

# **TOCKENHAM PARISH COUNCIL**

## **FREEDOM OF INFORMATION POLICY**

### **Policy Statement**

This policy sets out how Tockenham Parish Council (the Parish Council) will process requests for information received. Requests will be processed in accordance with the Freedom of Information Act 2000 and the General Data Protection Regulations (GDPR) 2018.

This policy applies to all Tockenham Parish Councillors and any employees.

### **Background**

The Freedom of Information Act 2000 (the Act) gives a general right of access by any individual or corporate body to all types of information held by public bodies such as local councils and parish meetings, so the public has greater access to information about the workings of government and public bodies.

GDPR 2018 gives individuals the right to access information about themselves which is held on computer and most paper files. This is known as “subject access rights” Whilst the above allow access to information account must always be taken of the confidentiality provisions of GDPR before any information is released.

### **Review**

This policy will be reviewed as part of the Parish Council’s regular policy review procedure and when necessitated by legislative changes.

### **Equality**

In putting this procedure into practice there will be no discrimination on the grounds of race, sex, sexual orientation, gender reassignment, age, religion, politics, marital status, disability or union membership.

### **The Model Publication Scheme**

This scheme, by the Information Commissioner’s Office, enables members of the public to view and access information held by the Parish Council. It is attached to this policy.

### **How to obtain/access information held**

There are two ways to obtain information. Please check the publication scheme to see how the information is accessible.

1. The Parish Council’s website- [tockenhamparishcouncil.gov.uk](http://tockenhamparishcouncil.gov.uk)
2. Individual written request. If the information is not on the website a written request can be sent to  
The Clerk as the clerks address on the Tockenham Parish Council website.

Requests must include name, correspondence address and a description of the information requested.

### **How the Parish Council will respond to a Written Request**

As soon as reasonably practicable after receiving the written request under the Freedom of Information Act the Parish Council will acknowledge it giving a date by which a response will be delivered.

Within 20 working days of receipt of the written request the Parish Council will

- Confirm whether or not it holds the information requested.
- Advise whether any exemptions apply (see “Exemptions “paragraph below)
- Advise if a fee will be charged for providing copies of any information held.

After any relevant fee has been paid the Parish Council will provide the information.

### **Fees**

The Act only allows charges to be made for answering Freedom of Information requests in the following circumstances:

1. Costs of printing, photocopying and postage can be charged. The charge will be 10p per sheet black and white and 20p per sheet colour.
2. If the staff costs of retrieving and providing the information would exceed £450 (based on £20 an hour) then the Council can decide to
  - a) Refuse the request ;or
  - b) Comply if they are first paid the reasonable costs of compiling the information (if the actual costs are less than estimated then a refund will be made); or
  - c) Comply without charge

### **Exemptions**

Some information may not be provided by the Council as there are 23 exemptions in the Freedom of Information Act, for example personal data about individuals which is protected by GDPR or commercially sensitive information.

### **Further help**

If you are not satisfied with the response to your request from the Parish Council under the Freedom of Information Act, you may request an internal review. The review will be carried out by a Councillor other than the one who dealt with the initial request. If you are not satisfied with the result of the internal review, please refer to the Complaints section below. Further guidance can be found on the website of the Information Commissioner [www.ico.org.uk](http://www.ico.org.uk)

## **Complaints**

If you remain dissatisfied with the response of the Parish Council, you can complain in writing to the Chair of the Parish Council at the address on the website. If the complaint is not resolved, you can contact the Information Commissioner at:-

Information Commissioners Office  
Wycliffe House  
Water lane  
Wilmslow  
Cheshire  
SK9 5AF

*Note. Check the Information Commissioners website before writing to ensure the above address has not changed.*

**TOCKENHAM PARISH COUNCIL  
MODEL PUBLICATION SCHEME**

This template guide covers only information we currently hold. If we do not hold some of the information listed below, we will mark it as ‘not held’ in the table.

Information To Be Published	How The Information Can Be Obtained (hard copy or website)	Cost
<b>Class 1 – Who we are and what we do</b> (Organisational information, structures, locations and contacts) Current information only		
List of Council members and their responsibilities as well as a list of Council Committees.  Details of any representation on local public bodies	Website  If you click on the person’s name you see their profile which includes the role.	Free
Postal and email address  Contact details for Parish Clerk and Council members  Where possible, provide named contacts including contact phone numbers and email addresses	Website	Free
Location of main Council office and accessibility details	The Parish Council does not have an office. Contact details are on the website.	Free
Staffing structure	Website  In the ‘About’ section of the website.	Free
<b>Class 2 – What we spend and how we spend it</b> (Financial information about projected and actual income and expenditure, procurement, contracts and financial audit) Current and previous financial year as a minimum		
Statement of accounts and internal audit report in the format included in the Annual Return form	Website  Hard copy	Free  £5
Finalised budget	Website	Free
Precept	Website	Free

Borrowing Approval letter	N/A	Free
All items of expenditure above £100	Website All expenditure is minuted.	Free
Financial Standing Orders and Regulations	Website	Free
Grants given and received	Website All expenditure is minuted.	Free
List of current contracts awarded and value of contract	Website All expenditure is minuted.	Free
Members' allowances and expenses	Website All expenditure is minuted.	Free
<b>Class 3 – What our priorities are and how we are doing</b> (Strategies and plans, performance indicators, audits, inspections and reviews) Current and previous year as a minimum		
Annual governance statement in format included in the Annual Return form	Website	Free
Parish Plan	Website	Free
Annual Report to Parish or Community Meeting	Website	Free
Quality status	N/A	N/A
Local charters drawn up in accordance with DLUHC's guidelines	N/A – None in force	N/A
Data Protection impact assessments (in full or summary format) or any other impact assessment (eg Health & Safety Impact Assessment, Equality Impact Assessments etc), as appropriate and relevant	Website	?
<b>Class 4 – How we make decisions</b> (Decision making processes and records of decisions) Current and previous council year as a minimum		
Timetable of meetings (Council and any committee/sub-committee meetings and parish meetings)	Website	Free
Agendas of meetings (as above)	Website Hard copy	Free 10p a sheet
Minutes of meetings (as above) – exclude material that is properly considered to be exempt from disclosure	Website Hard copy	Free 10p a sheet

Reports presented to council meetings – exclude material that is properly considered to be exempt from disclosure	Website Hard copy	Free 10p a sheet
Responses to consultation papers	Website All expenditure is minuted.	Free
Responses to planning applications	Website All expenditure is minuted.	Free
Bye-laws	N/A – None in force	N/A
<b>Class 5 – Our policies and procedures</b> (Current written protocols, policies and procedures for delivering our services and responsibilities) Current information only		
Policies and procedures for the conduct of Council business: <ul style="list-style-type: none"> <li>• Procedural standing orders</li> <li>• Committee and sub-committee terms of reference</li> <li>• Delegated authority in respect of officers</li> <li>• Code of Conduct</li> <li>• Policy statements</li> </ul>	Website	Free
Policies and procedures for the provision of services and about the employment of staff: <ul style="list-style-type: none"> <li>• Internal instructions to staff and policies relating to the delivery of services</li> <li>• Equality and diversity policy</li> <li>• Health and safety policy</li> <li>• Recruitment policies and details of current vacancies</li> <li>• Policies and procedures for handling requests for information</li> <li>• Complaints procedures (including those covering requests for information and operating the publication scheme)</li> </ul>	Website	Free
Records management, personal data and access to information policies	Website	Free

Include information security policies, records retention, destruction and archive policies, and data protection (including data sharing and CCTV usage) policies		
<b>Class 6 – Lists and Registers</b> Currently maintained lists and registers only		
Information legally required to hold in publicly available registers (in most circumstances existing access provisions will suffice)	Hard copy	10p a sheet
Assets register, including details of public land and building assets	Website Hard copy	Free 10p a sheet
Disclosure log indicating the information provided in response to FOIA and EIR requests. These are recommended as good practice	Website	Free
Register of members' interests	Managed by Wiltshire Council. Please see Wiltshire Council website.	Free
Register of gifts and hospitality	Website	Free
<b>Class 7 – The services we offer</b> (Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses) Current information only		
Allotments	NA	N/A
Burial grounds and closed churchyards	NA	N/A
Community centres and village halls	Website	Free
Parks, playing fields and recreational facilities	Website	Free
Seating, litter bins, clocks, memorials, lighting, flower displays	Website	Free
Bus shelters	Website	Free
Markets	NA	N/A
Conveniences	NA	N/A
Agency agreements	NA	N/A
Services for which we are entitled to recover a fee and details of those fees (e.g. burial fees)	NA	N/A
<b>Additional Information</b> Information not itemised in the lists above		
None	N/A	N/A

## Schedule of Charges

This describes how the charges have been arrived at and should be published as part of the guide.

<b>TYPE OF CHARGE</b>	<b>DESCRIPTION</b>	<b>BASIS OF CHARGE</b>
<b>Disbursement cost</b>	Photocopying @10p per sheet (black & white)	Specified cost
	Photocopying @ 20p per sheet (colour)	Specified cost
	Postage	Actual cost of Royal Mail standard 2 <sup>nd</sup> class
<b>Statutory Fee</b>		In accordance with the relevant legislation (quote the actual statute)
<b>Other</b>		