

MURTON PARISH COUNCIL – FREEDOM OF INFORMATION POLICY

Adopted by Murton Parish Council on 05.11.18 Minute Ref 75/18

Introduction

Murton 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, Murton 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:

1. 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.

2. 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, The Nurse's House, 50 Scattergate Green, Appleby-in-Westmorland, Cumbria CA16 6SP
- 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:

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

Further information can be obtained by contacting the Clerk to Murton Parish Council
E-mail: clerk@murton.org.uk Tel: 01461 335 617

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- 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 Murton Parish Council Subject Access request policy.

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 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.