

# KIRKBAMPTON PARISH COUNCIL

## **FREEDOM OF INFORMATION POLICY**

### **Introduction**

Kirkbampton Parish Council is committed to complying with the provisions of the Freedom of Information Act 2000 (FOIA) and related legislation.

This legislation enables anyone, anywhere in the world, to request any recorded information held by, or on behalf of, Kirkbampton Parish Council. Information will be provided if it is held, unless one or more of the exemptions listed in the legislation applies. There are 23 exemptions in the Freedom of Information Act and information which is exempt does not have to be provided.

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

There are two ways to obtain the information:

- Inspect Documents held by the Clerk

If you wish to view certain documents, you should contact the Clerk, either by telephone, or in writing. Some documents require some time to locate, so it may be necessary to make an appointment.

- Individual Written Request

If the information is not included in the publication scheme outlined below you may send a written request to

- The Parish Clerk, Hill House, Walton, Brampton, CA8 2DY
- 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:

1. Disbursement costs such as printing, photocopying and postage; and

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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, 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.

#### **Further Help**

If you need help in accessing information from the Council under the Freedom of Information Act, please contact the Parish Clerk (address as before).

If as an individual you want to know what data is held on you, why the data is being processed and whether it will be given to any third party you have the right to be given this information in a hard copy. This is known as a 'subject access request' or "SAR". Please see Kirkbampton Parish council Subject Access request policy.

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

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#### **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.

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<b>Information to be published</b>	<b>How the information can be obtained</b>	<b>Cost</b>
<b>Class1 - Who we are and what we do</b>		
Who's who on the Council and its Committees	Website / Email Hard copy	Free 10p per sheet
Contact details for Parish Clerk and Council members	Website / Email Hard copy	Free 10p per sheet
<b>Class 2 – What we spend and how we spend it</b>		
Annual return, Statement of Accounts, Governance Statement, report by auditor, expenditure over £100	Website / Email Hard copy	Free 10p per sheet
Finalised budget and precept	Website / Email Hard copy	Free 10p per sheet
Asset Register	Website / Email Hard copy	Free 10p per sheet
Financial Regulations and Standing Orders	Website / Email Hard copy	Free 10p per sheet
Grants given and received	Website / Email Hard copy	Free 10p per sheet
List of current contracts awarded and value of contract	Email Hard copy	Free 10p per sheet
Members' allowances and expenses	Email Hard copy	Free 10p per sheet

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<b>Class 3 – What our priorities are and how we are doing</b>		
Parish Plan (current and previous year as a minimum)	N/A	N/A
Chairman Annual Report to Parish or Community Meeting	Website / Email Hard copy	Free 10p per sheet
Quality status	N/A	N/A
<b>Class 4 – How we make decisions</b>		
Timetable of meetings	Website / Email Hard copy	Free 10p per sheet
Agendas of meetings (as above)	Website / Email Hard copy	Free 10p per sheet
Minutes of meetings (as above) – n.b. this will exclude information that is properly regarded as private to the meeting.	Website / Email Hard copy	Free 10p per sheet
Reports presented to council meetings – n.b. this will exclude information that is properly regarded as private to the meeting.	Email Hard copy	Free 10p per sheet
Responses to consultation papers	Email Hard copy	Free 10p per sheet
Responses to planning applications	Email Hard copy	Free 10p per sheet
<b>Class 5 – Our policies and procedures</b>		
Policies and procedures for the conduct of council business: Code of Conduct	Website / Email Hard copy	Free 10p per sheet
Policies and procedures for the provision of services and about the employment of staff:	Website / Email Hard copy	Free 10p per sheet

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Complaints procedure Equal Opportunity policy Health and safety policy Risk Management policy Data protection policy Freedom of information policy Grievance procedure Disciplinary policy Protocol on the recording and filming of Parish Council meetings Press and Media policy Retention of Documents policy		
Schedule of charges (for the publication of information)	Website / Email Hard copy	Free 10p per sheet
<b>Class 6 – Lists and Registers</b>		
Assets register	Website / Email Hard copy	Free 10p per sheet
Register of members' interests	Website / Email Hard copy	Free 10p per sheet
<b>Class 7 – The services we offer</b>		
Play Park		
Seating, litter bins		
Bus shelters		

**Contact details:**

**Sonia Hutchinson**

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Clerk to the Parish Council  
2 Sevenoaks Terrace, Cross Lane, Wigton, Cumbria, CA7 9DG  
Email: [clerk@Kirkbamptonparishcouncil.org](mailto:clerk@Kirkbamptonparishcouncil.org)  
Telephone: 016973 43702

**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)	Actual cost
	Postage	Actual cost of Royal Mail standard 2 <sup>nd</sup> class
<b>Statutory Fee</b>	As identified in the aforementioned policy	In accordance with the relevant legislation