="list-style-type: none"> <li>parking spaces where charges apply that are available in the local authority's area and which are provided directly by the local authority.</li> </ul> <p>Where parking space is not marked out in individual parking bays or spaces, local authorities should estimate the number of spaces available for the two categories.</p> |
| <b>Senior salaries</b> | <p>Annual publication</p> <p>Local authorities must place a link on their website to the following data or must place the data itself on their website:</p> <ul style="list-style-type: none"> <li>the number of employees whose remuneration in that year was at least £50,000 in brackets of £5,000</li> <li>details of remuneration and job title of certain senior employees whose salary is at least £50,000</li> <li>employees whose salaries are £150,000 or more must also be identified by name.</li> <li>a list of responsibilities (for example, the services and functions they are responsible for, budget held and number of staff) and details of bonuses and 'benefits in kind', for all employees whose salary exceeds £50,000.</li> </ul> |   |
| <b>Constitution</b>    | <p>Annual publication</p> <p>Local authorities must publish their Constitution on their website.</p>  |   |
| <b>Pay multiple</b>    | <p>Annual publication</p> <p>Publish the pay multiple on their website defined as the ratio between the highest taxable earnings for the given year (including base salary, variable pay, bonuses, allowances and the cash value of any benefits-in-kind) and the median earnings figure of the whole of the authority's workforce. The measure must:</p>   |   |

| Information title      | Information which must be published   | Information recommended for publication  |
|------------------------|---|--|
|                        | <ul style="list-style-type: none"> <li>• cover all elements of remuneration that can be valued (eg. all taxable earnings for the given year, including base salary, variable pay, bonuses, allowances and the cash value of any benefits-in-kind)</li> <li>• use the median earnings figure as the denominator, which should be that of all employees of the local authority on a fixed date each year, coinciding with reporting at the end of the financial year</li> <li>• exclude changes in pension benefits, which due to their variety and complexity cannot be accurately included in a pay multiple disclosure.</li> </ul>   |  |
| <b>Fraud</b>           | <p>Annual publication<br/>Publish the following information:</p> <ul style="list-style-type: none"> <li>• number of occasions they use powers under the Prevention of Social Housing Fraud (Power to Require Information) (England) Regulations 2014, or similar powers</li> <li>• total number (absolute and full time equivalent) of employees undertaking investigations and prosecutions of fraud</li> <li>• total number (absolute and full time equivalent) of professionally accredited counter fraud specialists</li> <li>• total amount spent by the authority on the investigation and prosecution of fraud</li> <li>• total number of fraud cases investigated.</li> </ul> | <p>Local authorities should publish:</p> <ul style="list-style-type: none"> <li>• total number of cases of irregularity investigated</li> <li>• total number of occasions on which a) fraud and b) irregularity was identified</li> <li>• total monetary value of a) the fraud and b) the irregularity that was detected, and</li> <li>• total monetary value of a) the fraud and b) the irregularity that was recovered.</li> </ul> |
| <b>Waste contracts</b> | <p>One-off publication<br/>Local authorities must publish details of their existing waste collection contracts, in line with the details contained in paragraphs 27 of the Code, at the point they first publish quarterly contract information under Part 2 of this Code.</p>  |  |

## Annex B: Detecting and preventing fraud

Tackling fraud is an integral part of ensuring that tax-payers money is used to protect resources for frontline services. The cost of fraud to local government is estimated at £2.1 billion a year. This is money that can be better used to support the delivery of front line services and make savings for local tax payers.

A culture of transparency should strengthen counter-fraud controls. The Code makes it clear that fraud can thrive where decisions are not open to scrutiny and details of spending, contracts and service provision are hidden from view. Greater transparency, and the provisions in this Code, can help combat fraud.

Sources of support to tackle fraud include:

*Fighting Fraud Locally, The Local Government Fraud Strategy*

([https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/118508/strategy-document.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/118508/strategy-document.pdf)), was drafted by the National Fraud Authority and CIPFA (the Chartered Institute of Public Finance and Accountancy). The document calls for the adoption of a tougher approach to tackle fraud against local authorities. The strategy is part of a wider collaboration on counter fraud and is the local authority contribution to the national fraud strategy – *Fighting Fraud Together* (<https://www.gov.uk/government/publications/nfa-fighting-fraud-together>) which encompasses both the public and private sectors response to fraud in the UK.

Local authorities should use a risk management approach with strong internal control arrangements to reduce the risk of any payment fraud as a result of publishing public data. Local authorities should refer to the *Chartered Institute of Public Finance and Accountancy Red Book 2 – Managing the Risk of Fraud – Actions to Counter Fraud and Corruption* ([http://www.cipfa.org/-/media/files/topics/fraud/cipfa\\_corporate\\_antifraud\\_briefing.pdf](http://www.cipfa.org/-/media/files/topics/fraud/cipfa_corporate_antifraud_briefing.pdf)). The document sets out a step by step toolkit to tackling fraud: identifying and understanding your fraud risks and potential exposure to fraud loss; assessing current resilience to fraud; evaluating the organisation's ability to respond to potential or identified fraud; and developing a strategy. Developing an anti-fraud culture is an important part of improving resilience; the benefits of improving resilience to fraud include reduced exposure to fraud and an organisation that is better able to identify attempted frauds or vulnerabilities.

The National Fraud Authority have produced a guide on procurement fraud, *Procurement Fraud in the Public Sector*, ([https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/118460/procurement-fraud-public-sector.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/118460/procurement-fraud-public-sector.pdf)) which deals with the whole process, from bidding during the pre-contract award phase through to false invoicing in the post-contract award phase.

There are some specific steps local authorities can take to prevent procurement fraud. These might include:

- Only accepting requests for changes to supplier standing data in writing.
- Seeking confirmation from the supplier that the requested changes are genuine, using contact details held on the vendor data file or from previous and legitimate

correspondence; and not contacting the supplier via contact details provided on the letter requesting the changes.

- Ensuring that there is segregation of duties between those who authorise changes and those who make them.
- Only authorising changes when all appropriate checks have been carried out with legitimate suppliers and only making the changes when the proper authorisations to do so have been given.
- Maintaining a suitable audit trail to ensure that a history of all transactions and changes is kept.
- Producing reports of all changes made to supplier standing data and checking that the changes were valid and properly authorised before any payments are made.
- Carrying out standard checks on invoices before making any payments.
- Regularly verifying the correctness of standing data with suppliers.