

# FREEDOM OF INFORMATION

## Introduction

The Freedom of Information Act 2000 provides public access to information held by public authorities. It does this in two ways:

1. public authorities are obliged to publish certain information about their activities; and
2. members of the public are entitled to request information from public authorities.

St Erth Parish Council has adopted the Model Publication Scheme.

The Act covers any recorded information that is held by a public authority in England, Wales and Northern Ireland and by UK-wide public authorities based in Scotland.

## Principles

The main principle behind freedom of information legislation is that people have a right to know about the activities of public authorities, unless there is a good reason for them not to.

This is sometimes described as a presumption or assumption in favour of disclosure. The Act is also sometimes described as purpose and applicant blind.

This means that:

- everybody has a right to access official information. Disclosure of information should be the default – in other words, information should be kept private only when there is a good reason and it is permitted by the Act;
- an applicant (requester) does not need to give a reason for wanting the information. On the contrary, the Council must justify refusing them information;
- the Council must treat all requests for information equally, except under some circumstances relating to vexatious requests and personal data;
- The information someone can get under the Act should not be affected by who they are. The Council treats all requesters equally, whether they are journalists, local residents, public authority employees or foreign researchers; and
- because the Council treats all requesters equally, the Council will only disclose information under the Act if it would disclose it to anyone else who asked. In other words, the Council considers any information it releases under the Act as if it were being released to the world at large.

## Information covered

The Act covers all recorded information held by a public authority. It is not limited to official documents and it covers, for example, drafts, emails, notes, recordings of telephone conversations and CCTV recordings. Nor is it limited to information the Council creates, so it also covers, for example, letters the Council receives from members of the public, although there may be a good reason not to release them.

## **Who can make a request under the Act**

Anyone can make a freedom of information request – they do not have to be UK citizens or resident in the UK. Freedom of information requests can also be made by organisations, for example a newspaper, a campaign group or a company. Employees of a public authority can make requests to their own employer, although good internal communications and staff relations will normally avoid the need for this.

Requesters should direct their requests for information to the public authority they think will hold the information. The public authority that receives the request is responsible for responding.

Requests should not be sent to the Information Commissioner's Office (ICO), except where the requester wants information the ICO holds.

## **What happens if you make a request?**

The Council has two separate duties when responding to a request:

1. tell the applicant whether it holds any information falling within the scope of their request; and
2. to provide that information.

The Council will normally to respond to a request within 20 working days and requests under the Act or other requests for information should be directed to:

The Clerk to St Erth Parish Council  
The Vestry Rooms  
25 Fore Street  
St Erth  
Cornwall TR27 6HT  
01736 757575  
[clerk@sterth-pc.gov.uk](mailto:clerk@sterth-pc.gov.uk)

## **Cost**

### **Class 1 - Who we are and what we do**

(Organisational information, structures, locations and contacts. This will be current information only)

Website - free

Hard Copy - 10p/sheet

Contact details for Parish Clerk and Councillors (named contacts with telephone number and email address)

Website - free

Hard Copy - 10p/sheet

### **Class 2 – What we spend and how we spend it**

(Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit. Current and previous financial year)

Annual return form and report by auditor

Website - free

Hard Copy - 10p/sheet

Finalised budget and Precept  
Website - free  
Hard Copy - 10p/sheet  
Standing Orders and Financial Regulations  
Website - free  
Hard Copy - £5  
Grants given and received  
Hard Copy - 10p/sheet  
List of current contracts awarded and value of contract  
Hard copy 10p/sheet  
Members' allowances and expenses  
Hard Copy – 10p/sheet

**Class 3 – What our priorities are and how we are doing**

(Strategies, plans, performance indicators, audits, inspections, reviews, Annual Report.  
Current and previous year)  
Website - free  
Hard Copy - 10p/sheet

**Class 4 – How we make decisions**

(Decision making processes/non-confidential reports and records of decisions/minutes.  
Current and previous council year)  
Timetable of meetings (Council, committee and sub-committee meetings)  
Website - free  
Hard Copy - 10p/sheet  
Agendas of meetings (as above)  
Website - free  
Hard Copy - 10p/sheet  
Minutes of meetings (as above) - excluding information that is properly regarded as private  
to the meeting  
Website - free  
Hard Copy - 10p/sheet  
Reports presented to council meetings - excluding information that is properly regarded as  
private to the meeting  
Website - free  
Hard Copy - 10p/sheet  
Responses to consultation papers  
Website - free  
Hard Copy - 10p/sheet  
Responses to planning applications  
Website –free  
Hard Copy - 10p/sheet

**Class 5 – Our policies and procedures**

(Current written protocols, policies and procedures for delivering our services  
and responsibilities. Current information only)  
Policies and procedures for the conduct of council business:  
Standing orders

Website – free  
Hard copy - £5  
Committee and sub-committee terms of reference  
Website – free  
Hard copy – 10p/sheet  
Delegated authority (see Standing Orders and Financial Regulations)  
Code of Conduct  
Website - free  
Hard Copy - 10p/sheet  
Policy statements  
Website - free  
Hard Copy - 10p/sheet  
Data protection policies  
Website - free  
Hard Copy - 10p/sheet  
Charges  
Website - free  
Hard Copy - 10p/sheet

#### **Class 6 – Lists and Registers**

Currently maintained lists and registers only - some information may only be available by inspection and any publicly available register or list, if applicable.

Asset Register  
Hard Copy 10p/sheet  
Register of Members' Interests  
Hard Copy 10p/sheet  
Register of gifts and hospitality N/A

#### **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 and some information may only be available by inspection)

Allotments  
Website - free  
Hard Copy - 10p/sheet  
Burial grounds and closed churchyards  
Website - free  
Hard copy - 10p/sheet  
Community centres and village halls N/A  
Parks, playing fields and recreational facilities  
Website – free  
Hard Copy - 10p/sheet  
Seating, litter bins, clocks, memorials and lighting  
Website - free  
Hard Copy - 10p/sheet  
Public conveniences (see budget)  
Agency agreements  
Website - free

Hard Copy - 10p/sheet

A summary of services for which the council is entitled to recover a fee, together with those fees (e.g. burial fees)

Website - free

Hard Copy - 10p/sheet

**Contact details:**

**Clerk to the Council (as 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 \*

Postage @ Royal Mail standard 2nd class

Actual cost\*

**Statutory Fee** In accordance with the relevant legislation as determined by statute

**Other**

\* the actual cost incurred by the public authority