

 <p>BROADSTAIRS & ST. PETER'S TOWN COUNCIL</p>	<p>Freedom of Information Policy and Publication Scheme</p>
	<p>BROADSTAIRS & ST. PETER'S TOWN COUNCIL</p>
	<p>Adopted 28th January 2019</p>

1. Policy Scope

1.1 To set out how Broadstairs & St. Peter's Town Council will manage requests made for information¹ under the Freedom of Information Act 2000.

2. Introduction

2.1 The Freedom of Information Act 2000 provides public access to information held by Public Authorities. Under the Act, Broadstairs & St. Peter's Town Council has two main responsibilities:

- to produce a Publication Scheme
- deal with individual requests for information.

3. The Publication Scheme

3.1 In accordance with the Freedom of Information Act 2000, Broadstairs & St. Peter's Town Council has to publish Publication Scheme (see Appendix 1). The Publication Scheme commits the Town Council to make information available to the public as part of its normal business activities.

3.2 Broadstairs & St. Peter's Town Council will ensure that members of the public are aware of the information that is made readily available to them and provide details of how this information can be accessed.

3.3 Wherever possible Broadstairs & St. Peter's Town Council will provide information through its website. Where information is available in a non-electronic form or when an individual does not wish to access information electronically, an individual can contact the Town Clerk and ask for the information to be made available to them.

3.4 Some information may only be available to view in person at Broadstairs & St. Peter's Town Council's premises². In these circumstances an appointment to view the information will be arranged within a reasonable timescale.

4. Making a Freedom of Information Request

4.1 A request for information must be made in writing to the Town Clerk. This can either be a hard copy or electronically.

4.2 A request for information must state the name of the applicant and an address for correspondence. Applicants must provide their real name and not use a pseudonym. Both email and postal addresses are acceptable.

¹Information includes printed documents, computerfiles, letters, emails, photographs, and sound or video recordings (please view our CCTV policy on our website- www.broadstairs.gov.uk)

² For example, the historic minute books of the Council.

4.3 A request for information must also adequately describe the information sought. Although not a requirement by law, it would help if requests were marked 'Freedom of Information Request' to insure a prompt response.

4.4 Most Freedom of Information requests will be free of charge. However, there may be a small charge for disbursements. Broadstairs & St. Peter's Town Council will notify the enquirer in advance if there are any charges associated with the request.

4.5 Disbursements charges could include:

- production (e.g. redaction exempt information, printing or photocopying)
- transmission costs (Postage and packing)
- complying with the applicant's preferences about the format in which they would like to receive the information (e.g. scanning to a CD, memory stick)

5. Data Protection Act 2018

5.1 A request for a person's own personal data will be dealt with under the subject access provisions of the Data Protection Act 2018.

5.2 When someone makes a request for information that includes someone else's data, Broadstairs and St. Peter's Town Council will need to carefully balance the case for transparency and openness under the Freedom of Information Act against the data subject's right to privacy under the Data Protection Act in deciding whether the information can be released without breaching the Data Protection principles

6. Exemptions

6.1 Anyone making a request to a public authority for information must be informed whether the public authority holds that information and supplied with it. Some information does not have to be revealed, such as personal information or commercially sensitive data. You can view a full list of these exemptions on the Information Commissioner's website – www.ico.org.uk.

6.2 Broadstairs & St. Peter's Town Council can turn down a Freedom of Information Request if it will cost more than £450 to respond to.

6.3 Broadstairs & St. Peter's Town Council may ask for the request to be more specific in order for the information to be provided.

6.4 If Broadstairs & St. Peter's Town Council refuses to provide the information requested, the enquirer can ask them to review their decision. If the enquirer is still not satisfied with the response received, they are advised to contact the Information Commissioner's Office.

7. Vexatious Requests

7.1 Under Section 14 (1) of the act it is not obligated to provide substantive response to a request if the request is vexatious.

7.2 When a request is so unreasonable or objectionable that it is clear it is a vexatious request. For example, an abusive or offensive request that causes an unjustifiable level of distress or where threats are, or have been, made against staff.

7.3 In other circumstances it may be less obvious that a request is considered vexatious. Broadstairs and St. Peters Town Council will consider a request to be vexatious where the request is likely to cause a disproportionate or unjustified level of disruption, irritation or distress. This also includes:

- The burden it places on Broadstairs and St. Peters Town Council and its staff.
- The likely motives of the request.
- The potential value or purpose of the request.
- Any harassment or distress to staff.
- When an applicant has engaged in a large volume of sustained correspondence over a number of years in an abusive or confrontational language.
- If there is a deliberate 'campaign' by a number of requesters to purposely disrupt the Town Council's activities and functions via a high volume of requests on the same or similar topics.

7.4 Broadstairs and St. Peters Town Council will also consider the following questions when deciding if a request is vexatious:

- What is the burden imposed on The Town Council by this request?
- Is there a personal grudge behind this request?
- Is the requester unreasonably persisting in seeking information in relation to issues already addressed by the Town Council?
- Does the request have a serious purpose or value?
- What other requests have been made by the same requester?

8. Response

8.1 Broadstairs & St. Peter's Town Council will respond to all Freedom of Information Requests within 20 working days.

9. Monitoring

9.1 All requests made to the Council will be filed and referenced FOI. They will be held in accordance with the Council's General Data Protection Regulation policy, this means they will be shredded 5 years after the request has been marked as completed.

10. Policy Review

10.1 Broadstairs & St. Peter's Town Council will review this Policy as is necessary and appropriate, and at a minimum on an annual basis.

Broadstairs & St. Peter's Publication Scheme

WHAT INFORMATION DOES THE COUNCIL HOLD?

CLASS 1- WHO WE ARE AND WHAT WE DO

This includes our organisation information, structures, locations and contacts

- Town Council Members – **Website**
- Contact details for Council Members – **Website**
- Contact details for the Town Clerk – **Website**
- Contact details for staff – **Website**
- Location and opening times of Council Office – **Website**
- Staffing structure – **Website**

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 for the current and previous financial year

- Annual return form and report by auditor - **Hard copy – Town Clerk- Website**
- Finalised budget - **Hard copy – Town Clerk**
- Precept - **Hard copy – Town Clerk**
- Borrowing Approval letter- **Hard copy – Town Clerk**
- Financial Standing Orders and Regulations - **Hard copy – Town Clerk**
- Grants given and received - **Hard copy – Town Clerk**
- List of current contracts awarded and value of contract - **Hard copy – Town Clerk- (www.gov.uk/contracts-finder for contracts over £25,000)**
- Members' allowances and expenses - **Hard copy – Town Clerk**

CLASS 3 – WHAT OUR PRIORITIES ARE AND HOW WE ARE DOING

Strategies and plans, performance indicators, audits, inspections and reviews

- Broadstairs and St. Peters Town Council Neighbourhood Plan - **Website**
- Town Design Statement – **Website**
- Annual Report to Parish or Community Meeting (current and previous year) - **Website**
- Local Parish & Town charters - **www.thanet.gov.uk (Thanet District Council)**

Class 4 – HOW WE MAKE DECISIONS

Decision making processes and records of decisions (Current and previous council year)

- Timetable of meetings (Council, any committee/sub-committee meetings and parish meetings) - **Hard copy – Town Clerk**
- Agendas of meetings (as above) **Hard copy – Town Clerk**
- Minutes of meetings (as above) excluding information that is properly regarded as private to the meeting – **Website**
- Reports presented to council meetings - excluding information that is properly regarded as private to the meeting. - **Hard copy – Town Clerk**
- Responses to consultation papers - **Hard copy – Town Clerk**
- Responses to planning applications (shown in Council minutes) District Council- **Website www.ukplanning.gov.uk**

- Bye-laws – www.thanet.gov.uk

Class 5 – OUR POLICIES AND PROCEDURES

Current written protocols, policies and procedures for delivering our services and responsibilities(Current information only)

All Found on website:

- Standing Orders 2018
- Financial Regulations Adopted September 2018
- Equalities and Diversity Policy
- Health and Safety Policy
- CCTV release of Data
- CCTV Systems Policy
- Code of Conduct for Members
- Complaints Procedure
- Freedom of Information Policy and Procedures 2015
- Public Relations
- Web and Social Media
- Lone Worker
- Commemorative Plaque (Blue Plaque) Policy
- General Data Protection Policy
- Councillor Co-Option Policy

Class 6 – LISTS AND REGISTERS

Currently maintained lists and registers.

- Any publicly available register or list (if any are held this should be publicised; in most circumstances existing access provisions will suffice)- **Hard copy – Town Clerk**
- Assets Register -**Hard copy – Town Clerk**
- Disclosure log (indicating the information that has been provided in response to requests; recommended as good practice, but may not be held by parish councils)- **Hard copy – Town Clerk**
- Register of members’ interests- **Hard copy – Town Clerk**
- Register of gifts and hospitality- **Hard copy – Town Clerk**

ADDITIONAL INFORMATION

This will provide Councils with the opportunity to publish information that is not itemised in the lists above:

- “Broadstairs in Bloom” – supported by Town Council for business users in Town- **Website– Social Media**
- Town Crier – Available for private events –**Website**
- Monthly programme of entertainment and public events- **Website – Social Media**
- Hire of Town Council facilities – **Website– Social Media**
- Tariff of charges – **Website**