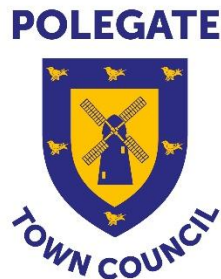


Polegate Town Council



FREEDOM OF INFORMATION POLICY

Policy Number 18		
Issue No.	Date completed	Details of amendments
1	19.05.14	Adopted
2	May 2016	Adopted at Annual Stat Meeting
3	22.05.17	Adopted at Annual Stat meeting
4	21.05.18	Adopted at Annual Stat meeting
5	20.5.19	Adopted at Annual Stat Meeting
6	05.05.21	Adopted at Annual Stat meeting
7	16.05.22	Adopted at Annual Stat meeting
8	22.05.23	Adopted at Annual Stat meeting
9	20.05.24	Adopted at Annual Stat meeting
10	19.05.25	Adopted at the Annual Stat Meeting
11	11.05.26	Adopted at Annual Stat Meeting

1. Introduction

1.1 The Freedom of Information Act 2000 ('the Act') received Royal Assent on 20th September 2000 but its implementation was phased in with the duty on public authorities to adopt publications schemes being introduced first followed by the individual right to access provisions which came into force 1st January 2005.

2. Basics of the Act

- 2.1 Section 1 of the Act gives a general right of access to information held by public authorities. Public authorities include all local authorities, including Parish Councils. The right applied to all information, obtained from any source. The right of access included both the right to be told whether the information exists, as well as the right to receive it.
- 2.2 Since the right of access applies to all information which is "held" by the authority, the Act is effectively retrospective. There is no exemption for older records. However, the Act does not require authorities to hold onto information for longer than is necessary, or is otherwise required by law, simply because it might be the subject of a request sometime in the future.
- 2.3 A request for information (unless for environmental information – see below) need to be in writing or email. The request must give enough details about the information to enable the authority to identify it and basic contact details must be provided so that a reply can be sent. The Information Commissioner takes the view that this need not be a postal address and that an email address is sufficient. There is a duty on authorities to advise and assist applicants, which would normally require the authority to give some help to an applicant to better identify the information they request.
- 2.4 The right of access to information is subject to a range of exemptions and these are listed in Appendix 1. Some of the exceptions are "absolute". Once an authority decides that an absolute exemption applies to information requested it does not have to release it under the Act, although discretionary release is still possible. In the case of all other exemption, once it is decided that one or more of them applies, the authority must still release the information unless it judges that the Public Interest in withholding the information is greater than the interest in disclosure (the "public interest test").
- 2.5 Two statutory Codes of Practice, once covering the management of records, have been produced and authorities must comply with these codes. Both document can be downloaded from the Information Commissioner's website <https://ico.org.uk/>
- 2.6 The Act includes provisions for enforcement and appeal. The Information Commissioner has a substantial role to promote the Act to the public, to set

standards of good practice which authorities must follow, and the power to overrule an authorities judgement that the balance of the public interest lies in favour of refusing to disclose information, and to impose his own view.

There is also an appeal process for a dissatisfied applicant to the Information Commissioner, and from the Commissioner to a new Information Tribunal.

2.7 Generally, requests must be dealt with within 20 working days from the receipt of the request, but if it is necessary to apply a public interest test, this time limit does not apply, and the authority should respond within a reasonable period.

2.8 If a request is refused, the refusal notice should give the reasons for refusing the request and advise the applicant as to their rights of appeal – both internally by way of complaint, and following that, by way of an appeal to the Information Commissioner.

3. Relationship with other legislation

Public Bodies (Admission to Meetings) Act 1960

The Act does not amend the provision in the 1960 Act which allows local councils to exclude the press and public by resolution if publicity would prejudice the public interest by reason of the confidential nature of the business or for some other reason stated in the resolution.

However, the effect of the Act is that any information held by the council which relates to matters discussed, either in open or private session (e.g. in a report or minutes), may have to be disclosed unless one of the exemptions under the Act applies.

Local Government Act 1972

The provisions of the Act effectively supersede the old exemptions in the Local Government Act 1972 in respect of the access to information rights and for this reason the categories of “exempt information” (Schedule 12a of the 1972 Act) were amended in 2006 to mirror relevant exemptions in the Act.

**Statement prepared for adoption by Polegate Town Council at its meeting on
11.05.26**

Signed by

Mayor of Polegate

Town Clerk/ Proper Officer/ RFO

Publication Scheme

Information to be published	How the information can be obtained	Cost	Website Links
Class 1 – Who we are and what we do			
Polegate Town Council This will be current information only. N.B. Councils should already be publishing as much information as possible about how they can be contacted.	Website	Free	
	Printed	10p per sheet 20p if double sided	
Who’s on the Council and it’s Committees	Website	Free	
	Printed	10p per sheet 20p if double sided	
Contact details for Town Clerk and Council Members (Named contacts where possible with telephone number and email address (if used))	Website	Free	
	Printed	10p per sheet 20p if double sided	
Location of main Council office and Accessibility details	Website	Free	
	Printed	10p per sheet 20p if double sided	
Staffing Structure	Website	Free	
	Printed	10p per sheet 20p if double sided	
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 as minimum		10p per sheet (20p if double sided)	
Annual Return form and report by Auditor	Website	Free	

	Printed	10p per sheet 20p if double sided	
Finalised Budget	Website Printed	Free	
N.B This will exclude information that is properly regarded as private to the meeting.		10p per sheet 20p if double sided	
Precept		10p per sheet (20p if double sided)	
Borrowing Approval Letter		10p per sheet (20p if double sided)	
Financial Standing Orders and Regulations	Website	Free	
	Printed	10p per sheet 20p if double sided	
Grants given and received	Website	Free	
	Printed	10p per sheet 20p if double sided	
List of current contracts awarded and value of contract		10p per sheet (20p if double sided)	
Members' allowances and expenses	Website	Free	
	Printed	10p per sheet 20p if double sided	
Class 3 – What our priorities are and how we are doing (Strategies and plans, performance indicators, audits, inspections and reviews)			
Masterplan	Printed	10p per sheet 20p if double sided	
Annual Report to Parish or Community Meeting (current and previous year as a minimum)	Website	Free	
	Printed	10p per sheet	

		20p if double sided	
Quality status	Website	Free	