



FREEDOM OF INFORMATION POLICY

INTRODUCTION

The Freedom of Information Act 2000 gives a general right of access, by any individual or corporate body, to all types of recorded information held by public bodies such as local councils and parish meetings.

Individuals also have the right to access information about themselves, which is held on computer, and most paper files under the Data Protection Act 1998. This is known as the "subject access right".

These acts allow access to all the types of information held whether personal or non-personal. This may include information about third parties but account must, of course, be taken of the provisions of the Data Protection Act 1998 before releasing any such personal information.

This policy is a guide on how to handle all requests for information to Chippenham Town Council.

THE MODEL PUBLICATION SCHEME

The Town Council adopted the existing Model Publication Scheme with effect from 1st January 2009 and it was readopted at a council meeting on 16th March 2016. This scheme will enable members of the public to view and access information held by the Town Council.

Obtaining Information and Information held

There are three ways to obtain the information:

- Town Council website

The website holds the type of information which the Council routinely publishes e.g. minutes and agendas. The information you want may already be included in the publication scheme; please check the documents on the website first.

www.chippenham.gov.uk

- Inspect Documents held by the Chief Executive

If you wish to view certain documents, you should contact the Chief Executive, either via the facility on the website or by telephone, or in writing. Some documents require

some time to locate, so it may be necessary to make an appointment. Please note hours of work are:

Monday to Thursday, between 9.00am and 5.00pm

Friday, between 9.00 am and 4.30pm

- Individual Written Request

If the information is not included in the publication scheme or on the website, you may send a written request (the request must be made in permanent form, for instance in writing or by e-mail, a request made by telephone will not be sufficient) to:

- The Chief Executive, Chippenham Town Council, Town Hall, High Street, Chippenham, SN15 3ER
- 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 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 any 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:

1. Disbursement costs such as printing, photocopying and postage; and
2. 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 £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-out rate of £20), 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.

For disbursements costs, it is proposed that the Council will charge 10p per sheet (black and white) and 20p (colour) 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, for example, personal data about individuals which is protected by the Data Protection Act 1998, or commercially confidential information.

Further Help

If you need help in accessing information from the Council under the Freedom of Information Act, please contact the Chief Executive (address as before).

You will also find more detailed guidance on the website of the Information Commissioner:

<http://www.ico.org.uk/>

Complaints

If you are dissatisfied with the response from the Council then you should put your complaint in writing to the Chief Executive at the address above. 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: 0303 123 1113 (local rate) or 01625 545 745

Email: mail@ico.gov.uk

Further information on the Information Commissioner's Office can be found on the website at www.ico.org.uk

Policy Review Date: March 2019