



CORNWALL ASSOCIATION OF LOCAL COUNCILS

Unit 1/1a, 1 Riverside House, Heron Way, Newham, Truro, Cornwall TR1 2XN

Serving the parish and town councils of Cornwall

SITHNEY PARISH COUNCIL

Freedom of Information Act Policy for Handling Requests for Information

Freedom of Information

The Parish Council adopted the Model Publication Scheme (dated 1st January 2009) and is committed to updating and maintaining it to keep it current and relevant. The Publication Scheme contains documents, policies, plans and guidance used by the Council. The material contained within the Scheme is available on the internet at <http://www.parish-council.com/sithney/index.asp> Where charges are applied these will be stated in the Scheme. This Scheme will enable members of the public to view and access information held by the Parish Council.

Obtaining Information and Information held

Documents can be inspected on the Parish Council Website <http://www.parish-council.com/sithney/index.asp> **OR BY** contacting the Clerk by e mail, telephone or in writing.

Individual Written Request

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

The Parish Clerk, Trannack Farm, St Erth, Hayle, TR27 6ET or e mail sithneypc@gmail.com

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

Some documents may require some time to locate, so it may be necessary to make an appointment. Please note hours of work are as required.

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:

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

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 the Data Protection Act 1998, or commercially confidential information.

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).

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

Complaints

If you are dissatisfied with the response from the Council then you should put your complaint (which will be dealt with in accordance with the PC handling of Complaints Model Procedure adopted on 9th May 2013 min 19) 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

Tel: 01625 545700

Email: mail@ico.gov.uk