

Benefield Parish Council

Freedom of Information Act 2000 – Supplementary Policy

This policy statement is a supplement to the Freedom of Information Act Publication Scheme that was adopted by Benefield Parish Council in May 2015 and the new Model Publication Scheme that is effective from 25th October 2015.

This statement addresses the issue of how applications for information will be processed and the charges that may be incurred.

1. Access to information

All properly constituted requests for information will be dealt with. This means that the request must be in permanent form i.e. writing or by email, and must provide the name and address of the applicant. The request must contain sufficient detail to be able to identify the information required.

The Council is within its rights to refuse to respond to vexatious or repeated requests.

Information will not be supplied if it is exempt under the Freedom of Information Act and the reason for refusing will be given in terms of the legislation.

2. Fees

In cases where the requested information can be obtained without charge, for example on the Council website, the applicant will be advised accordingly.

Where another authority holds the information, the applicant will be advised accordingly without charge.

The basis of charges is the actual cost incurred by the Parish Council. The Parish Council does not have a photocopying facility and utilises facilities offered by other authorities. The charge levied for the photocopy will not be inflated by the Parish Council when supplying information to the applicant.

Where documents are posted to applicants, Royal Mail second class postage will be used and the applicant charged accordingly.

3. Processing an application

After determination of

- if the council has the information requested,
- if the information can be released,

the following steps will be followed.

3.1 Calculation of the cost of providing the information.

The fee for the release of the information will be calculated as follows:

- i) Request to inspect documents – no fee
- ii) Requests for paper copies of information will be calculated at photocopying costs.
- iii) Requests for electronic copies:

Copies of pdf files by email – no charge

Copies of electronic files on memory stick will be calculated at the cost of the memory stick.

Note, if the information is not already held in electronic format, it may not be reasonably practical to provide the information in an electronic format and the Council reserves the right to refuse to supply the information in this format.

vi) Requests for information in audio format will be calculated at a cost of the audiotapes plus a calculation will be made of the time required to record the information required. Where a large amount of information is required in this format the Council reserves the right to use a specialist service and the fees will be determined accordingly.

The applicant will be advised of the cost before the information is prepared.

In addition, charges will be made for the cost of posting the information to the applicant where applicable.

3.2 Advising the applicant.

The applicant will be advised in writing of the fee to supply the information requested.

A refusal notice will be provided within 20 working days if appropriate.

3.3 Releasing the information

Following the receipt of the fee, the information will be released within the prescribed overall timescale of 20 working days. However in the case of audio format it may be necessary to agree an individual timescale with the applicant.

4. Internal Review

4.1 If any applicant for information dissatisfied with the way the request has been handled, they may request that a review of what has been done or have failed to be done, be carried out.

4.2 The complaint can be in relation to a refusal of information, failure to respond within the time scales or failure to provide advice or assistance.

4.3 The Council's Complaints Policy will be invoked to undertake the review.

4.4 Those requesting information. If they are dissatisfied with the response, may make a complaint to the Information Commissioners Office after exhausting the internal review process

Reviewed and Adopted by Benefield Parish Council on 24th May 2021

Next reviewed May 2022