

Poughill Parish Council Freedom of Information Policy

Introduction

Under the Freedom of Information Act 2000 (FOIA), Poughill Parish Council (the Council) has a duty to adopt and maintain a Publication Scheme describing:

- The classes of information it publishes
- How and where such information is published (e.g. website, paper copy, etc.)
- Whether or not a charge is made for such information

The Council has adopted the Model Scheme attached at Appendix 1.

The purpose of the Council's Publication Scheme is to let everyone know what information will be automatically or routinely published by the Council and to ensure that a significant amount of information is available to the public, without the need for a specific request to be made.

Other information is available from the Council by individual request, under the FOIA and the Data Protection Act 1998 (DPA). If there is any information required that does not appear in the Council's Publication Scheme or you have any comments or suggestions on how it can be improved, please contact:

Clerk to Poughill Parish Council

Email: poughillparishclerk@gmail.com

Obtaining Information

Much of the information listed in the Council's Publication Scheme is supplied free of charge and can be downloaded from our website.

Where information is available only in paper format, this is stated in the Publication Scheme and can be viewed by appointment with the Council's Clerk or a copy can be requested. 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 valid written request the Council will:

- confirm to you whether or not it holds the information
- advise you if a fee will be charged and provide you with the information (after any relevant fee has been paid)
- or inform you that the request has been refused and the reason for refusal

A request may be refused under the following circumstances:

- It would cost too much or take too much staff time to deal with the request
- The request is vexatious
- The request repeats a previous request from the same person
- The request relates to an exemption under the Freedom of Information Act, for example: personal data that would be contrary to the Data Protection Act or if disclosure would prejudice someone's commercial interests

Information not contained within the Publication Scheme and Exemptions

The FOIA created a general right of access to information, it also set out information that the Council does not have to make available for specific reasons, called exemptions. This is information that, if published, might prejudice the health, safety or security of the Council, its staff, systems, services or property or breached an individual's Data Protection rights.

If information is requested but is covered by an exemption the Clerk to the Council will tell the applicant in writing why the Council has refused the request and quote the relevant exemptions. If the information requested is not disclosed, the applicant can ask the Information Commissioner to review the Council's decision. The Information Commissioner's Office is the Government department that oversees and enforces FOI. They can be contacted by the following link:

www.ico.gov.uk

Charges

The Council's Fees and Charges are stated at the end of the Publication Scheme.

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, equivalent to 18 staff hours. Under these circumstances, the Council can refuse the request on the grounds of cost, or charge the applicant £25 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 £25), 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.

Management of the Council's Publication Scheme

The Council is responsible for the adoption and maintenance of this Policy and the Publication Scheme.

Review of the Freedom of Information Policy and Publication Scheme

The Council's Freedom of Information Policy and Publication Scheme was first adopted on 14 May 2020. The Scheme will be reviewed every two years.

Appendix 1 : Information Available from Poughill Parish Council

Information to be published	How the information can be obtained		Cost
Class 1 – Who we are and what we do (Organisational information, structures, locations and contacts) This will be current information only			
Who's who on the Council and its working groups	Website Hard copy from Clerk	Free 5p/sheet	
Contact details for Parish Clerk and Council members	Website Hard copy from Clerk	Free 5p/sheet	
Class 2 – What we spend and how we spend it (Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit) Current and previous financial year as a minimum			
Annual return form (current year)	Website Hard copy from Clerk	Free 5p/sheet	
Report by auditor	Free Hard copy from Clerk	Free 5p/sheet	
Finalised budget	Email Hard copy from Clerk	Free 5p/sheet	
Precept	Email Hard copy from Clerk	Free 5p/sheet	
Financial regulations	Website Hard copy from Clerk	Free 5p/sheet	
Grants given and received	Email Hard copy from Clerk	Free 5p/sheet	

List of current contracts awarded and value of contract	Email Hard copy from Clerk	Free 5p/sheet	
Class 3 – What our priorities are and how we are doing (Strategies and plans, performance indicators, audits, inspections and reviews) Current and previous year as a minimum			
Annual Report to Parish or community meeting	Website Hard copy from Clerk	Free 5p/sheet	
Class 4 – How we make decisions (Decision making processes and records of decisions) Current and previous council year as a minimum			
Timetable of meetings (Council and parish meetings)	Website Hard copy from Clerk	Free 5p/sheet	
Agendas (and associated papers)	Website (agenda only) Hard copy from Clerk	Free 5p/sheet	
Minutes of meetings (as above). NB: This will exclude information that is properly regarded as private to the meeting	Website Hard copy from Clerk	Free 5p/sheet	
Reports presented to council meetings. NB: This will exclude information that is properly regarded as private to the meeting	Email Hard copy from the Clerk	Free Free	
Responses to consultation papers	Email Hard copy from the Clerk	Free 5p/sheet	
Responses to planning applications	Email Hard copy from the Clerk	Free 5p/sheet	

Class 5 – Our policies and procedures (Current written protocols, policies and procedures for delivering our services and responsibilities) Current information only		
Policies and procedures for the conduct of council business: Procedural standing orders Working group terms of reference Code of conduct Policy statements	Website Email Hard copy from the Clerk	Free Free 5p/sheet
Policies and procedures for the provision of services and about the employment of staff: Equal opportunities policy Health and safety policy statement Sickness absence policy Disciplinary policy Grievance policy Expenses policy Policies and procedures for handling requests for information Complaints procedures (including those covering requests for information and operating the publication scheme)	Website Email Hard copy from the Clerk	Free Free 5p/sheet
Schedule of charges (for the publication of information)	Website Email Hard copy from the Clerk	Free Free 5p/sheet
Class 6 – Lists and registers Currently maintained lists and registers only		
Asset Register	Email Hard copy from the Clerk	Free 5p/sheet

Risk Register	Website Hard copy from the Clerk	Free 5p/sheet
Register of members' interests	Website Hard copy from the Clerk	Free 5p/sheet
Class 7 – The services we offer (Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses) Current information only		
Churchyard	Email Hard copy from the Clerk	Free 5p/sheet
Seating, litter bins and lighting	Email Hard copy from the Clerk	Free 5p/sheet
Bus shelters	Email Hard copy from the Clerk	Free 5p/sheet
Parish Newsletter	Email Hard copy from the Clerk	Free 5p/sheet

Contact details:

Clerk to Poughill Parish Council

Email: clerk@poughillparishcouncil.org.uk

Schedule of Charges:

Type of Charge	Description	Basis of Charge
Disbursement Cost	Photocopying @ 5p per sheet (black and white)	Actual Cost*
	Photocopying @ 10p per sheet (colour)	Actual cost*

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	Postage	Actual cost of Royal Mail standard 2 nd class
Statutory Fee		In accordance with the relevant legislation.

* The actual cost incurred by the public authority.