

# FIVEHEAD PARISH COUNCIL

## POLICY IN RESPECT OF HANDLING REQUESTS UNDER THE FREEDOM OF INFORMATION ACT 2000 AND THE DATA PROTECTION ACT 2018

<b>Adopted</b>	<b>6 Nov 2017 (previously only on website) Minute 2738</b>
<b>Amended</b>	<b>Min 2850</b>
<b>Review date (annual)</b>	<b>Annual meeting of the Parish Council (May)</b>

### Introduction

Requests for information held by the council shall be handled in accordance with the council's policy in respect of handling requests under the Freedom of Information Act 2000 and the Data Protection Act 2018.

Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Chair of the council. The council shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.

In 2015 Fivehead Parish Council adopted the revised version of the Model Publication Scheme (Version 1.1), published by the [Information Commissioner](#). This publication scheme commits Fivehead Parish Council to make information available to the public as part of its normal business activities. The information covered is included in the classes of information mentioned below, where this information is held by Fivehead Parish Council. Additional assistance is provided to the definition of these classes in sector specific guidance manuals issued by the [Information Commissioner](#).

The scheme commits Fivehead Parish Council:

- To proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by Fivehead Parish Council and falls within the classifications below.
- To specify the information which is held by Fivehead Parish Council and falls within the classifications below.
- To proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within this scheme.
- To produce and publish the methods by which the specific information is made routinely available so that it can be easily identified and accessed by members of the public.
- To review and update on a regular basis the information Fivehead Parish Council makes available under this scheme.
- To produce a schedule of any fees charged for access to information which is made proactively available.
- To make this publication scheme available to the public.
- To publish any dataset held by Fivehead Parish Council that has been requested, and any updated versions it holds, unless Fivehead Parish Council is satisfied that it is not appropriate to do so; to publish the dataset, where reasonably practicable, in an electronic form that is capable of re-use; and, if any information in the dataset is a relevant copyright work and the Fivehead Parish Council is the only owner, to make the information available for re-use under

a specified licence. The term 'dataset' is defined in section 11(5) of the Freedom of Information Act. The terms 'relevant copyright work' and 'specified licence' are defined in section 19(8) of that Act.

### **Classes of information**

All of the information mentioned below can be obtained either on the website <http://fivehead-village.org.uk/> or from the Parish Clerk in hard copy or free of charge by email. The bi-monthly Parish Newsletter also includes some details.

- **Who we are and what we do**  
Organisational information, locations and contacts, constitutional and legal governance.
- **What we spend and how we spend it**  
Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts.
- **What our priorities are and how we are doing**  
Strategy and performance information, plans, assessments, inspections and reviews.
- **How we make decisions**  
Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations.
- **Our policies and procedures**  
Current written protocols for delivering our functions and responsibilities.
- **Lists and registers**  
Information held in registers required by law and other lists and registers relating to the functions of the authority.
- **The services we offer**  
Advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered.

The classes of information will not generally include:

- Information the disclosure of which is prevented by law, or exempt under the Freedom of Information Act, or is otherwise properly considered to be protected from disclosure.
- Information in draft form.
- Information that is no longer readily available as it is contained in files that have been placed in archive storage, or is difficult to access for similar reasons.

### **The method by which information published under this scheme will be made available**

Fivehead Parish Council will indicate clearly to the public what information is covered by this scheme and how it can be obtained.

Where it is within the capability of Fivehead Parish Council, information will be provided on our website. Where it is impracticable to make information available on a website or when an individual does not wish to access the information by the website, we will indicate how information can be obtained by other means and provide it by those means.

In exceptional circumstances some information may be available only by viewing in person. Where this manner is specified, contact details will be provided. An appointment to view the information will be arranged within a reasonable timescale.

Information will be provided in the language in which it is held or in such other language that is legally required. Where an authority is legally required to translate any information, it will do so.

Obligations under disability and discrimination legislation and any other legislation to provide information in other forms and formats will be adhered to when providing information in accordance with this scheme.

### **Charges which may be made for information published under this scheme**

The purpose of this scheme is to make the maximum amount of information readily available at minimum inconvenience and cost to the public. Charges made by the council for routinely published material will be justified and transparent and kept to a minimum in accordance with a charging regime specified by Parliament.

Charges may be made for actual disbursements incurred such as:

- photocopying
- postage and packaging
- the costs directly incurred as a result of viewing information

Charges may also be made for information provided under this scheme where they are legally authorised, they are in all the circumstances, including the general principles of the right of access to information held by Fivehead Parish Council, justified and in accordance with a published schedule or schedules of fees which is readily available to the public.

Charges may also be made for making datasets (or parts of datasets) that are relevant copyright works available for re-use. These charges will be in accordance with either regulations made under section 11B of the Freedom of Information Act or other enactments.

If a charge is to be made, confirmation of the payments due will be given before the information is provided. Payment may be requested prior to provision of the information.

### **Written Requests**

Information held by Fivehead Parish Council that is not published under this scheme can be requested in writing, when its provision will be considered in accordance with the provisions of the Freedom of Information Act.