

# STANTON & STREATLAM PARISH COUNCIL

## Freedom of information

### 1 Introduction

The Freedom of Information Act 2000 (the Act) provides the public with a general legal entitlement to view all recorded information held by the Parish Council, subject to certain exemptions. The public will have the right to view all the information in the Council's Publication Scheme.

The Parish Council is committed to be an open organisation, one that the public can trust and have confidence in its ability to deliver its services to them.

Failure to comply with this policy could have serious consequences for the Council, in the release of inappropriate material or the withholding illegally of information and the attendant adverse publicity and possible legal censure.

### 2 Aims and Scope of the Policy

This policy applies to all the recorded information that the Parish Council holds, that is information created, received and maintained by Members and Officers in the course of their work.

This policy is intended to ensure everyone is aware of his or her responsibility under the Freedom of Information Act.

### 3 Guidelines

Stanton and Streatlam Parish Council will:

1. Comply with the Freedom of Information Act (FOI) 2000.
2. Maintain a Publication Scheme that provides information, which is readily accessible on the receipt of a FOI request.
3. Respond within 20 working days to straightforward written requests. However, if necessary, this timescale will be extended to give full consideration to a Public Interest Test. If the deadline is not expected to be met, the applicant will be advised of the reasons for the delay and the anticipated reply date.
4. Continue to protect the personal data entrusted to it, by disclosing that information only in accordance with the provisions of the Data Protection Act 1998.
5. Keep on file a copy of the request and response.
6. Be aware of the definition of "complex requests" and the escalation procedure and in particular that they should not refuse requests for information in whole or in part.
7. Apply the exemptions provided in the FOI Act and, where qualified exemptions exist, disclose the information unless the balance of public interest lies in withholding it.

8. We will pro-actively publish and make information readily available in accordance with the Publication Scheme.
9. We will review complaints about the release or otherwise of information by referring them to the Parish Clerk and remind requestors that they can appeal such decisions to the Information Commissioner.
10. Ensure that all permanent and contract staff and elected members are aware of their obligations under FOI and will include FOI education in the induction of all new staff and elected members.
11. Charge for information requests in line with the FOI Fees Regulations or other applicable regulations, including the Data Protection Act 1998
12. We will apply the “appropriate limit” in the regulations. Where the cost of complying with the request exceeds this, we will issue a refusal notice inviting the requestor to refine their request.

Currently, the cost limit for complying with a request or a linked series of requests from the same person or group is set at £600 for central government, Parliament and the armed forces and £450 for all other public authorities. You can refuse a request if you estimate that the cost of compliance would exceed this limit. This provision is found at section 12 of the Act.

You can refuse a request if deciding whether you hold the information would mean you exceed the cost limit, for example, because it would require an extensive search in a number of locations. Otherwise, you should say whether you hold the information, even if you cannot provide the information itself under the cost ceiling.

When calculating the costs of complying, you can aggregate (total) the costs of all related requests you receive within 60 working days from the same person or from people who seem to be working together.

#### 4 Responsibilities

The Council has a responsibility to make its recorded information available in accordance with the Act.

##### All Staff and Members

1. Must ensure that all such data are handled properly and confidentially at all times, irrespective of whether these are held on paper or by electronic means.
2. Should familiarise themselves with this policy and the Freedom of Information Act guidance which is available on the web.
3. Comply with all the conditions set out within the Act.
4. Ensure that Data Protection is not breached.

## The Parish Clerk

1. Is responsible for ensuring that all staff and Members are aware of the Freedom of Information Act and that they adhere to the guidelines within.
2. Has a responsibility to ensure that data subjects have appropriate access, upon written request, to details regarding personal information relating to them.
3. Will assist other staff and elected members with advice and complex requests.
4. Will oversee the gathering and disseminating of information and issues relating to information security, the Data Protection Act and other related legislation.