

HARTLEBURY PARISH COUNCIL

Freedom of Information Policy

Adopted at the PC Meeting of xxth YYYY 2016, item zz

To be read in conjunction with the Council's Publication Scheme.

Obtaining Information and Information held

There are three ways to obtain the information:-

Parish Council web site.

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, or by telephone, or in writing. Some documents require some time to locate.

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 at the address shown on the website or on one of the notice boards or by email to hartlebury.clerk@hotmail.co.uk.

Your request must include your name, address for correspondence, and a description of the information you require. There may be circumstances where the relevant information may be held on a parish councillor's personal computer, having been provided to them for the purpose of parish council business. In these instances, councillors agree to provide this information in order for the request to be dealt with.

Council's Response to a Written Request

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

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

A request may be refused under the following circumstances:-

1. It would cost too much or take too much staff time to deal with the request.
2. The request is vexatious.
3. The request repeats a previous request from the same person.
4. 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.

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.

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:-

1. refuse the request; OR
2. comply with the request and charge for allowable costs as prescribed in the regulations; OR
3. 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:-

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

For disbursements costs, 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 (details as before). 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, you may contact the Information Commissioner at:-

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Tel: 01625 545745

Email: mail@ico.gov.uk