



FREEDOM OF INFORMATION POLICY

January 2021

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Spaldington Parish Council will hereinto be known in this policy as *'the Council'*

1. INTRODUCTION

- i. The Freedom of Information Act (FOIA) **gives everyone the right to request any recorded information held by a Parish or Town council.** There is no requirement to explain why the information is being requested. There are no restrictions on age, nationality or where the person making the request lives. There is however, number of exemptions, see below
- ii. The Council has adopted the Model Publication Scheme. This scheme will enable members of the public to view and access information held by the Parish Council.

2. OBTAINING INFORMATION HELD BY THE COUNCIL

- i. There are three ways to obtain the information:

- a) Parish Council web site

The web site holds the type of information which the Council routinely publishes e.g. minutes and agendas. The information you want may already be included in the publication scheme – so please check the documents on the web site first.

- b) Inspect Documents held by the Clerk

If you wish to view certain documents, you should contact the Clerk, either via the facility on the web site or by telephone, or in writing. Some documents require some time to locate, so it may be necessary to make an appointment.

- c) Individual Written Request

If the information is not included in the publication scheme or on the web site, you may send a written request by email to spaldingtonpc@gmail.com. Your request must include your name, address for correspondence, and a description of the information you require.

3. COUNCIL'S RESPONSE TO A WRITTEN REQUEST

- i. As per the FOI Act the Council has 20 working days from receipt of the written request to action the request
- ii. The working days do not include weekends, bank holidays, any specific religious celebration days or days deemed by statute to be non-working.
- iii. Within 20 working days of receipt of your written request the Council will:
 - a) confirm to you whether or not it holds the information
 - b) advise you if a fee will be charged
 - c) gather the information that has been requested



4. PROVIDING THE INFORMATION

- i. The Council will provide you with the information (after any relevant fee has been paid) unless an exemption applies (see 'Exemptions' paragraph below).
- ii. The Council, unless specifically requested, will seek to provide the information (once the point 4.i is satisfied) by email.

5. FEES

- i. The FOIA only allows the Council to charge for answering Freedom of Information requests in the following circumstances:
 - a) Disbursement costs such as printing, photocopying and postage
 - b) When estimated staff costs involved in locating and or compiling the information exceed £450. Under these circumstances, the Council can refuse the request on the grounds of cost, or charge the applicant £20 per hour, plus disbursements for the estimated work.
- ii. For the majority of requests, or a series of requests from the same applicant within a 12 month period, it is expected that the charge for locating and compiling information will be less than £450 and therefore, except for disbursement costs, no reimbursement can be sought. However, where costs are estimated to exceed £450 (based on an hourly charge-out rate of £20), the Council can decide to:
 - a) refuse the request
 - b) comply with the request and charge for allowable costs as prescribed in the regulations
 - c) comply with the request free of charge.
- iii. If the estimated cost of a request is more than £450, and it is decided to release the information and make a charge for the information then:
 - a) A fee notice will be sent to the applicant requesting the appropriate fee.
 - b) The request will not be answered until the fee has been received.
 - c) If the actual cost of completing the request is more than the estimate then the Council will incur the additional cost.
 - d) Where the cost is less than the estimated cost then the difference will be refunded to the applicant.
- iv. For disbursements costs, it is proposed that the Council will charge 10p per sheet for photocopying and printing documents, and recover the actual cost of postage or any other transmission costs from the applicant.



6. EXEMPTIONS

- i. Some information may not be provided by the Council as there are 23 exemptions in the Freedom of Information Act, for example, personal data about individuals which is protected by the Data Protection Act 1998, or commercially confidential information.
- ii. Full exemptions are detailed in the FOI Act.

7. FURTHER HELP

- i. If you need help in accessing information from the Council under the Freedom of Information Act, please contact the Parish Clerk on the following email:

spaldingtonpc@gmail.com

- ii. You will also find more detailed guidance on the website of the Information Commissioner.

8. COMPLAINTS

- i. If you are dissatisfied with the response from the Council then you should put your complaint in writing to the Clerk at the address above. If you are still dissatisfied, you may contact the Information Commissioner at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF

Tel: 01625 545700

Email: mail@ico.gov.uk