

STAINDROP PARISH COUNCIL

Freedom of Information Policy and Publication Scheme

1. Introduction

The Freedom of Information Act 2000 (the Act) provides the public with a general legal entitlement to view all recorded information held by the Parish Council subject to certain exemptions. The public will have the right to view all the information in the Council's Publication Scheme.

The Parish Council is committed to be an open organisation, one that the public can trust and have confidence in its ability to deliver its services to them.

Failure to comply with this policy could have serious consequences for the Council, in the release of inappropriate material or the withholding illegally of information and the attendant adverse publicity and possible legal censure.

2. Aims and Scope of the Policy

This policy applies to all the recorded information that the Parish Council holds - that is information created, received and maintained by Members and Officers in the course of their work.

This policy is intended to ensure everyone is aware of his or her responsibility under the Freedom of Information Act.

3. Guidelines

Staindrop Parish Council will:

- 3.1 Comply with the Freedom of Information Act (FOI) 2000.
- 3.2 Maintain a Publication Scheme that provides information, which is readily accessible on the receipt of a FOI request.
- 3.3 Respond within 20 working days to straightforward written requests. However, if necessary, this timescale will be extended to give full consideration to a Public Interest Test. If the deadline is not expected to be met, the applicant will be advised of the reasons for the delay and the anticipated reply date.
- 3.4 Continue to protect the personal data entrusted to it, by disclosing that information only in accordance with the provisions of the Data Protection Act 1998.
- 3.5 Keep on file a copy of the request and response.
- 3.6 Be aware of the definition of "complex requests" and the escalation procedure and in particular that they should not refuse requests for information in whole or in part.
- 3.7 Apply the exemptions provided in the FOI Act and, where qualified exemptions exist, disclose the information unless the balance of public interest lies in withholding it.
- 3.8 Pro-actively publish and make information readily available in accordance with the Publication Scheme.
- 3.9 Review complaints about the release or otherwise of information by referring them to the Parish Clerk and remind requestors that they can appeal such decisions to the Information Commissioner.
- 3.10 Ensure that all permanent and contract staff and elected members are aware of their obligations under FOI and will include FOI education in the induction of all new staff.

- 3.11 Charge for information requests in line with the FOI Fees Regulations or other applicable regulations, including the Data Protection Act 1998.
- 3.12 Apply the “appropriate limit” in the regulations. Where the cost of complying with the request exceeds this, we will issue a refusal notice inviting the requestor to refine their request.

4. Responsibilities

The Council has a responsibility to make its recorded information available in accordance with the Act.

All Staff and Members

- 4.1. Must ensure that all such data are handled properly and confidentially at all times, irrespective of whether these are held on paper or by electronic means.
- 4.2. Should familiarise themselves with this policy and the Freedom of Information Act guidance which is available on the web.
- 4.3. Comply with all the conditions set out within the Act.
- 4.4. Ensure that Data Protection is not breached.

The Parish Clerk

- 4.5. Is responsible for ensuring that all staff and Members are aware of the Freedom of Information Act and that they adhere to the guidelines within.
- 4.6. Has a responsibility to ensure that data subjects have appropriate access, upon written request, to details regarding personal information relating to them.
- 4.7. Will assist other staff with advice and complex requests.
- 4.8. Will oversee the gathering and disseminating of information and issues relating to information security, the Data Protection Act and other related legislation.

MODEL PUBLICATION SCHEME

This model publication scheme has been prepared and approved by the Information Commissioner. It may be adopted without modification by any public authority without further approval and will be valid until further notice.

This publication scheme commits an authority to make information available to the public as part of its normal business activities. The information covered is included in the classes of information mentioned below, where this information is held by the authority. Additional assistance is provided to the definition of these classes in sector specific guidance manuals issued by the Information Commissioner.

The scheme commits an authority:

- To proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by the authority and falls within the classifications below.
- To specify the information which is held by the authority and falls within the classifications below.
- To proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within this scheme.
- To produce and publish the methods by which the specific information is made routinely available so that it can be easily identified and accessed by members of the public.
- 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.
- To make this publication scheme available to the public.

Classes of information

Who we are and what we do.

Organisational information; locations and contacts; constitutional and legal governance.

What we spend and how we spend it.

Financial information relating to projected and actual income and expenditure; tendering; procurement and contracts.

What our priorities are and how we are doing.

Strategy and performance information; plans; assessments; inspections and reviews.

How we make decisions.

Policy proposals and decisions. Decision making processes; internal criteria and procedures; consultations.

Our policies and procedures.

Current written protocols for delivering our functions and responsibilities.

Lists and registers.

Information held in registers required by law and other lists and registers relating to the functions of the authority.

The services we offer.

Advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered.

The classes of information will not generally include:

- Information the disclosure of which is prevented by law, or exempt under the Freedom of Information Act, or is otherwise properly considered to be protected from disclosure.
- Information in draft form.
- Information that is no longer readily available as it is contained in files that have been placed in archive storage, or is difficult to access for similar reasons.

The method by which information published under this scheme will be made available

The authority will indicate clearly to the public what information is covered by this scheme and how it can be obtained.

Where it is within the capability of a public authority, information will be provided on a website. Where it is impracticable to make information available on a website or when an individual does not wish to access the information by the website, a public authority will indicate how information can be obtained by other means and provide it by those means.

In exceptional circumstances some information may be available only by viewing in person. Where this manner is specified, contact details will be provided. An appointment to view the information will be arranged within a reasonable timescale.

Information will be provided in the language in which it is held or in such other language that is legally required. Where an authority is legally required to translate any information, it will do so.

Obligations under disability and discrimination legislation and any other legislation to provide information in other forms and formats will be adhered to when providing information in accordance with this scheme.

Charges which may be made for information published under this scheme

The purpose of this scheme is to make the maximum amount of information readily available at minimum inconvenience and cost to the public. Charges made by the authority for routinely published material will be justified and transparent and kept to a minimum.

Material which is published and accessed on a website will be provided free of charge.

STAINDROP PARISH COUNCIL

Freedom of Information Act Guide to the Publication Scheme

Introduction

Under the Freedom of Information Act (“the Act”) it is the duty of every public authority to adopt and maintain a publication scheme. The Information Commissioner’s Office (ICO) changed the emphasis in the approval and operation of publication schemes to a generic model which has been adopted and is now operated by Staindrop Parish Council as from 1 June 2015

Staindrop Parish Council Publication Scheme

The Scheme provides a list of all the information the parish council makes routinely available, explains how it can be accessed and whether or not a charge is made for it.

Manner of publication

The Parish Council feel it is important that all sections of the community can access the council’s information, and systems are in place to make the listed information available to the public as easily as possible.

Where possible, information has been placed on the Parish Council web-site at <http://parishes.durham.gov.uk/staindrop/Pages/default.aspx>. Where this is not possible the information is available from the Clerk – and / or paper copies can be sent through the post.

Contact Information

Judith Mashiter, Clerk to Staindrop Parish Council, Moor Edge, Snaisgill, Middleton-in-Teesdale, Co. Durham DL12 0RP, Tel. 01833 640893
Email: clerk@staindropparishcouncil.org

Website: <http://parishes.durham.gov.uk/staindrop/Pages/ContactUs.aspx>

Information	How the information can be obtained	Cost Actual cost of Royal Mail standard 2 nd class class
Class1 - Who we are and what we do (Organisational information, structures, locations and contacts) This will be current information only		
Who's who on the Council and its Committees	On Line or By Post	On Line Free: Hard copy 15p / Sheet
Contact details for Parish Clerk and Council members (named contacts where possible with telephone number and email address (if used))	On Line or By Post	On Line Free: Hard copy 15p / Sheet
Staffing structure	On Line or By Post	On Line Free: Hard copy 15p / 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). Current and previous financial year as a minimum		
Annual return form and report by auditor	On Line or By Post	On Line Free Hard copy 15p / Sheet
Finalised budget	On Line or By Post	On Line Free Hard copy 15p / Sheet
Precept	On Line or By Post	On Line Free Hard copy 15p / Sheet
Financial Standing Orders and Regulations	On Line or By Post	On Line Free Hard copy 15p / Sheet
Grants given and received	On Line or By Post	On Line Free Hard copy 15p / Sheet
List of current contracts awarded and value of contract	On Line or By Post	On Line Free Hard copy 15p / Sheet
Members' allowances and expenses	On Line or By Post	On Line Free Hard copy 15p / Sheet

Class 3 – What our priorities are and how we are doing (Strategies and plans, performance indicators, audits, inspections and reviews)		
Annual Report to Parish or Community Meeting (current and previous year as a minimum)	On Line or By Post	On Line Free Hard copy 15p / Sheet
Class 4 – How we make decisions (Decision making processes and records of decisions) Current and previous council year as a minimum		
Timetable of meetings (Council, any committee/sub-committee meetings and parish meetings)	On Line or By Post	On Line Free Hard copy 15p / Sheet
Agendas of meetings (as above)	On Line or By Post	On Line Free Hard copy 15p / Sheet
Minutes of meetings (as above) – NB this will exclude information that is properly regarded as private to the meeting.	On Line or By Post	On Line Free Hard copy 15p / Sheet
Reports presented to council meetings - NB this will exclude information that is properly regarded as private to the meeting.	On Line or By Post	On Line Free Hard copy 15p / Sheet
Responses to consultation papers	On Line or By Post	On Line Free Hard copy 15p / Sheet
Responses to planning applications	On Line or By Post	On Line Free Hard copy 15p / Sheet
Bye-laws	On Line or By Post	On Line Free Hard copy 15p / Sheet

Class 5 – Our policies and procedures (Current written protocols, policies and procedures for current information only)		
Policies and procedures for the conduct of council business: Procedural standing orders Committee and sub-committee terms of reference Delegated authority in respect of officers Code of Conduct Policy statements	On Line or By Post	On Line Free Hard copy 15p / 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)	On Line or By Post	On Line Free Hard copy 15p / Sheet
Information security policy	On Line or By Post	On Line Free Hard copy 15p / Sheet
Records management policies (records retention, destruction and archive)	On Line or By Post	On Line Free Hard copy 15p / Sheet
Schedule of charges (for the publication of information)	On Line or By Post	On Line Free Hard copy 15p / 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)	On Line or By Post	On Line Free Hard copy 15p / Sheet
Assets Register	On Line or By Post	On Line Free Hard copy 15p / 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)	On Line or By Post	On Line Free Hard copy 15p / Sheet
Register of members' interests	On Line or By Post	On Line Free Hard copy 15p / Sheet
Register of gifts and hospitality	On Line or By Post	On Line Free Hard copy 15p / Sheet
Class 7 — (Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses). Current information only		
Parks, playing fields and recreational facilities	On Line or By Post	On Line Free Hard copy 15p / Sheet
Seating, litter bins, clocks, memorials and lighting	On Line or By Post	On Line Free Hard copy 15p / Sheet
Bus shelters	On Line or By Post	On Line Free Hard copy 15p / Sheet

SCHEDULE OF CHARGES

This describes how the charges are arrived at and is published as part of our scheme.

TYPE OF CHARGE	DESCRIPTION	BASIS OF CHARGE
Disbursement cost	Photocopying @ 15p per sheet (black & white)	Cost of paper / printing.
	Postage	Actual cost of Royal Mail standard 2nd class
Statutory Fee		The appropriate cost limit for a request is £600 for central government and Parliament and £450 for other public authorities
		When estimating the cost of compliance, the following is taken into consideration Determining whether it holds the information requested Locating the information Retrieving such information or documents The cost of staff time associated with these activities is currently calculated at £25 per hour.
Other		

Where the limit is not exceeded, the only charges that can be passed to the applicant are those associated with providing the information, for example photocopying and postage. These are collectively known as disbursements.

* The actual cost incurred by the public authority

The time spent considering whether or not information is exempt from release into account when estimating the cost of compliance cannot be taken into account.

FREEDOM OF INFORMATION ACT 2000

MODEL PUBLICATION SCHEME – REQUEST FOR INFORMATION

You can use this form to make a request for information held by Staindrop Parish Council under the Freedom of Information Act 2000. Please complete all sections providing as much detail as possible to enable us to identify and provide the information you require.

About You:

Title/Forename:

Surname:

Address for correspondence:

Telephone (Daytime):

Email:

About your Request:

Please provide a detailed description of the information you are interested in to enable us to deal with your request quickly and easily. For example, you could include title(s) of documents, relevant date(s) of publication or the section within the Council which you think might hold the information (please continue on a separate sheet if necessary).

Format:

The information you have requested will be supplied in the format as indicated within the Model Publication Guide.

Our Address:

Send this completed form to:

Freedom of Information/Data Protection Co-ordinator

Judith Mashiter, Clerk to Staindrop Parish Council, Moor Edge, Snaisgill, Middleton-in-Teesdale, Co. Durham DL12 0RP

We will reply to your request promptly and in any case no later than 20 working days following receipt of this form. Please note that we may have to contact you if we cannot locate the information that you have requested from the information you have given us. Your personal details will only be held for the purposes of dealing with your request for information, and we will let you know if we need to pass your request onto another authority.

Please note, much of the information we hold in relation to policies, decisions etc. may be available online and will therefore be available free of charge. However, if it is necessary to provide paper copies of documents, there will be a charge for this and any charges will be advised to you in advance.