

Exminster Parish Council

Freedom of Information Policy

1 Introduction

The Freedom of Information Act 2000 gives a general right of access to all types of recorded information held by public authorities, sets out exemptions from that right, and places a number of obligations on public authorities. Any person who makes a request to a public authority for information must be informed whether the public authority holds that information and, subject to exemptions, supplied with that information.

Under the Act, each public authority is required to adopt and maintain a Publication Scheme. This scheme will provide the public with a structured listing of any information released, with authorities undertaking a commitment to make it available to all. The Scheme must set out how it intends to publish the different classes of information it makes available and whether it intends to charge for providing the information.

The scheme for publishing information (either in print or on the web) commits the authority:

- To proactively publish or otherwise make available to the public as a matter of routine, information, which is held by the authority and falls within the following classifications:
 - Class 1 – Who we are and what we do
 - Class 2 – What we spend and how we spend it
 - Class 3 – What our priorities are and how are we doing
 - Class 4 – How we make decisions
 - Class 5 – Our policies and procedures
 - Class 6 – Lists and registers
 - Class 7 – The services we offer
 - Contact information
- To specify the information that is held by the authority and falls within the classifications above.
- To review and update on a regular basis the information the authority makes available under this scheme.
- To produce a schedule of any fees charged for access to information which is made proactively available.

Charges may also be made for information provided under this scheme where they are legally authorised, they are in all the circumstances, including the general principles of the right of access to information held by public authorities, justified and are in accordance with a published schedule or schedules of fees which is readily available to the public.

If a charge is to be made, confirmation of the payment due will be given before the information is provided. Payment may be requested prior to provision of the information.

2 Freedom of Information Publication Scheme

Exminster Parish Council's Publication Scheme is available in Appendix A. It gives details of how the information the Council holds can be obtained and sets out any costs associated with the provision of documents, if appropriate.

2.1 Obtaining Information and Information held

There are two ways to obtain the information:

1. Parish Council website (<http://www.exminsterparishcouncil.gov.uk/wp/>)
The website 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 website first.

2. Individual Written Request

If the information is not included on the website, you may send a written/e-mail request to:

Clerk to Exminster Parish Council, PO Box 30, Exeter, EX6 8XX

or

clerk@exminsterparishcouncil.gov.uk

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

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

- confirm to you whether it holds the information
- advise you if a fee will be charged
- provide you with the information (after any relevant fee has been paid) unless an exemption applies (see 'Exemptions' paragraph below).

2.2 Exemptions

Some information may not be provided by the Council. There are 23 exemptions in the Freedom of Information Act, for example, personal data about individuals which is protected by the Data Protection Act 2018, or commercially confidential information.

2.3 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:

- refuse the request; or
- comply with the request and charge for allowable costs as prescribed in the regulations; or
- 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, 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.

2.4 Further Help

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

You will also find more detailed guidance on the website of the Information Commissioner.

2.5 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

Appendix A:**Information available from Exminster Parish Council under the Publication Scheme**

Information to be published	How the information can be obtained	Cost
Class1 - Who we are and what we do (Organisational information, structures, locations and contacts)		
Who's who on the Council and its Committees	Hard copy - Parish Clerk www.exminsterparishcouncil.gov.uk	Hard copy 10p per A4 sheet
Contact details for Parish Clerk /RFO and Council members	Hard copy - Parish Clerk www.exminsterparishcouncil.gov.uk	Hard copy 10p per A4 sheet
Location of main Council office and accessibility details	Hard copy - Parish Clerk www.exminsterparishcouncil.gov.uk	Hard copy 10p per A4 sheet
Staffing structure	Hard copy - Parish Clerk www.exminsterparishcouncil.gov.uk	Hard copy 10p per A4 sheet
Class 2 – What we spend and how we spend it (Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit)		
Annual return form and report by auditor	Hard copy - Parish Clerk www.exminsterparishcouncil.gov.uk	Hard copy 10p per A4 sheet
Finalised budget	Hard copy - Parish Clerk	Hard copy 10p per A4 sheet
Precept	Hard copy - Parish Clerk	Hard copy 10p per A4 sheet
Borrowing Approval letter	N/A	
Financial Standing Orders and Regulations	Hard copy - Parish Clerk www.exminsterparishcouncil.gov.uk	Hard copy 10p per A4 sheet
Grants given and received	Hard copy - Parish Clerk	Hard copy 10p per A4 sheet
List of current contracts awarded and value of contract	Hard copy - Parish Clerk	Hard copy 10p per A4 sheet
Members' allowances and expenses	Hard copy - Parish Clerk	Hard copy 10p per A4 sheet
Class 3 – What our priorities are and how we are doing (Strategies and plans, performance indicators, audits, inspections and reviews)		
Parish Plan	Hard copy - Parish Clerk www.exminsterparishcouncil.gov.uk	Hard copy 10p per A4 sheet

Information to be published	How the information can be obtained	Cost
Annual Report to Parish or Community Meeting (current and previous year as a minimum)	Hard copy - Parish Clerk www.exminsterparishcouncil.gov.uk	Hard copy 10p per A4 sheet
Quality status	N/A	
Local charters drawn up in accordance with DCLG guidelines	N/A	
Class 4 – How we make decisions (Decision making processes and records of decisions)		
Timetable of meetings (Council, any committee/sub-committee meetings and parish meetings)	Hard copy - Parish Clerk www.exminsterparishcouncil.gov.uk	Hard copy 10p per A4 sheet
Agendas of meetings (as above)	Hard copy - Parish Clerk www.exminsterparishcouncil.gov.uk	Hard copy 10p per A4 sheet
Minutes of meetings (as above) – NB this will exclude information that is properly regarded as private to the meeting.	Hard copy - Parish Clerk www.exminsterparishcouncil.gov.uk	Hard copy 10p per A4 sheet
Reports presented to council meetings - NB this will exclude information that is properly regarded as private to the meeting.	Hard copy - Parish Clerk	Hard copy 10p per A4 sheet
Responses to consultation papers	Hard copy - Parish Clerk	Hard copy 10p per A4 sheet
Responses to planning applications	Hard copy – Parish Clerk	Hard copy 10p per A4 sheet
Bye-laws	N/A	

Information to be published	How the information can be obtained	Cost
Class 5 – Our policies and procedures (Current written protocols, policies and procedures for delivering our services and responsibilities)		
Policies and procedures for the conduct of council business: Procedural standing orders Committee and sub-committee Terms of Reference Working Groups/Parties Delegated authority in respect of officers Code of Conduct Policy statements	Hard copy - Parish Clerk www.exminsterparishcouncil.gov.uk	Hard copy 10p per A4 sheet
Policies and procedures for the provision of services and about the employment of staff: Internal policies relating to the delivery of services Equality and diversity policy Health and safety policy Recruitment policies (including current vacancies) Policies and procedures for handling requests for information Complaints procedures (including those covering requests for information and operating the publication scheme)	Hard copy - Parish Clerk www.exminsterparishcouncil.gov.uk	Hard copy 10p per A4 sheet
Information security policy	Hard copy - Parish Clerk	Hard copy 10p per A4 sheet

Information to be published	How the information can be obtained	Cost
Records management policies (records retention, destruction and archive)	Hard copy - Parish Clerk	Hard copy 10p per A4 sheet
Data protection policies	Hard copy - Parish Clerk www.exminsterparishcouncil.gov.uk	Hard copy 10p per A4 sheet
Schedule of charges (for the publication of information)	Hard copy - Parish Clerk www.exminsterparishcouncil.gov.uk	Hard copy 10p per A4 sheet
Class 6 – Lists and Registers (Currently maintained lists and registers only)		
Any publicly available register or list (if any are held this should be publicised; in most circumstances existing access provisions will suffice)	By inspection only – contact the Parish Clerk	
Assets Register	Hard copy - Parish Clerk www.exminsterparishcouncil.gov.uk	Hard copy 10p per A4 sheet
Disclosure log (indicating the information that has been provided in response to requests; recommended as good practice, but may not be held by parish councils)	N/A	
Register of members' interests	Hard copy - Parish Clerk www.exminsterparishcouncil.gov.uk	Hard copy 10p per A4 sheet
Register of gifts and hospitality	N/A	
Research fees for retrieving/recording requested archive material/records	Hard copy – Parish Clerk	£10 initial search/£15 detailed search (plus postage)

Information to be published	How the information can be obtained	Cost
Class 7 – The services we offer (Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses)		
Allotments	Verbal information/hard copy - Parish Clerk	Hard copy 10p per A4 sheet
Burial grounds and closed churchyards	Verbal information/hard copy - Parish Clerk	Hard copy 10p per A4 sheet
Community centres and village halls	N/A	Hard copy 10p per A4 sheet
Parks, playing fields and recreational facilities	Verbal information/hard copy - Parish Clerk	Hard copy 10p per A4 sheet
Seating, litter bins, clocks, memorials and lighting	Verbal information/hard copy - Parish Clerk	Hard copy 10p per A4 sheet
Bus shelters	Verbal information/hard copy - Parish Clerk	Hard copy 10p per A4 sheet
Markets	N/A	
Public conveniences	Hard copy - Parish Clerk	Hard copy 10p per A4 sheet
Agency agreements	N/A	Hard copy 10p per A4 sheet
A summary of services for which the council is entitled to recover a fee, together with those fees (e.g. burial fees)	Hard copy - Parish Clerk www.exminsterparishcouncil.gov.uk	Hard copy 10p per A4 sheet

Contact details:

Mrs J Daw
Parish Clerk
PO Box 30
Exeter
EX6 8XX
clerk@exminsterparishcouncil.gov.uk
07599 762634

Schedule of Charges

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

* the actual cost incurred by the public authority