

# **MUNDESLEY-on-SEA PARISH COUNCIL**

## **FREEDOM OF INFORMATION POLICY**

Mundesley-on-Sea Parish Council (MPC) 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. The Freedom of Information Act 2000**

The Freedom of Information Act 2000 (FOIA) “provides an over-arching right of access to all information held by a local authority, over and above existing statutes relating to specific service areas where authorities hold a large range of information”. Individuals already have the right of access to information under the Data Protection Act 1998. The FOIA extends this right to allow public access to all types of recorded information held by public authorities. The FOIA allows access to information regardless of when that information was created or how long it has been held, and also sets out exemptions from that right and places a number of obligations on public authorities. The FOIA requires the Council to produce and maintain a Publication Scheme and to comply with requests for information (unless exempt from disclosure).

### **2. The Aim**

The aim of this policy is to:

- provide a framework that ensures that the Council complies with the FOIA;
- promote transparency of decision making by the Council;
- improve and enhance the democratic process; and
- build public trust and confidence.

This policy is available to everyone and is on the Council's website at:

[www.mundesley-pc.gov.uk](http://www.mundesley-pc.gov.uk)

### **3. Scope**

Records can be defined as “information that is written on paper or stored on computer so that it can be used in the future”. Records covered by this policy include all records (irrespective of the medium on or in which the information is carried) which belong to or are in the custody of the Council or any of its officers and members. This policy applies to all Mundesley Parish Council officers, members, contractors, partners, consultants and service providers who have access to the Council's records. Failure of a contractor/partner/consultant/service provider to comply could lead to legal action and the cancellation of a contract.

#### **4. Objectives**

Mundesley Parish Council will ensure that:

- the Clerk to the Council is specifically responsible for Freedom of Information (FOI) on behalf of the Council and that he/she is provided with appropriate training on how to handle FOI requests;
- anyone wanting to make enquiries about FOI requests, whether a councillor, member of staff or a member of the public, knows what to do;
- queries about handling FOI requests are promptly and courteously dealt with;
- methods of handling FOI requests are regularly assessed and evaluated, and
- the Council will continue to provide access to information to promote openness and transparency of decision making by the Council.

#### **5.0 Publication Scheme**

As required by the FOIA, Mundesley Parish Council has adopted and maintains a Publication Scheme as a guide to the information that it holds and which is publicly available. Any individual or organisation who requests it will be informed whether the Council holds the information and, subject to exceptions, be supplied with it. The Publication Scheme (based on the Model Publication Scheme), is available on the Council's website at [www.mundesley-pc.gov.uk](http://www.mundesley-pc.gov.uk) and is reviewed on a regular basis.

## **5. Responding to Requests**

MPC will inform the person requesting the information in writing if MPC hold the information requested and if so, will provide the information no later than 20 working days after receipt of the request.

## **6. Information Exempt from the Act**

The Freedom of Information Act does identify a number of categories of information which MPC is not required to disclose under the Act. In this case, MPC will write to the person requesting the information, stating the exemption which provides the basis for refusal within the Act and why it applies to the information requested. MPC will communicate this within 20 working days.

## **7. Charges**

There is no “flat rate” fee to receive information requested under the Freedom of Information Act and in many cases MPC will provide the information free of charge. However, if the information requested is not readily available in the media in which it is requested, MPC may charge a fee based on the costs associated with providing the information e.g. photocopying and postage (known as ‘disbursements’).

## **8. Refusal of Requests**

The Freedom of Information Act does permit MPC to refuse a request if MPC estimate that it will cost MPC in excess of the appropriate cost limit (currently £450) to fulfil the request.

## **9. Freedom of Information Fees Notice**

If a fee is required for disbursements or because the costs exceed the appropriate cost limit, MPC will write advising of the fee required within 20 working days of receipt of the request. This is known as a “Fees Notice”. When a Fees Notice has been issued, the 20 working day limit for responding stops, and then will start again when MPC receive payment. If MPC do not receive the fee within three months MPC are not obliged to comply with the request.

## **10. Complaints**

If persons requesting information are dissatisfied with the way MPC has responded to a request for information, please write to: The Clerk, Mundesley-on-Sea Parish Council, The Old Fire Station, Back Street, Mundesley, NR11 8JJ.

The Information Commissioner’s Office (ICO) is responsible for enforcing the operation of the Act, and you may raise issues with this office at any time. More information can be found on the ICO website or by writing to the Information Commissioner’s Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

**Information available from Mundesley-on-Sea Parish Council under the model publication scheme adopted on 20th May 2019**

<b>Information to be published</b>	<b>How the information can be obtained</b>	<b>Cost</b>
<p><b>Class1 - Who we are and what we do</b>                      (Organisational information, structures, locations and contacts)                      This will be current information only.                      N.B. Councils should already be publishing as much information as possible about how they can be contacted.</p>	Hard copy and / or website	£5
Who's who on the Council and its Committees	Hard copy or website	£5
Contact details for Parish Clerk and Council members (named contacts where possible with telephone number and email address (if used))	Hard copy or website	£5
Location of main Council office and accessibility details	Hard copy	£5
Staffing structure	Hard copy	£5
<p><b>Class 2 – What we spend and how we spend it</b>                      (Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit)                      Current and previous financial year as a minimum</p>	Hard copy and / or website	£5
Annual return form and report by auditor	Hard copy	£5
Finalised budget	Hard copy	£5
Precept	Hard copy	£5
Borrowing Approval letter	Hard copy	£5

Financial Standing Orders and Regulations	Hard copy or website	£5
Grants given and received	Hard copy	£5
List of current contracts awarded and value of contract	Hard copy	£5
Members' allowances and expenses	Hard copy	£5
<b>Class 3 – What our priorities are and how we are doing</b> (Strategies and plans, performance indicators, audits, inspections and reviews) Current and previous year as a minimum	Hard copy or website	£5
Parish Plan (current and previous year as a minimum)	N/A	
Annual Report to Parish or Community Meeting (current and previous year as a minimum)	Hard copy or website	£5
Quality status	N/A	
Local charters drawn up in accordance with DCLG guidelines	N/A	
<b>Class 4 – How we make decisions</b> (Decision making processes and records of decisions) Current and previous council year as a minimum	Hard copy and / or website	£5
Timetable of meetings (Council and any committee/sub-committee meetings and parish meetings)	Hard copy or website	£5
Agendas of meetings (as above)	Hard copy or website	£5
Minutes of meetings (as above) – n.b. this will exclude information that is properly regarded as private to the meeting.	Hard copy or website	£5

Reports presented to council meetings – n.b. this will exclude information that is properly regarded as private to the meeting.	Hard copy	£5
Responses to consultation papers	Hard copy	£5
Responses to planning applications	Hard copy or website	£5
Bye-laws	Hard copy	£5
<b>Class 5 – Our policies and procedures</b> (Current written protocols, policies and procedures for delivering our services and responsibilities) Current information only	Hard copy or website	£5
Policies and procedures for the conduct of Council business: Procedural standing orders Committee and sub-committee terms of reference Delegated authority in respect of officers Code of Conduct Policy statements	Hard copy or website	£5
Policies and procedures for the provision of services and about the employment of staff: Internal instructions to staff and policies relating to the delivery of services Equality and diversity policy Health and safety policy – N/A Recruitment policies (including current vacancies) Policies and procedures for handling requests for information Complaints procedures (including those covering requests for information and operating the publication scheme)	Hard copy or website	£5

Information security policy	Hard copy	£5
Records management policies (records retention, destruction and archive)	Hard copy	£5
Data protection policies	Hard copy	£5
Schedule of charges (for the publication of information)	Hard copy	£5
<b>Class 6 – Lists and Registers</b> Currently maintained lists and registers only	(hard copy or website; some information may only be available by inspection)	£5
Any publicly available register or list (if any are held this should be publicised; in most circumstances existing access provisions will suffice)	Hard copy	£5
Assets register	Hard copy and website	£5
Disclosure log (indicating the information that has been provided in response to requests; recommended as good practice, but may not be held by parish councils)	N/A	
Register of members' interests	Hard copy	£5
Register of gifts and hospitality	Hard copy	£5
<b>Class 7 – The services we offer</b> (Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses) Current information only	(hard copy or website; some information may only be available by inspection)	
Allotments	N/A	
Burial grounds and closed churchyards	N/A	
Community centres and village halls	N/A	

Parks, playing fields and recreational facilities	Hard copy and website	£5
Seating, litter bins, clocks, memorials and lighting	Hard copy	£5
Bus shelters	Hard copy	£5
Markets	N/A	£5
Public conveniences	Hard copy	£5
Agency agreements	Hard copy	£5
Services for which the council is entitled to recover a fee, together with those fees (e.g. burial fees)	N/A	
<b>Additional Information</b> This will provide Councils with the opportunity to publish information that is not itemised in the lists above		



## Schedule of Charges

This describes how the charges have been arrived at and should be published as part of the guide.

Type of Charge	Description	Basis of Charge
Disbursement cost	Photocopying @ 10p per sheet (black & white)	Actual cost
	Photocopying @ 20p per sheet (colour)	Actual cost
	Postage	Actual cost of Royal Mail standard 2 <sup>nd</sup> class
Statutory fee		Max £450
Other		

### Contact Details:

The Clerk

The Old Fire Station, Back Street, Mundesley

Tel: 01263 720603

e-mail: [clerk@mundesley-pc.gov.uk](mailto:clerk@mundesley-pc.gov.uk)