MARSH GIBBON PARISH COUNCIL

Email: clerk@marshgibbon-pc.gov.uk
Website: http://marshgibbon-pc.gov.uk
Tel: 01296 770568

FREEDOM OF INFORMATION

I PURPOSE

Pursuant to the Freedom of Information Act 2005 (the Act), the Data Protection Act, 2010 and the General Data Protection Regulations, May 2018, Marsh Gibbon Parish Council ('the Council') has adopted this Policy to formalise its approach to compliance.

Marsh Gibbon Parish Council recognises the Act gives everyone a statutory right of access to information held by bodies such as the Parish Council. Being committed to openness and transparency, the Council will make relevant information available wherever possible to individuals who may request it, subject to safeguarding the privacy of individuals and to legitimate considerations of national security, law enforcement and commercial interests where relevant.

In addition, Marsh Gibbon Parish Council has adopted the revised model publication scheme issued by the Information Commissioner's Office.

This Policy provides the framework within which Council will effectively manage and conduct its administrative arrangements in relation to the requirements of the relevant legislation such as to ensure the timely and efficient compliance with its obligations and to deliver its duties in regard to the expectations of the residents of the Parish.

It lays out how Councillors and council employees are expected to abide by these requirements.

Council has made every effort to ensure all relevant statutory requirements to which a council is subject are encompassed in this Policy but confirm that, in any event, those requirements apply whether or not they are incorporated herein.

This Policy has been drawn up to be consistent with of the Parish Council's Data Protection Policy and its Publications Policy and every effort has been made to ensure it is also consistent with other Council Policies where relevant.

NOTES:

- Where the word "councillor" is used, unless the context suggests otherwise, the meaning is intended to include non-councillors, with or without voting rights, and council employees.
- A 'co-opted member' is a person who is not an elected member of the Council but who has been co-opted onto the Council, or a committee or sub-committee properly constituted by Council, by a majority of elected Councillors at a properly constituted meeting of Council and who is entitled to vote on any question that falls to be decided at any meeting of Council or that committee or sub-committee.
- A 'meeting' is a properly constituted meeting of the Council, any of its committees, sub-committees, joint committees or joint sub-committees.

- Unless otherwise expressed, a reference to a Member of the Council includes a co-opted member of the Council.
- Where gender specific wording is used, meaning is intended to be gender neutral.

II **SCOPE –** shall apply to all Members and employees.

III **POLICY**

1. Provision

The Council will provide all information required by statute through its website or by special arrangement at its premises during normal office hours on request.

2. Requesting Information

To request information under the provisions of the Act, individuals or organisations may make a written request by email for information which they believe Marsh Gibbon Parish Council holds.

The Council will require all requests for information to be made in writing by email to its Clerk on clerk@marshgibbon-pc.gov.uk with sufficient detail to allow precise understanding of the information required and optionally why.

- As required under the Act, the following will need to be included with the request:
- Name of person requesting the information
- The email and postal address of the person requesting the information
- A clear description of the information being requested.
- A preference of how the information is to be communicated e.g. by attachment to an email or the opportunity to inspect a record containing the information.

Marsh Gibbon Parish Council will try to provide the information in the preferred media as far as is reasonably practical, or will notify the person requesting the information if Marsh Gibbon Parish Council cannot do so.

3. Responding to Requests

The Council will respond to a request within 7 working days by email and ask, where necessary, for clarification of the precise nature of the enquiry, the purpose for which the information will be used, any costs to be incurred in providing the information and to advise if the Parish Council holds the information requested and if so, that it will provide the information no later than 20 working days

after receipt of the request.

The Freedom of Information Act does identify a number of categories of information which Marsh Gibbon Parish Council is not required to disclose under the Act. In this case, the Parish Council will write to the person requesting the information, stating the exemption which provides the basis for refusal within the Act and why it applies to the information requested. Marsh Gibbon Parish Council will communicate this within 20 working days.

4. Fees and Charges

There is no "flat rate" fee to receive information requested under the Freedom of Information Act and in many cases Marsh Gibbon Parish Council will provide the information free of charge. However, if the information requested is not readily available in the media in which it is requested, the Parish Council may charge a fee based on the costs associated with providing the information e.g. photocopying and postage (known as 'disbursements').

The Freedom of Information Act does permit Marsh Gibbon Parish Council to refuse a request if the Parish Council estimates that it will cost them in excess of the appropriate cost limit (currently £450) to fulfil the request.

If a fee is required for disbursements or because the costs exceed the appropriate cost limit, Marsh Gibbon Parish Council will write advising of the fee required within 20 working days of receipt of the request. This is known as a "Fees Notice". When a Fees Notice has been issued, the 20 working day limit for responding stops, and then will start again when the Parish Council receive payment. If Marsh Gibbon Parish Council do not receive the fee within three months the Parish Council are not obliged to comply with the request.

5. Complaints

If persons requesting information are dissatisfied with the way Marsh Gibbon Parish Council has responded to a request for information, they should email the Clerk to the Council on clerk@marshgibbon-pc.gov.uk

The Information Commissioner's Office (ICO) is responsible for enforcing the operation of the Act, and applicants may raise issues with this office at any time. More information can be found on the ICO website or by writing to the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

VERSION HISTORY					
Version	**Approved by**	**Date**	**Description of Change**		**Author**
1.0	FULL COUNCIL	May 2026	New document		CJ
PREPARED BY	Carole Jackman	**TITLE**	CLERK	**Date**	Apl 2026