

St Enoder Parish Council Freedom of Information Policy

Introduction Under the Freedom of Information Act 2000 (FOIA).

St Enoder Parish Council (the Council) has a duty to adopt and maintain a Publication Scheme describing:

- The classes of information it publishes
- How and where such information is published (e.g. website, paper copy, etc.)
- Whether or not a charge is made for such information

The Council has adopted the Model Scheme.

The purpose of the Council's Publication Scheme is to let everyone know what information will be automatically or routinely published by the Council and to ensure that a significant amount of information is available to the public, without the need for a specific request to be made. Other information is available from the Council by individual request, under the FOIA and the General Data Protection Regulations 2018 (GDPR).

If there is any information required that does not appear in the Council's Publication Scheme or you have any comments or suggestions on how it can be improved, please contact: Clerk to St Enoder Parish Council Email: clerk@saintenoderparishcouncil.org.uk

Obtaining Information

Much of the information listed in the Council's Publication Scheme is supplied free of charge and can be downloaded from our website.

Where information is available only in paper format, this is stated in the Publication Scheme and can be viewed by appointment with the Council's Clerk or a copy can be requested.

Your request must include your name, address for correspondence, and a description of the information you require.

Council's Response to a Written Request Within 20 working days of receipt of your valid written request the Council will:

- confirm to you whether or not it holds the information
- advise you if a fee will be charged and provide you with the information (after any relevant fee has been paid)
- or inform you that the request has been refused and the reason for refusal A request may be refused under the following circumstances:
 - It would cost too much or take too much staff time to deal with the request
 - The request is vexatious
 - The request repeats a previous request from the same person

- The request relates to an exemption under the Freedom of Information Act, for example: personal data that would be contrary to the Data Protection Act or if disclosure would prejudice someone's commercial interests

Information not contained within the Publication Scheme and Exemptions

The FOIA created a general right of access to information, it also set out information that the Council does not have to make available for specific reasons, called exemptions. This is information that, if published, might prejudice the health, safety or security of the Council, its staff, systems, services or property or breached an individual's Data Protection rights.

If information is requested but is covered by an exemption the Clerk to the Council will tell the applicant in writing why the Council has refused the request and quote the relevant exemptions.

If the information requested is not disclosed, the applicant can ask the Information Commissioner to review the Council's decision. The Information Commissioner's Office is the Government department that oversees and enforces FOI. They can be contacted by the following link: www.ico.gov.uk

Charges

The Council's Fees and Charges are stated in the Publication Scheme.

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; and
- When estimated staff costs involved in locating and 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, except for 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 cost of a 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 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.

Management of the Council's Publication Scheme The Council is responsible for the adoption and maintenance of this Policy and the Publication Scheme.

Review of the Freedom of Information Policy and Publication Scheme The Council's Freedom of Information Policy and Publication Scheme was first adopted on October 2015.

Reviewed May 2026