

Ongar Town Council



**Aimi Middlehurst
Town Clerk**



FREEDOM OF INFORMATION SCHEME

**Adopted by Ongar Town Council
at its meeting on 21st May 2015**

Bansons Way
Ongar
Essex
CM5 9AS

Email: clerk@ongartowncouncil.gov.uk
Telephone: 01277 365348
Fax: 01277 362315
Website: www.ongartowncouncil.gov.uk

Freedom of Information Act – Publication Scheme

The Council is always willing to give advice on matters relating to any of its services. Officers will be friendly, helpful, and professional and treat customers with respect.

In order to make it as easy as possible for the public to contact Council staff at the office by telephone, email or letter. The contact details are at the top of this page. The office is open weekdays between 9.30am to 1.00pm.

This publication scheme has been prepared and approved by the Information Commissioner and commits Ongar Town Council to make information available to the public as part of its normal business activities. The information covered is included in the classes of information mentioned below, where this information is held by the Town Council.

The Council's web site 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 – so please check the documents on the web site first.

This scheme commits Ongar Town Council:

- To acknowledge receipt of the request within 20 working days
- To proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by the Town Council and falls within the classifications below.
- To specify the information which is held by the Town Council and falls within the classifications below.
- To proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within this scheme.
- To produce and publish the methods by which the specific information is made routinely available so that it can be easily identified and accessed by members of the public.
- To review and update on a regular basis the information the Town Council makes available under this scheme.
- To produce a schedule of any fees charged for access to information which is made proactively available.
- To make this publication scheme readily available to the public.

Classes of information and Format

Who we are and what we do Organisational information, structures, locations and contacts	
<ul style="list-style-type: none"> • Council structure • Councillors details • Staffing structure • Location • Contact details 	<p>W, P, I W, P, I P, I W, P, I W, P, I</p>
What we spend and how we spend it Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts	
<ul style="list-style-type: none"> • Annual Return form • Auditors Reports • Budget & precept demand • Councillors' allowances and expenses • Grants made • Current contracts • Financial Regulations 	<p>P, I P, I P, I P, I W, P, I W, P, I P, I</p>
What our priorities are and how we are doing Strategy and performance information, plans, assessments, inspections and reviews	
<ul style="list-style-type: none"> • Annual Reports • Responses to consultation papers • Quality status • Local charters 	<p>W, P, I P, I W, P, I W, P, I</p>
How we make decisions Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations	
<ul style="list-style-type: none"> • Timetable of meetings • Agendas and minutes of all Council meetings open to the public that are less than three years old • Reports presented to the Council when open to the public • Responses to planning applications • Record of the Town Meeting 	<p>W, P, I W, P, I P, I P, I W, P, I</p>
Our policies and procedures Current written protocols for delivering our functions and responsibilities	
<ul style="list-style-type: none"> • Standing Orders • Health and Safety • Equal Opportunities • Complaints Procedure • Code of Conduct • Records Management 	<p>P, I P, I P, I P, I P, I P, I</p>

Lists and registers Information held in registers required by law and other lists and registers relating to the functions of the Town Council	
<ul style="list-style-type: none"> • Assets Register • Register of Councillors Interests • Register of gifts and hospitality 	P, I P, I P, I
The services we offer Information about the services we offer, advice and guidance, leaflets and newsletters. Details of the services offered	
<ul style="list-style-type: none"> • Play Area • Town events • Street Furniture (seats, litter/dog bins, notice boards, etc) • Street Lighting (maintenance and supply) • Community minibus • Allotments • Cemetery 	P, I, E P, I, E P, I, E P, I, E P, I, E P, I, E P, I, E

Key to format abbreviations:

W – Website, E – Email, P – Paper, I – Inspection,

The classes of information will not generally include:

- Information the disclosure of which is prevented by law, or exempt under the Freedom of Information Act, or is otherwise properly considered to be protected from disclosure.
- Information in draft form.
- Information that is no longer readily available as it is contained in files that have been placed in archive storage, or is difficult to access for similar reasons.

Methods by which information published under this scheme will be made available:

- Where it is within our capability, information will be published on our website.
- Where it is impracticable to make information available on our website, or if an individual does not wish to access the information by the website, hard copies can be requested, or an appointment made to view the requested information at a mutually convenient time and location within a reasonable timescale.

In exceptional circumstances some information may be available only by viewing in person. Where this manner is specified, contact details will be provided. An appointment to view the information will be arranged within a reasonable time scale.

Information will be provided in the language in which it is held or in such other language that is legally required. Where the Town Council is legally required to translate any information, it will do so.

Obligations under disability and discrimination legislation and any other legislation to provide information in other forms and formats will be adhered to when providing information in accordance with this scheme.

Exemptions

Some information may not be provided by the Council as there are several 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.

Charges which may be made for information published under this scheme

The Freedom of Information Act 2000 gives rights of public access to information held by public authorities. This document explains what fees may be charged.

The Act only allows the Council to charge for answering Freedom of Information requests when estimated staff costs involved in locating and or compiling the information exceeds £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. In the unlikely event that this happens, the Council will work with the enquirer to find a way of getting the cost down to an acceptable level by refining the request.

If the request involves producing paper, 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. Electronic versions will be available free of charge.

Where it would not exceed the appropriate limit to comply with a request the Town Council will only include the charges it reasonably expects to incur in –

- Informing the requestor whether it hold the requested information
- Communicating that information to the requestor

This generally means that the Town Council can only charge for expenses actually incurred, for example, photocopying or postage.

The fees include, but are not limited to, the costs of –

- Reproducing any document containing the information, e.g. printing or photocopying
- Postage and other forms of transmitting the information

These costs are referred to as “communication costs” or disbursements and are limited to expenses actually incurred.

The Town Council will not charge for staff time (either its own or contractors) in carrying out these activities.

The Town Council can only charge for the costs it would incur in disclosing the information if the fee were paid. The Council cannot charge a fee and then, when it receives payment, state that the information cannot be disclosed because an exemption applies.

As a matter of good practice, if the administration costs of collecting a fee would be more than the charge itself, the Town Council will waive the fee.

If the actual cost of answering a request is higher than the fee specified the Town Council will bear the additional cost itself.

If the actual costs are lower than those specified in the fees notice, the Town Council will refund the excess amount.

Items which cannot be included in the fee –

- For providing the information in a particular format where it is already subject to a statutory obligation to do so
- For putting the request into an alternative format, e.g. Braille, large print or audio tape if this reformatting is required to meet the requirement to make a reasonable adjustments for disabled persons in accordance with the Equalities Act 2010.
- Time taken by staff in removing any exempt information.

Items which can be included in the fee –

The costs of physically redacting exempt information. This could include the costs of materials (e.g. tape or black ink) or the use of specialist equipment (e.g. rental or leasing) for the specific activity of redacting.

Fees notice

A fees notice will be issued advising the requestor of the amount to be charged.

Where a fee notice has been given to the applicant the Town Council is not obliged to provide the information unless the fee is paid within the period of three months beginning with the day on which the fees notice was given to the applicant.

VAT

If the requested information is only available from the Town Council any charges will not attract VAT.

Timescale

The Town Council must issue the fees notice within 20 working days period for responding to the request. The fees notice will be issued as soon as possible after it receives the request.

Payment

If the Town Council does not receive payment within three months of issuing the fees notice it is no longer obliged to respond to the request. The Town Council will tell the requestor about the deadline in its fees notice.

When the requestor pays by cheque the Town Council may choose to regard the fee as being received on the day the cheque is received or it may wait until the cheque has cleared. The Town Council will not delay paying the cheque into the bank in order to delay providing the response

Where the requestor has indicated that he or she is not prepared to pay the fee the Town Council will consider whether it can release any relevant information without charge.

Written requests

Information held by the Town Council that is not published under this scheme can be requested in writing, when its provision will be considered in accordance with the provisions of the Freedom of Information Act.

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

Or call the helpline on 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number. Or email: casework@ico.org.uk (please include your telephone number)

FREEDOM OF INFORMATION ACT

Request for Information

Name: _____

Address: _____

Tel No: _____

Fax No: _____

E-Mail: _____

Details of information requested: _____

Signed: _____

Date: _____