

NETHERWITTON PARISH COUNCIL

FREEDOM OF INFORMATION POLICY

Approved 6th December 2016

1. Background

- 1.1 Netherwitton Parish Council has a commitment to openness and transparency and has always been concerned to 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.
- 1.2 The Freedom of Information Act, which came into force on 1st January 2005, gives everyone a statutory right of access to information held by bodies such as the Parish Council.
- 1.3 The Parish Council adopted the Model Publication Scheme with effect from 23rd December 2012. This scheme will enable members of the public to view and access information held by the Parish Council.

2. Obtaining Information and Information Held

2.1 There are three ways to obtain the information:

i. Parish Council Website

Netherwitton Parish Council is in the process of developing a website. Information will be available when the website is operational.

ii. Inspect documents held by the Parish Clerk

If you wish to view certain documents, you should contact the Parish Clerk, by email, telephone or in writing. Some documents may take time to locate, so it may be necessary to make an appointment. Please note that the Parish Clerk works part-time and appointments are by arrangement.

iii. Individual Written Request

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

The Parish Clerk, Netherwitton Parish Council, 67 Burnstones, West Denton, Newcastle upon Tyne NE5 2DF

Your request must include your name, address for correspondence and a description of the information you require. Alternatively, you can email Netherwitton Parish Council via netherwittonpc@gmail.com

3. Council's Response to a Written Request

- 3.1 Within 20 working days of receipt of your written request, Netherwitton Parish Council will:
- i. Confirm to you whether or not it holds the information;
 - ii. Advise you if a fee will be charged; or
 - iii. Provide you with the information (after any relevant fee has been paid) unless an exemption applies (see Exemptions paragraph below).

4. Fees

- 4.1 The Act only allows Netherwitton Parish Council to charge for answering Freedom of Information requests in the following circumstances:
- i. Disbursement costs such as printing, photocopying and postage; and
 - ii. When estimated staff costs involved in locating and/or compiling the information exceeds £450.00. Under these circumstances, Netherwitton Parish Council can refuse the request on the grounds of cost, or charge the applicant £20.00 per hour plus disbursements for the estimated work.
- 4.2 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 £450.00 and therefore, except for disbursement costs, no reimbursement can be sought. However, where costs are estimated to exceed £450.00 (based on an hourly charge-out rate of £20.00), Netherwitton Parish Council can decide to:
- i. Refuse the request;
 - ii. Comply with the request and charge for allowable costs as prescribed in the regulations; or
 - iii. Comply with the request free of charge.
- 4.3 If the estimated cost of a request is more than £450.00, and it is decided to release the information and make a charge for the information then:
- i. A fee notice will be sent to the applicant requesting the appropriate fee; and
 - ii. The request will not be answered until the fee has been received;
- 4.4 If the actual cost of completing the request is more than the estimate, then Netherwitton Parish Council will incur the additional cost.
- 4.5 Where the cost is less than the estimated cost, then the difference will be refunded to the applicant.

- 4.6 For disbursement costs, Netherwitton Parish Council will charge 20p per single sided sheet for photocopying and printing documents and recover the actual cost of postage or any other transmission costs from the applicant.

5. Exemptions

- 5.1 Some information may not be provided by Netherwitton Parish 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.

6. Further Help

- 6.1 If you help in accessing information from Netherwitton Parish Council under the Freedom of Information Act, please contact the Parish Clerk on the details above.
- 6.2 More detailed guidance is available at www.ico.org.uk

7. Complaints

- 7.1 If you are dissatisfied with the response from Netherwitton Parish Council, please contact the Parish Clerk via the details 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

Telephone: 0303 123 1113

Or via the website at www.ico.org.uk