

Dittisham Parish Council Freedom of Information Policy

Dittisham Parish Council has a commitment to openness and transparency. The Transparency Code for Smaller Authorities came into force in December 2014 requiring Parish Councils to make information available via its website to increase democratic accountability.

The Freedom of Information Act, which came into force on 1 January 2005, gives everyone a statutory right of access to information held by bodies such as the Parish Council.

Model Publication Scheme

In 2022 the Parish Council adopted the model publication scheme issued by the Information Commissioners Office (ICO). You can access a copy of the model scheme at the bottom of this page or via the Parish Council Website www.dittishamparish.co.uk.

Making a request for information

Individuals or organisations may make a written request for other information which they believe the Parish Council holds. To request information under the provisions of the Act and to help us to help you in identifying the precise information you require, please email parishclerk@dittishamparish.co.uk or write to the Clerk c/o The Bungalow, Old Road, Harbertonford, Totnes, Devon, TQ9 7TA.

Please be sure to include your name, address and a clear description of the information you are seeking when you make your request. The Parish Council advise that you look at guidance available on the Information Commissioner's Office (ICO) website about making requests and 'dos and don'ts' when applying for information.

Responding to your request

The Parish Council will inform you in writing whether we hold the information you have requested and if so, provide it to you no later than 20 working days after we receive the requests. In some circumstances we may ask you to clarify your request.

The Parish Council will refer to the ICO document 'The Guide to Freedom of Information' when processing your request and will seek further advice directly from the ICO if necessary.

The Freedom of Information Act does identify a number of categories of information which the Parish Council is not required to disclose under the Act. In this case, we will write to you stating the exemption which provides the basis for refusal within the Act and why it applies to the information you requested. The Parish Council are obligated to safeguard the privacy of individuals (under the Data Protection Act) and this may also have a bearing on being able to supply you with the information you request. Reasons for refusal will be communicated to you within the 20 working day time period.

Charges for providing information under the Freedom of Information Act

There is no 'flat rate' fee to receive information and in many cases the Parish Council will provide the information free of charge. However, you should note that if the information you are seeking is not readily available in the form in which you are seeking it, the Parish Council may charge you a fee based on the cost associated with providing the information, for example photocopying and postage (known as 'disbursements').

The Freedom of Information Act does permit the Parish Council to refuse your request if it is estimated this will cost in excess of the appropriate cost limit (currently £450) to fulfil your request.

Freedom of Information Fees Notice

If you need to pay a fee for disbursements or because the costs exceed the appropriate limit, we will write to you advising you of the fee required within 20 days of receipt of your request. This is known as a 'Fees Notice'. When you are issued the Fees Notice, the 20 working day limit for responding stops, and then will start again when we receive payment. If we do not receive the fee from you within three months we are not obliged to comply with the request.

Complaints

If you are dissatisfied with the way the Parish Council has responded to a request for information, please write to the clerk.

The Information Commissioner's Office (ICO) is responsible for enforcing the operation of the Act and you may raise issues with this office at any time. More information can be found on the ICO website www.ico.org.uk, by telephone on 0303 123 1113 or by writing to the address below:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF



Information available from Dittisham Parish Council under the model publication scheme.

This guidance/template gives examples of the kinds of information that we would expect Parish/Community Councils to provide in order to meet their commitments under the model publication scheme.

We would expect Parish/Community Councils to make the information in this definition document available unless:

- it does not hold the information;
- the information is exempt under one of the FOIA exemptions or Environmental Information Regulations exceptions, or its release is prohibited by another statute;
- the information is readily and publicly available from an external website; such information may have been provided by the public authority or on its behalf. The authority must provide a direct link to that information;
- the information is archived, out of date or otherwise inaccessible; or,
- it would be impractical or resource-intensive to prepare the material for routine release.

The guidance is not meant to give an exhaustive list of everything that should be covered by a publication scheme. The legal commitment is to the model publication scheme, and public authorities should look to provide as much information as possible on a routine basis.

Publishing datasets for re-use

Public authorities must publish under their publication scheme any dataset they hold that has been requested, together with any updated versions, unless they are satisfied that it is not appropriate to do so. So far as reasonably practicable, they must publish it in an electronic form that is capable of re-use.

If the dataset or any part of it is a relevant copyright work and the public authority is the only owner, the public authority must make it available for re-use under the terms of a specified licence. Datasets in which the Crown owns the copyright or the database rights are not relevant copyright works.

The Datasets Code of Practice recommends that public authorities make datasets available for re-use under the Open Government Licence.

The term 'dataset' is defined in section 11(5) of FOIA. The terms 'relevant copyright work' and 'specified licence' are defined in section 19(8) of FOIA. The ICO has published guidance on the dataset provisions in FOIA. This explains what is meant by "not appropriate" and "capable of re-use".

Information available from Dittisham Parish Council under the model publication scheme.

This template guide covers only information we currently hold. If we do not hold some of the information listed below, we will mark it as 'not held' in the table.

Information to be published	How the information can be obtained	Cost
Class 1 - Who we are and what we do (Organisational information, structures, locations and contacts) Current information only	Website Hard copy	Free 10p/page
List of Council members and their responsibilities as well a list of Council Committees Details of any representation on local public bodies	Website Hard copy	Free 10p/page
Postal and email address Contact details for Parish Clerk and Council members Where possible, provide named contacts including contact phone numbers and email addresses	Website Hard copy	Free 10p/page
Location of main Council office and accessibility details	Not held	n/a
Staffing structure	Website Hard copy	Free 10p/page
Class 2 – What we spend and how we spend it (Financial information about projected and actual income and expenditure, procurement, contracts and financial audit) Current and previous financial year as a minimum	Website Hard copy	Free 10p/page
Statement of accounts and internal audit report in the format included in the Annual Return form	Website Hard copy	Free 10p/page
Finalised budget	Website Hard copy	Free 10p/page
Precept	Website Hard copy	Free 10p/page
Borrowing Approval letter	Website Hard copy	Free 10p/page
All items of expenditure above £100	Website Hard copy	Free 10p/page
Financial Standing Orders and Regulations	Website Hard copy	Free 10p/page
Grants given and received	Website Hard copy	Free 10p/page
List of current contracts awarded and value of contract	Website Hard copy	Free 10p/page
Members' allowances and expenses	Website Hard copy	Free 10p/page
Class 3 – What our priorities are and how we are doing (Strategies and plans, performance indicators, audits, inspections and reviews) Current and previous year as a minimum	(hard copy or website)	
Annual governance statement in format included in the Annual Return form	Website	Free

	Hard copy	10p/page
Parish Plan	Website Hard copy	Free 10p/page
Annual Report to Parish or Community Meeting	Website Hard copy	Free 10p/page
Quality status	Not held	n/a
Local charters drawn up in accordance with DLUHC's guidelines	Not held	n/a
Data Protection impact assessments (in full or summary format) or any other impact assessment (eg Health & Safety Impact Assessment, Equality Impact Assessments etc), as appropriate and relevant	Website Hard copy	Free 10p/page
Class 4 – How we make decisions (Decision making processes and records of decisions) Current and previous council year as a minimum	(hard copy or website)	
Timetable of meetings (Council and any committee/sub-committee meetings and parish meetings)	Website Hard copy	Free 10p/page
Agendas of meetings (as above)	Website Hard copy	Free 10p/page
Minutes of meetings (as above) – exclude material that is properly considered to be exempt from disclosure	Website Hard copy	Free 10p/page
Reports presented to council meetings – exclude material that is properly considered to be exempt from disclosure	Website Hard copy	Free 10p/page
Responses to consultation papers	Website Hard copy	Free 10p/page
Responses to planning applications	Website Hard copy	Free 10p/page
Bye-laws	Not held	n/a
Class 5 – Our policies and procedures (Current written protocols, policies and procedures for delivering our services and responsibilities) Current information only	(hard copy or website)	
Policies and procedures for the conduct of Council business: <ul style="list-style-type: none"> • Procedural standing orders • Committee and sub-committee terms of reference • Delegated authority in respect of officers • Code of Conduct • Policy statements 	Website Hard copy	Free 10p/page
Policies and procedures for the provision of services and about the employment of staff: <ul style="list-style-type: none"> • Internal instructions to staff and policies relating to the delivery of services • Equality and diversity policy • Health and safety policy • Recruitment policies and details of current vacancies • Policies and procedures for handling requests for information • Complaints procedures (including those covering requests for information and operating the publication scheme) 	Website Hard copy	Free 10p/page

Records management, personal data and access to information policies Include information security policies, records retention, destruction and archive policies, and data protection (including data sharing and CCTV usage) policies	Website Hard copy	Free 10p/page
Class 6 – Lists and Registers Currently maintained lists and registers only.	(hard copy or website; some information may only be available by inspection)	
Information legally required to hold in publicly available registers (in most circumstances existing access provisions will suffice)	Website Hard copy	Free 10p/page
Assets register, including details of public land and building assets	Website Hard copy	Free 10p/page
Disclosure log indicating the information provided in response to FOIA and EIR requests. These are recommended as good practice	Website Hard copy	Free 10p/page
Register of members' interests	Website Hard copy	Free 10p/page
Register of gifts and hospitality	Website Hard copy	Free 10p/page
Class 7 – The services we offer (Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses) Current information only	(hard copy or website; some information may only be available by inspection)	
Allotments	Not held	n/a
Burial grounds and closed churchyards	Website Hard copy	Free 10p/page
Community centres and village halls	Website Hard copy	Free 10p/page
Parks, playing fields and recreational facilities	Website Hard copy	Free 10p/page
Seating, litter bins, clocks, memorials and lighting	Website Hard copy	Free 10p/page
Bus shelters	Website Hard copy	Free 10p/page
Markets	Not held	n/a
Public conveniences	Website Hard copy	Free 10p/page
Agency agreements	Website Hard copy	Free 10p/page
Services for which we are entitled to recover a fee and details of those fees (eg burial fees)	Website Hard copy	Free 10p/page
Additional Information Information not itemised in the lists above		

Schedule of charges

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

TYPE OF CHARGE	DESCRIPTION	BASIS OF CHARGE
Disbursement cost	Photocopying @ 10p per sheet (black & white)	Actual cost *
	Photocopying @ 10p per sheet (colour)	Actual cost
	Postage	Actual cost of Royal Mail standard 2 nd class
Statutory Fee		In accordance with the relevant legislation (quote the actual statute)
Other		

* the actual cost incurred