1. Legal Background

Dean Parish Council (“the Council”) is a public authority and falls within the scope of the Freedom of Information Act 2000. This Act provides public access to information held by the Council in two ways:

* The Council is obliged to publish certain information about our activities;
* Members of the public are entitled to request information about the Council’s activities.

The first of these duties is a proactive one, information is published so the public don’t have to make specific requests for the information. This is covered by the Dean Parish Council Publication Scheme, which follows the model laid down by the Information Commissioners Office (ICO). The second is more reactive and is covered by this Policy.

The Freedom of Information Act 2000 covers any recorded information (including drafts) that Dean Parish Council hold. Recorded information can include printed documents, computer files, letters, emails, photographs, sound & video recordings.

The Freedom of Information Act 2000 does not cover information not recorded in one of the manners listed above I.e. it does not cover information in someone’s head. If a member of the public asks for information, the Council have only to provide the information that is already held in recorded form. The Council does not have to create new information to find the answer to a question, for example by questioning or interviewing staff or members.

1. Obtaining Information

The Dean Parish Council Publication Scheme should be consulted first, this describes how to obtain information that is already in the public domain. Depending on the information required the following sources may be available:

* Dean Parish Council Website: https://www.deanparishcouncil.com
* Parish Noticeboards
* Email correspondence with the Clerk
* Hard copy from the Clerk (see the list of charges in the Publication Scheme)
* Personal inspection of documents held by the Clerk (on agreement of a suitable time & date)

In cases where the information requested is not included in the Publication Scheme, a formal request should be raised to the Clerk, and this will be treated as per paragraph 3 below.

1. How responses for information will be dealt with

Within 20 working days of receipt of your written request the Council will:

1. Acknowledge receipt of the request and state the latest date by which you will receive a response
2. Confirm whether or not the Parish Council holds this information
3. Advise whether a fee will be charged
4. Provide the information (after the relevant fee has been paid) unless an exemption applies (see ‘Exemptions’ below).
5. Exemptions

Some information may not be provided by the Council, there are 23 Exemptions in the Freedom of Information Act 2000 e.g. Personal data of individuals which is protected by the Data Protection Act 2018, or commercially sensitive information.

1. Chargeable Fees

The Freedom of Information Act only allows the Council to charge for answering Freedom of Information requests in the following circumstances:

1. Disbursement costs e.g. printing, photocopying & postage;
2. 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 cost, or charge the applicant £25 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, other than disbursement costs, no reimbursement can be sought. However, where costs are estimated to exceed £450 (based on an hourly charge-out rate of £25) 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 costs of a request are 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 a list of disbursement costs, see the Dean Parish Council Publication Scheme which includes a schedule of charges.

1. Disclosure Log

The ICO’s model publication scheme should record the information that the Council has provided in response to questions from the public. This log itself is recorded information that can be requested by the public.

1. Further information

If you need help in accessing/requesting information from the Council under the Freedom of Information Act, please contact the Clerk ([deanparishclerk@outlook.com](mailto:deanparishclerk@outlook.com)) or 07903236024.

More detailed information and The Guide to Freedom of Information can be found via the Information Commissioners office- [www.ico.org.uk](http://www.ico.org.uk).

1. Complaints

If not satisfied with the response received from Dean Parish Council then a complaint should be raised in writing to the Clerk. If still dissatisfied Information Commissioner may be contacted, visit [www.ico.org.uk](http://www.ico.org.uk) for details of how to raise a complaint.