

# Stansfield Parish Council

## Procedure for Handling Requests for Information

Any request for information that includes the name and full contact details of the member of public who has requested it and contains details of the information required is deemed to be valid under the Freedom of Information Act 2000, even if the Act is not referred to within the request.

A request can be made in writing by e-mail or by letter.

Once a request has been received the Council has 20 days to respond.

On receipt of a request, the Council will:

- Determine whether it holds the information. If the information is not held, a notice will be issued to this effect.
- Determine whether any exemptions apply and apply the public interest test. If the request is subject to an exemption, then an exemption notice will be issued to the applicant. The exemption notice will state the reason why the information is exempt and outline the appeal process.
- Determine whether the information contains personal information which might be exempt under the Data Protection Act 1998.
- Determine whether there will be a charge (see information about charging in section 5 below).
- Issue a fee notice. The applicant has 3 months to pay the required fee beginning on the day the fee notice is received. The 20-day period resumes the day after the receipt of the fee.
- Compile the information for the request within 20 days.

The Act only allows the Council to charge for answering Freedom of Information requests in the following circumstances:

1. Disbursement of costs such as printing, photocopying and postage; and
2. When estimated staff costs involved in locating and compiling the information exceed £450. Under these circumstances, the Council can refuse the request on the grounds of cost, or charge the applicant £25 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 the costs are estimated to exceed £450 (based on an hourly charge-out rate of £25), 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 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 estimate cost, then the difference will be refunded to the applicant

For disbursement costs, the Council will charge 10p per sheet for black and white photocopying. The Council will also recover the actual cost of postage (ordinarily posted second class) or any other transmission costs from the applicant.

This document was approved by Stansfield Parish Council at the meeting on 20<sup>th</sup> July 2020