

MERTON PARISH COUNCIL FREEDOM OF INFORMATION POLICY

This document sets out Merton Parish Councils approved and agreed practices. Any deviation must be made by resolution of the full Council and recorded below.

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Policy Review (where document reviewed but no changes made):

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Freedom of Information

This enables members of the public to view and access information held by the Parish Council.

Obtaining Information and Information held

There are three ways to obtain the information:

Parish Council website

The website holds the type of information which the Council routinely publishes eg. minutes and agendas. The information that you require may already be included in the publication scheme, so please check the documents on the web site first.

Inspect documents held by the Clerk

If you wish to view certain documents, you should contact the Clerk, either by email or in writing to make an appointment.

clerk@mertondevon.com

Individual Written Request

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

The Parish Clerk, Merton Parish Council, Mowhay, Merton, Devon, include your name and address for any 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 the 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
- When estimated staff costs involved in locating or compiling the information exceed £450. Under these circumstances, the Council can refuse the request on the grounds of costs, 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 rate of £20), the Council can decide to:

- Refuse the request

- Comply with the request and charge for allowable costs as prescribed in the regulations
- Comply with the request free of charge

If the estimated cost of the 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 estimated, 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 disbursement 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.

Exemptions

Some information may not be provided by the Council as there are 23 exemptions in the Freedom of Information Act, e.g. personal data about individuals which is protected by the Data Protection Act 1998, or commercially confidential information.

Further Help

If you need any further help in accessing information from the Council under the Freedom of Information Act, please contact the Parish Clerk.

A more detailed guidance can be found on the Information Commissioner website.

Complaints

If you are dissatisfied with the response from the Council then you should put your complaint in writing to the Clerk at the above address. If you are still dissatisfied, you may contact the Information Commissioner at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 01625 545700
Email: mail@ico.gov.uk