

# **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.*