



Stratfield Mortimer Parish Council Freedom of Information Policy

Introduction

- 1 This is the Freedom of Information Policy of Stratfield Mortimer Parish Council and adopts the definitions in the Council's Policy Guidance and Glossary.
- 2 This Policy supports the statutory framework for responding to requests for information under access to information legislation including the Data Protection Legislation, Schedule 12A of the 1972 Act, the 2000 Act, and the 2004 Regulations.
- 3 The Council acknowledges that under this legislation there is a requirement to ensure that a level of openness is maintained and enhanced to promote transparent, open and accountable local government.
- 4 The Council has adopted the Model Publication Scheme published by the ICO, and adapted it to refer to the Council ("the Publication Scheme") and published details as to what is available and where, plus any fees to be levied for hard copies, as set out in the Appendices to this Policy:
 - Appendix 1 – the Publication Scheme;
 - Appendix 2 – the provision of information and datasets;
 - Appendix 3 – the location of information and fees payable.

Application and Process

- 5 This Policy applies to all requests for information made to the Council whether written or verbal.
- 6 The person responsible for responding to requests for information is the Clerk (see Paragraph 10).

Policy Statement

- 7 The Council is committed to a framework for access to information which ensures that:
 - 7.1 all requests for information shall be dealt with promptly, and within statutory timescales;
 - 7.2 requests will be assessed to ensure that:
 - 7.2.1 the confidentiality of personal or commercially sensitive data is not breached;
 - 7.2.2 disclosure is in the public interest; and
 - 7.2.3 provision of the information would not be prejudicial to the Council or its partners;
 - 7.3 information shall only be withheld if a legitimate exemption applies and that in such a case the application of the exemption will be explained to the enquirer;

- 7.4 any enquirer shall be kept informed of the progress of their request and of any delays to which it may be subject;
- 7.5 all enquirers shall be advised of their right to take any complaint to the Information Commissioner (and see Paragraph 8);
- 7.6 information that can be made publicly available is published on the Website;
- 7.7 requests are monitored to demonstrate compliance with relevant legislation.

Complaints

- 8 If an enquirer is dissatisfied with the service received or the information provided, they may:
 - 8.1 to a complaint to the Information Commissioner; or
 - 8.2 make a complaint in accordance with the Council's Complaints Policy.

Contact details

- 9 Anyone requiring a hard copy of any information or wanting to ask whether information is available should contact the Clerk by telephone, email or letter with the request identified as "Publication Scheme Request".
- 10 The Clerk's contact details are as below and can be found on the Website:
 - email: the.clerk@stratfield-mortimer.gov.uk;
 - telephone: 07436 807543
 - address: Parish Council Office, 27 Victoria Road, Mortimer, RG7 3SH.

Appendix 1 – ICO Model Publication Scheme adapted for the Council

Introduction

- 1 This model publication scheme has been prepared and approved by the Information Commissioner to be adopted without modification by any public authority without further approval and will be valid until further notice.
- 2 This publication scheme commits the 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 the Council. Additional assistance is provided to the definition of these classes in sector specific guidance manuals issued by the Information Commissioner.
- 3 The scheme commits the Council to:
 - proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by the Council and falls within the classifications below;
 - specify the information which is held by the Council and falls within the classifications below;
 - proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within this scheme;
 - 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;
 - review and update on a regular basis the information Stratfield Mortimer Parish Council makes available under this scheme;
 - produce a schedule of any fees charged for access to information which is made proactively available;
 - make this publication scheme available to the public;
 - publish any dataset held by the Council that has been requested, and any updated versions it holds, unless the 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 public authority is the only owner, to make the information available for re-use under the terms of the Re-use of Public Sector Information Regulations 2015, if they apply, and otherwise under the terms of the Freedom of Information Act section 19;

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

Classes of information

- **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 Council.
- **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

- 4 The Council will indicate clearly to the public what information is covered by this scheme and how it can be obtained.
- 5 Where it is within the capability of the Council, information will be provided on a 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, the Council will indicate how information can be obtained by other means and provide it by those means.
- 6 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.
- 7 Information will be provided in the language in which it is held or in such other language that is legally required. Where the Council is legally required to translate any information, it will do so.

- 8 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

- 9 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.
- 10 Material which is published and accessed on a website will be provided free of charge.
- 11 Charges may be made for information subject to a charging regime specified by Parliament.
- 12 Charges may be made for actual disbursements incurred such as:
 - photocopying;
 - postage and packaging;
 - the costs directly incurred as a result of viewing information.
- 13 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 public authorities, justified and are in accordance with a published schedule or schedules of fees which is readily available to the public.
- 14 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 the terms of the Re-use of Public Sector Information Regulations 2015, where they apply, or with regulations made under section 11B of the Freedom of Information Act, or with other statutory powers of the public authority.
- 15 If a charge is to be made, confirmation of the payment due will be given before the information is provided. Payment may be requested prior to provision of the information.

Written requests

- 16 Information held by the 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.

Appendix 2 – Provision of Information and Datasets

Provision of Information

- 1 The Council will provide information in accordance with the Publication Scheme unless:
 - the Council does not hold the information;
 - the information is exempt under one of the exceptions in the 2000 Act or 2004 Regulations;
 - release is prohibited by statute;
 - the information is readily and publicly available from a website (in which event the Council will provide a direct link to that information);
 - the information is archived, out of date or otherwise inaccessible; or,
 - it would be impractical or resource-intensive to prepare the material for routine release.

Publishing datasets for re-use

- 2 The Council must publish under the Publication Scheme any dataset (as defined in s11(5) of the 2000 Act) it holds that has been requested, together with any updated versions, unless it is satisfied that it is not appropriate to do so.
- 3 So far as is reasonably practicable, it must publish such information in an electronic form that is capable of re-use (the ICO has published guidance regarding the dataset provisions in the 2000 Act, including guidance as to what is meant by “not appropriate” and “capable of re-use”).
- 4 If the dataset or any part of it is a relevant copyright work (as defined s19(8) of the 2000 Act) and the Council is the only owner, the Council must make it available for re-use under the terms of a specified licence (as also defined in s19(8) of the 2000 Act).
- 5 Datasets in which the Crown owns the copyright or the database rights are not relevant copyright works.
- 6 The Datasets Code of Practice recommends that public authorities make datasets available for re-use under the Open Government Licence.

Appendix 3 – Location of Information and Fees payable

Location of information

Information to be published	How the information can be obtained	Fee
Who we are and what we do This will be current information only		
Who's who on the Council and its Committees	Website Hard copy	N/A See fee table
Contact details for Clerk and Councillors	Website Hard copy	N/A See fee table
Location of Council office and accessibility details	See contact details at Paragraph Error! Reference source not found.	N/A
Staffing structure	Hard copy	See fee table
What we spend and how we spend it This will be financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit, with current and previous financial year data as a minimum		
Annual return form and report by auditor	Website Hard copy	N/A £2.00
Finalised budget	Hard Copy	See fee table
Precept	Website Hard copy (relevant minutes)	N/A See fee table
Financial Standing Orders and Regulations	Website Hard copy	N/A See fee table
Grants given and received	Website Hard copy (relevant minutes)	N/A See fee table
List of current contracts awarded and value of contract	Hard copy	See fee table
What our priorities are and how we are doing This will be our strategies and plans, performance indicators, audits, inspections and reviews, with current and previous municipal year data as a minimum		
Parish Plan (current and previous year as a minimum)	Website Physical inspection	N/A N/A
Annual Report to Parish Meeting	Website Hard copy	N/A See fee table
How we make decisions This will be our decision making processes and records of decisions, with current and previous municipal year data as a minimum		

Timetable of meetings - Council and any committee/sub-committee meetings and Parish Meetings (“relevant meetings”)	Website Hard copy	N/A See fee table
Agendas of relevant meetings	Website Noticeboards Hard copy	N/A N/A See fee table
Minutes of relevant meetings (Part II minutes will be limited)	Website Hard copy	N/A See fee table
Reports presented to relevant meetings (excluding confidential items)	Hard copy	See fee table
Responses to consultation papers	Hard copy	See fee table
Responses to planning applications	Website Hard copy (relevant minutes)	N/A See fee table
Bye-laws	Hard copy	See fee table
Our policies and procedures This will be our current written protocols, policies and procedures for delivering our services and responsibilities		
Policies for the conduct of council business (excluding personnel policies)	Website Hard copy	N/A See fee table
Documents relating to specific council activities	Website Hard copy	N/A See fee table
Schedule of charges (for the publication of information)	See Table of Fees below	
Lists and Registers This will be our currently maintained lists and registers		
Assets Register	Physical inspection	N/A
Register of members’ interests	Website Hard copy	N/A See fee table
Register of gifts and hospitality	Website Hard copy	N/A See fee table
The services we offer This will be our current information about the services offered including leaflets, guidance and newsletters produced for the public and businesses		
Burial grounds and closed churchyards	Physical inspection	N/A
Recreational facilities and tennis courts	Website Hard copy	N/A See fee table
Services for which the council is entitled to recover a fee, together with those fees (eg interment fees)	Website Hard copy	N/A See fee table

Additional Information		
Neighbourhood Development Plan	Website Physical inspection Hard copy	N/A N/A See fee table
Village Design Statement	Website Physical inspection Hard copy	N/A N/A See fee table
Documents archived with Berkshire Records Office – historical information regarding Stratfield Mortimer Parish Council is available for public viewing at Berkshire Record Office	Berkshire Record Office 9 Coley Avenue, Reading, RG1 6AF 0118 901 5132 arch@reading.gov.uk	Check with Berkshire Record Office

Table of Fees

Description	Type	Fee
Photocopy (monochrome)	Per page (single sided)	£0.10
	Per page (double sided)	£0.15
Photocopy (colour)	Per page (single sided)	£1.00
	Per page (double sided)	£1.50
Postage	Royal Mail standard 2nd class	Actual cost
	Other postage requested by applicant	Actual cost
Statutory Fee		Statutory fee