

# Ash Parish Council

## Freedom of information Policy

The Parish Council is committed to openness and transparency and wishes to make relevant information available wherever possible to individuals who may request it, subject to safeguarding the privacy of individuals and to legitimate considerations of national security, law enforcement and commercial interests where relevant. The Freedom of Information Act gives everyone a statutory right of access to information held by bodies such as the Parish Council.

## Model publication scheme

This document is based on the revised model publication scheme issued by the Information Commissioner's Office. The model scheme is at [www.ico.org.uk/model-publication-scheme.pdf](http://www.ico.org.uk/model-publication-scheme.pdf)

## Information about the Parish Council

A significant amount of information about the Parish Council is available on its website. The Parish Council Clerk should be contacted if information is needed in an alternative format.

## Making a request for information

Individuals or organisations may make a written request for other information which they believe the Parish Council holds. To request information under the provisions of the Act an email (or if not possible: a letter) should be sent to the Clerk at [clerk@ashpcsomerset.com](mailto:clerk@ashpcsomerset.com) or by letter to the Clerk's address. This should include the full name and valid postal address of the person or organization making the request, as required under the Act, and a clear description of the information sought.

When a request is made, a preference about the desired format of the information may be made: for example: hard copy, an opportunity to inspect a record containing the information, or providing a digest or summary of the information. The Council will try to meet the preference as far as is reasonably practical or explain if it cannot do so.

It is noted that when forwarding on documents and especially emails in a digital format, that mistakes over GDPR regulations can easily be made. Names and contact information that should remain private can easily be sent out to third parties, especially if there is a long stream of quoted emails. It is further noted that it is impossible to redact forwarded emails, and that all documents can include metadata, the disclosure of which can be contrary to GDPR regulations. It is also acknowledged that Ash Parish Council has inadvertently disclosed such information in the past, and consequently to avoid these mistakes being made in the future, the Parish Council deems that it is reasonable to have a policy of only sending out hard copies of any documents, and that before these documents are sent to the Requestor, they will be checked by a Councillor and any personal information redacted as necessary. Each page will be initialled by said councillor to indicate that it has been checked. To ensure that there is adequate accountability and a paper trail, the redacted documents will be sent Special Delivery.

## Responding to requests

The Council will inform the person or organisation making the request in writing whether it holds the information requested and if so, provide it to not later than 20 *working* days after it receives the request. The Freedom of Information Act identifies several categories of information which the Parish Council is not required to disclose under the Act. In this case, the Council will write stating the exemption which provides the basis for refusal within the Act and why it applies to the information requested. The Council will communicate this within the above 20-day time period.

## **Charges for providing information under the Freedom of Information Act**

There is no 'flat rate' fee to receive information and in many cases the Council will provide the information free of charge. However, it should be noted that if the information sought is not readily available in the form in which it is requested, the Parish Council may charge a fee based on the costs associated with providing the information, for example photocopying and postage (known as 'disbursements'). The Freedom of Information Act does permit the Parish Council to refuse a request if it estimates that it will cost in excess of the appropriate cost limit (currently £450 comprising of 18 hours @ £25 per hour) to fulfil that request.

## **Freedom of information Fees Notice**

If it is necessary to charge a fee for disbursements, or because the costs exceed the appropriate limit, the Council will write advising of the fee required within 20 working days of receipt of the request. This is known as a 'Fees Notice'. When a Fees Notice is issued, the noted 20-day limit for a response will stop, and will start again when the Council receives payment. If the fee is not received within three months the Council is not obliged to comply with the request.

Current printing and scanning costs are as follows:

A4 black and white print out: 20 pence per page

A4 colour print out: 60 pence per page

A4 scan: 50 pence per page

## **Transparency of requests**

Ash Parish Council is committed to a policy of transparency, and as such it will publish as much information about each request as it is legally allowed by the prevailing regulations at the time of the request. For each request received, it will calculate and publish a Fees Notice, even if that fees notice is less than the statutory minimum cost limit, along with information that will allow Parishioners to see if multiple requests are being made, in order to allow Parishioners to check that the Parish Council are doing enough to tackle repeat and vexatious requests.

Transparency notwithstanding, Ash Parish Council will not publish any information that is contrary to the prevailing GDPR regulations.

## **Costs of requests**

It is noted that any time that it takes to gather the information for any request may fall outside of the usual paid hours of any Council Officer, Councillor or employee and in this case these hours will be payable at their usual hourly rate or the statutory rate of £25 per hour whichever is higher, and that this will be payable even if the total chargeable falls below the Fees Notice threshold.

## **Complaints**

If anyone is dissatisfied with the way the Parish Council has responded to a request for information, they should write to: The Clerk, Ash Parish Council c/o Chilthorne Knapp Chilthorne Domer, Yeovil, Somerset BA22 8QZ.

The Information Commissioner's Office (ICO) is responsible for enforcing the operation of the Act, and issues may be raised with the ICO at any time.

More information can be found on the ICO website listed below, or by writing to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5A