

**CRESSWELL PARISH COUNCIL STATEMENTS OF GUIDANCE AND POLICY**

**Adopted**

Version:	Date Reviewed:	Next Review Date:
1.0	July 2023	July 2024

**POLICY DOCUMENT FREEDOM OF INFORMATION**

**Introduction**

This policy sets out how members of the public are able to view and access information held by Cresswell Parish Council.

**Obtaining Information and Information held**

- Inspect Documents held by the Clerk

If you wish to view certain documents, you should contact the Clerk, either by email, 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 of policies offered by the council you may send a written request to The Clerk to the Parish Council

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

- The parish 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.

**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;
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 disbursement 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 exemptions in the Freedom of Information Act, for example, personal data about individuals which is protected by the Data Protection Act 1998, or commercially confidential information.

Further help in accessing information and detailed guidance is available on the website of the Information Commissioner.

### **Complaints**

If you are dissatisfied with the response from the Parish Council then you should follow the Council's complaints procedure and put your complaint in writing to the Clerk. If you are still dissatisfied with the outcome, you may contact the Information Commissioner at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF