



# Saltash Town Council

**Policy:**

Freedom of Information – Policy for handling requests

**Date of Adoption:**

June 2018

This is a Policy or Procedure document of Saltash Town Council and must be fully adhered to by both Councillors and employees.

Current Status			
<b>Version</b>	1	<b>Approved by</b>	FTC
<b>Date</b>	June 2018	<b>Date of approval</b>	07.06.2018
<b>Responsible Officer</b>	AJT	<b>Minute reference</b>	130/18/19
<b>Responsible Committee</b>	P&R	<b>Review date</b>	April 2019 (fees)

Version History			
Date	Version	Author/Editor	Comments
June 2018	1	AJT/CALC model	Reapprove start of new council/new legislation

Review Record				
Date	Type of Review	Date of completion	Summary of actions	Completed by
Sept 2018	Fees & legislation	27.09.2018	Fee update DPA date update	AJT

## **Freedom of Information Act**

### **Policy for Handling Requests for Information \***

#### **Freedom of Information**

Saltash Town Council adopted the Model Publication Scheme with effect from 1st January 2009. This scheme will enable members of the public to view and access information held by the Town Council.

#### **Obtaining Information and Information held**

There are three ways to obtain the information:

##### **Town 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 the facility on the web site or by telephone, or in writing. Some documents require some time to locate, so it may be necessary to make an appointment. Please note hours of work are

##### **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:

Senior Policy & Data Compliance Officer, The Guildhall, 12 Lower Fore Street, Saltash PL12 6JX

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

##### **Council's Response to a Written Request**

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

- confirm to you whether or not 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).

## **Fees**

The Act only allows the Council to charge for answering Freedom of Information requests in the following circumstances:

- Disbursement costs such as printing, photocopying and postage; and
- 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 £25 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 £25), 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, it is proposed that 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.

## **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 the Data Protection Act 2018, or commercially confidential information.

## **Further Help**

If you need help in accessing information from the Council under the Freedom of Information Act, please contact the Senior Policy & Data Compliance Officer (address 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 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](mailto:mail@ico.gov.uk)