SPEEN PARISH COUNCIL

FREEDOM OF INFORMATION POLICY AND PROCEDURE

Introduction

The Freedom of Information Act requires every public authority to have a publication scheme approved by the Information Commissioner's Office (ICO).

Speen Parish Council adopted the Model Publication Scheme with effect from 28th January 2019. This scheme enables members of the public to view and access information held by the Parish Council.

Speen Parish Council is committed to making certain classes of information routinely available such as policies and procedures, minutes of meetings, annual reports and financial information.

The purpose of this document is to recognise the legal framework and responsibility to comply with the Freedom of Information Act 2000.

The Freedom of Information Act 2000 provides public access to information held by public authorities. It does this in two ways: public authorities are obliged to publish certain information about their activities and members of the public are entitled to request information from public authorities. Recorded information includes printed documents, computer files, letters, emails, photographs, and sound or video recordings.

Details of the information available from Speen Parish Council can be found in the Publication Scheme on the Council's website.

This policy and procedure is fully supported by all members of the Council. It confirms that members are aware of the Freedom of Information Act 2000 and their individual responsibilities in the event of a FOI request.

This policy confirms that members will comply fully with any investigations following a FOI request.

FOI data may need to be retrieved at relatively short notice and all Councillors will be expected to co-operate fully following a written FOI request, as required, in order to meet Council FOI obligations and deadlines. Failure to meet these obligations and deadlines will constitute a breach of Speen Parish Council's Code of Conduct.

Obtaining Information and Information Held

There are three ways to obtain the information:

- Parish Council Website – www.speenparishcouncil.gov.uk

The website holds the type of information which the Council routinely publishes e.g. Agendas and Minutes. The information you want may already be included in the publication scheme so please check the documents on the website first

- Individual Written Request

If the information is not included in the publication scheme or on the website, you may send a written request either via post to the Parish Clerk P O Box 6221 Newbury Berkshire RG14 9JS or via email to clerk@speenparishcouncil.gov.uk

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

- Inspect documents held by the Clerk

If you wish to view certain documents held by the Clerk on behalf of the council you should contact the Clerk either in writing to P O Box 6221 Newbury Berkshire RG14 9JS or via email to clerk@speenparishcouncil.gov.uk Some documents may require time to locate so it will be necessary to make an appointment.

Council's Response to a Written Request

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

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

Exemptions

The Council will make information available unless:

- it does not hold the information requested,
- the information is exempt under one of the FOIA exemptions or Environmental Information Regulations 2004 (EIR) exceptions, or its release is prohibited by another statute (e.g. The UK General Data Protection Regulations or the Data Protection Act 2018),
- the information is readily and publicly available from an external website; such information may have been provided by the Council or on its behalf. The Council will provide a direct link to that information,
- the information is archived, out of date or otherwise inaccessible; or,
- it would be impractical or resource-intensive to prepare the material for routine release.

If the information is only held by another public authority the Council will provide details of where to obtain it.

Fees

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

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

2. 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 associated with providing the requested information.

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 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

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- 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.

Further Help

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

You will also find more detailed guidance on the website of the Information Commissioner's Office:

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

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

Authorisation

This policy has been authorised by Speen Parish Council as follows:

Adopted by the council:	March 2022
Last review:	14th October 2026
Next review:	14th October 2027

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