

PRESTON PARISH COUNCIL

Doc012 – Freedom of Information Policy

Adopted May 2024

Chair: Margaret Trinder

Preston Parish Council adopted the Model Publication Scheme with effect from 5th May 2021. This scheme will enable members of the public to view and access information held by the Parish Council. This policy provides further information on what is available to the public and how to access it.

OBTAINING INFORMATION AND INFORMATION HELD

There are three ways to obtain the information:

Parish Council section of the village website

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.

Inspect Documents held by the Clerk

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

Individual Written Request

If the information is not included in the publication scheme or on the web site, you may send a written request to:

Lisa Lathane, Clerk to the Parish Council, Keepers Cottage, Whitehall Lane, Kings Walden, Hitchin, SG4 8JZ

Your request must include your name, address for correspondence, and a description of the information you require.

COUNCIL'S RESPONSE TO A WRITTEN REQUEST

Within 20 working days of receipt of your written request the Council will:

- confirm to you whether or not it holds the information
- advise you if a fee will be charged
- provide you with the information (after any relevant fee has been paid) unless an exemption applies (see 'Exemptions' paragraph below).

FEES

The Act only allows the Council to charge for answering Freedom of Information requests in the following circumstances:

- Disbursement costs such as printing, photocopying and postage; and
- 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.

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:

- refuse the request; or

- comply with the request and charge for allowable costs as prescribed in the regulations; or
- comply with the request free of charge.

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 fee notice will be sent to the applicant requesting the appropriate fee.
- The request will not be answered until the fee has been received.
- If the actual cost of completing the request is more than the estimate then the Council will incur the additional cost.
- Where the cost is less than the estimated cost then the difference will be refunded to the applicant.
- 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.

EXEMPTIONS

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.

FURTHER HELP

If you need help in accessing information from the Council under the Freedom of Information Act, please contact the Parish Clerk (address as above).

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

COMPLAINTS

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

Appendix

Information to be published

Information	Where to find it
Class 1: Who we are and what we do <i>Current information</i>	
Who's who on the Council	website
Contact details for Parish Clerk and Council Members: named contacts with email address and phone number if possible	website
Staffing structure	Not necessary??
Class 2: What we spend and how we spend it <i>Current and previous financial year</i>	
Annual return form and report by auditor	website
Finalised budget	hard copy
Precept	minutes
Financial Standing Orders and Regulations	website
Grants received	minutes
List of current contracts awarded and value of contract	minutes
Members' allowances and expenses	minutes
Class 3: What our priorities are and how we are doing <i>Current and previous year</i>	
Annual Report to Parish or Community Meeting	AGM minutes
Class 4: How we make decisions <i>Current and previous Parish Council Year</i>	
Timetable of meetings	website
Agendas of meetings	website
Minutes of meetings, <i>This will exclude information that is properly regarded as private to the meeting</i>	website
Reports presented to council meetings. <i>This will exclude information that is properly regarded as private to the meeting.</i>	hard copy / website
Responses to consultation papers	website
Responses to planning applications	hard copy
Bye-laws	hard copy
Class 5: Our policies and procedures <i>Current information</i>	
Policies and procedures for the conduct of council business: Procedural standing orders Delegated authority in respect of officers Code of Conduct Policy statements	website
Policies and procedures for the provision of services and about the employment of staff: Internal instructions to staff and policies relating to the delivery of services Equality and diversity policy Health and safety policy Recruitment policies (including current vacancies) Policies and procedures for handling requests for information Complaints procedures (including those covering requests for information and operating the publication scheme)	hard copy Are the 1st 2 points necessary? website
Information security policy	hard copy
Records management policies (records retention, destruction and archive)	hard copy

Data protection policies	website
Schedule of charges (for the publication of information	website
Class 6: Lists and Registers <i>Currently maintained lists and registers only</i>	
Any publicly available register or list (<i>if any are held this should be publicised</i>)	website
Assets register	website
Disclosure log (indicating the information that has been provided in response to requests)	hard copy
Register of members' interests	NHDC website
Register of gifts and hospitality	hard copy
Class 7: The services we offer <i>Information about the services we offer: current information only</i>	
Parks, playing fields and recreational facilities	hard copy
Seating, litter bins	hard copy
Bus shelters	hard copy

This policy will be reviewed every 4 years when Parish Councillors take up a new term of office or sooner if required by a change in legislation.

Reviewed: May 2024 **Next Review:** May 2027