

# **ASPATRIA TOWN COUNCIL**

## **FREEDOM OF INFORMATION POLICY**

Adopted by Full Council on 20<sup>th</sup> July 2021.

To review July 2022.

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### **Introduction**

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:

- Inspect Documents held by the Clerk

If you wish to view certain documents, you should contact the Clerk, either by telephone, or in writing. Some documents require some time to locate, so it may be necessary to make an appointment.

- Individual Written Request

If the information is not included in the publication scheme outlined below you may send a written request to The Town Clerk, Clare McCormick, 82 West Street, Aspatria, CA7 3HH.

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

- Visit the Town Council Website [www.aspatriatowncouncil.co.uk](http://www.aspatriatowncouncil.co.uk)

### **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.

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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 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 Town Clerk (address as before). You will also find more detailed guidance on the website of the Information Commissioner.

#### **Complaints**

If you are dissatisfied with the response from the Council then you should put your complaint in writing to the Clerk 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.

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| <b>Information to be published</b>                      | <b>How the information can be obtained</b> | <b>Cost</b>           |
|---|--|-----------------------|
| <b>Class1 - Who we are and what we do</b>               |  |                       |
| Who's who on the Council and its Committees             | Email<br>Hard copy                         | Free<br>10p per sheet |
| Contact details for Town Clerk and Council members      | Email<br>Hard copy                         | Free<br>10p per sheet |
| <b>Class 2 – What we spend and how we spend it</b>      |  |                       |
| Annual return form and report by auditor                | Email<br>Hard copy                         | Free<br>10p per sheet |
| Finalised budget  | Email<br>Hard copy                         | Free<br>10p per sheet |
| Precept   | Email<br>Hard copy                         | Free<br>10p per sheet |
| Financial Standing Orders and Regulations               | Email<br>Hard copy                         | Free<br>10p per sheet |
| Grants given and received                               | Email<br>Hard copy                         | Free<br>10p per sheet |
| List of current contracts awarded and value of contract | Email<br>Hard copy                         | Free<br>10p per sheet |

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|   |                    |                       |
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| Members' allowances and expenses  | Email<br>Hard copy | Free<br>10p per sheet |
| <b>Class 3 – What our priorities are and how we are doing</b>   |                    |                       |
| Town Plan (current and previous year as a minimum)  | N/A                | N/A                   |
| Chairman Annual Report to Town or Community Meeting   | Email<br>Hard copy | Free<br>10p per sheet |
| Quality status  | N/A                | N/A                   |
| <b>Class 4 – How we make decisions</b>  |                    |                       |
| Timetable of meetings   | Email<br>Hard copy | Free<br>10p per sheet |
| Agendas of meetings (as above)  | Email<br>Hard copy | Free<br>10p per sheet |
| Minutes of meetings (as above) – n.b. this will exclude information that is properly regarded as private to the meeting.  | Email<br>Hard copy | Free<br>10p per sheet |
| Reports presented to council meetings – n.b. this will exclude information that is properly regarded as private to the meeting.                                       | Email<br>Hard copy | Free<br>10p per sheet |
| Responses to consultation papers  | Email<br>Hard copy | Free<br>10p per sheet |
| Responses to planning applications  | Email<br>Hard copy | Free<br>10p per sheet |
| <b>Class 5 – Our policies and procedures</b>  |                    |                       |
| Policies and procedures for the conduct of council business:<br>Procedural standing orders<br>Financial Regulations<br>Committee and sub-committee terms of reference | Email<br>Hard copy | Free<br>10p per sheet |

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|   |                    |                       |
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| Code of Conduct   |                    |                       |
| Policies and procedures for the provision of services and about the employment of staff:<br>List Policies and Procedures here | Email<br>Hard copy | Free<br>10p per sheet |
| Schedule of charges (for the publication of information)  | Email<br>Hard copy | Free<br>10p per sheet |
| <b>Class 6 – Lists and Registers</b>  |                    |                       |
| Assets register   | Email<br>Hard copy | Free<br>10p per sheet |
| Register of members' interests  | Email<br>Hard copy | Free<br>10p per sheet |
| Register of gifts and hospitality   | Email<br>Hard copy | Free<br>10p per sheet |
| <b>Class 7 – The services we offer</b>  |                    |                       |
| Parks, playing fields and recreational facilities   |                    |                       |
| Seating, litter bins, clocks, memorials and lighting  |                    |                       |
| Bus shelters  |                    |                       |

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**Contact details:**

**Clare McCormick - Clerk to the Town Council**

**Email: [clerk.aspatiatc@yahoo.co.uk](mailto:clerk.aspatiatc@yahoo.co.uk)**

**Telephone: 07909894925**

**SCHEDULE OF CHARGES**

This describes how the charges have been arrived at and should be published as part of the guide.

| <b>TYPE OF CHARGE</b>    | <b>DESCRIPTION</b>                         | <b>BASIS OF CHARGE</b>                                   |
|--------------------------|--|--|
| <b>Disbursement cost</b> | Photocopying 10p per sheet (black & white) | Actual cost  |
|                          | Postage                                    | Actual cost of Royal Mail standard 2 <sup>nd</sup> class |
| <b>Statutory Fee</b>     | As identified in the aforementioned policy | In accordance with the relevant legislation              |