

Burton Dassett Parish Council

Freedom of Information Policy

Update Schedule

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1) Introduction

The Information Commissioner's Office published a model publication scheme in 2015 and this has been adopted without modification by Burton Dassett Parish Council ("the Parish Council").

The publication scheme commits the Parish Council to make information available to the public as part of its normal business activities. The information covered is included in the classes of information mentioned below, where this information is held by the Parish Council.

For details of the information published by the Parish Council please see the Burton Dassett Parish Council Publication Scheme. This is available on the Parish Council's website: www.burtondassett-pc.gov.uk or at request to the Clerk: clerk@burtondassett-pc.gov.uk

2) The Scheme

commits the Parish Council to:

- Proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by the authority and falls within the classifications below.
- Specify the information which is held by the authority and falls within the classifications below.
- Proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within this scheme.
- Produce and publish the methods by which the specific information is made routinely available so that it can be easily identified and accessed by members of the public.
- Review and update on a regular basis the information the authority makes available under this scheme.
- Produce a schedule of any fees charged for access to information which is made proactively available.
- Make this publication scheme available to the public.

3) Classes of Information

a) Who we are and what we do

Organisational information, locations and contacts, constitutional and legal governance.

b) What we spend and how we spend it

Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts.

c) What our priorities are and how we are doing

Strategy and performance information, plans, assessments, inspections and reviews

d) Policy proposals and decisions

Decision making processes, internal criteria and procedures, consultations.

e) Our policies and procedures

Current written protocols for delivering our functions and responsibilities.

f) Lists and Registers

Information held in registers required by law and other lists and registers relating to the functions of the authority.

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g) The Services we Offer

Advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered.

4) Exclusions

The Classes of Information will NOT generally include:

- a) Information the disclosure of which is prevented by law, or exempt under the Freedom of Information Act, or is otherwise properly considered to be protected from disclosure.
- b) Information in draft form.
- c) Information that is no longer readily available as it is contained in files that have been placed in archive storage, or is difficult to access for similar reasons.

5) Publication Methods

The method by which information published under this scheme will be made available are:

- a) The Parish Council will indicate clearly to the public what information is covered by this scheme and how it can be obtained.
- b) Information will be provided on the Parish Council's website. Where it is impracticable to make information available on a website or when an individual does not wish to access the information by the website, the Parish Council will indicate how information can be obtained by other means and provide it by those means. Typically this will be through a request to the Clerk.
- c) In exceptional circumstances some information may be available only by viewing in person. Where this manner is specified, contact details will be provided. An appointment to view the information will be arranged within a reasonable timescale.
- d) Information will be provided in the language in which it is held or in such other language that is legally required. Where the Parish Council is legally required to translate any information, it will do so.
- e) Obligations under disability and discrimination legislation and any other legislation to provide information in other forms and formats will be adhered to when providing information in accordance with this scheme.
- f) Charges which may be made for information published under this scheme.
- g) The purpose of this scheme is to make the maximum amount of information readily available at minimum inconvenience and cost to the public. Charges made by the Parish Council for routinely published material will be justified and transparent and kept to a minimum.
- h) Material which is published and accessed on our website will be provided free of charge.
- i) Charges will be made for information subject to a charging regime specified by Parliament.
- j) Charges will be made for actual disbursements incurred such as: -
 - i) Photocopying
 - ii) Postage and packaging
 - iii) The costs directly incurred as a result of viewing information, or as a result of preparing information in a non-standard format or a different format to that held by the Parish Council.
- k) Charges will also be made for information provided under this scheme where they are legally authorised, they are in all the circumstances, including the general principles of the right of access to information held by public authorities, justified and are in accordance with a published schedule or schedules of fees which is readily available to the public.
- l) If a charge is to be made, confirmation of the payment due will be given before the information is provided. Payment will be requested prior to provision of the information.

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6) Written Requests

Information held by the Parish Council that is not published under this scheme can be requested in writing, when its provision will be considered in accordance with the provisions of the Freedom of Information Act.

7) Inspect Documents held by the Clerk

If you wish to view certain documents, you should contact the Clerk. Some documents require some time to locate, so it may be necessary to make an appointment.

8) 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

The Clerk:

clerk@burtondassett-pc.gov.uk

Burton Dassett Parish Council, c/o 12 Meadow Way, Fenny Compton, Southam, Warwickshire, CV47 2WD.

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

9) The Parish Council's Response to a Written Request

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

- a) confirm to you whether or not it holds the information
- b) advise you if a fee will be charged, if the work falls within the appropriate/cost limits
- c) advise if the Parish Council is unable to meet the request where the estimate for responding would exceed the appropriate/cost limits. (Section 12 of the FOIA). For a Parish Council this is set at £450 (18 hours work). NOTE: If the estimate to comply with one part of the request would exceed the cost limit, the Parish Council does not need to comply with the remaining parts of the request. In addition, the Parish Council is not obliged to search for and provide information up to the cost limit.
- d) provide you with the information (after any relevant fee has been paid) unless an exemption applies (see 'Exemptions' paragraph below).

10) Fees

The Act only allows the Parish 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 Parish 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 Parish Council can decide to:

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- 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, within three months of issue.
- If the actual cost of completing the request is more than the estimate then the Parish 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 Parish 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.

11) Exemptions

Some information may not be provided by the Parish 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.

12) Further Help

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

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

<https://ico.org.uk/for-organisations/guide-to-freedom-of-information/>

13) Complaints

If you are dissatisfied with the response from the Parish 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