

# Tolleshunt D'Arcy Parish Council

## Freedom of Information (FOI) Policy V4.0

### 1. Introduction

Tolleshunt D'Arcy Parish Council is committed to openness, transparency, and accountability in all its activities. This Freedom of Information (FOI) Policy sets out how the Council complies with the **Freedom of Information Act 2000 (FOIA)** and the **Environmental Information Regulations 2004 (EIR)**.

The FOIA provides individuals with the right to request access to information held by public authorities, including parish councils. The EIR provides similar rights for environmental information. Together, these laws ensure that the public can scrutinise the Council's work, decisions, and spending.

The aim of this policy is to:

- Provide a clear framework for handling FOI requests.
- Ensure information is made available proactively wherever possible.
- Explain exemptions and limitations transparently.
- Promote a culture of openness within the Council.

### 2. Scope

This policy applies to *all recorded information* held by Tolleshunt D'Arcy Parish Council, regardless of format. This includes:

- Paper records (minutes, correspondence, reports).
- Electronic files (Word documents, spreadsheets, PDFs).
- Emails and internal communications.
- Audio/visual recordings of meetings.
- Information held on behalf of the Council by contractors or partners.

### 3. Obligations

Under FOIA and EIR, Tolleshunt D'Arcy Parish Council must:

- Respond to requests within **20 working days** (or 40 working days for complex environmental requests).
- Provide advice and assistance to applicants, including clarifying requests if needed.
- Explain clearly if information is withheld, citing the relevant exemption.
- Maintain a **Publication Scheme** (based on the ICO model) that sets out what information is routinely available, such as:
  - Meeting agendas and minutes
  - Policies and procedures
  - Financial information (budgets, annual accounts, audit reports)
  - Asset register and contracts

## 4. Making a Request

Requests must be made in writing and can be submitted:

- By email to the Parish Clerk: [clerk@tolleshuntarcyparishcouncil.gov.uk](mailto:clerk@tolleshuntarcyparishcouncil.gov.uk)
- By post to: The Parish Clerk, Tolleshunt D'Arcy Parish Council : PO Box 13205, Maldon, Essex CM9 9FU

### Requests should:

- State the applicant's name and contact details.
- Clearly describe the information sought.
- Indicate preferred format (electronic or paper copy).

The Clerk will acknowledge receipt and keep a log of all FOI requests.

## 5. Charges

Tolleshunt D'Arcy Parish Council may charge fees in line with FOIA regulations. Charges may apply for:

- Photocopying/printing (at standard rates)
- Postage
- Disbursements (e.g. USB drives)

If a charge is to be made, confirmation of the payment due will be given before the information is provided. Payment may be requested prior to provision of the information.

If the estimated cost of compliance exceeds the statutory limit (£450 for parish councils), the Council may refuse the request or invite the applicant to refine it

## 6. Exemptions

Certain categories of information are exempt under FOIA, including:

- **Personal data** (protected under Data Protection legislation).
- **Confidential information** provided by third parties.
- **Commercially sensitive material** (e.g., tender submissions).
- **Information prejudicial to law enforcement, national security, or public safety.**

Where exemptions apply, the Council will explain the reasons in writing and, where possible, provide partial disclosure.

## 7. Complaints and Appeals

If an applicant is dissatisfied with the Council's response, they may:

1. Request an **internal review** by the Parish Council, which will be considered by councillors not involved in the original decision.
2. Appeal to the **Information Commissioner's Office (ICO)** if still dissatisfied.

The ICO can be contacted via [www.ico.org.uk](http://www.ico.org.uk).

## 8. Responsibilities

- The **Parish Clerk** is the designated FOI Officer, responsible for logging, coordinating, and responding to requests.
- Councillors must ensure that records are maintained in a way that supports transparency.
- Contractors and partners must comply with FOI obligations when holding information on behalf of the Council.

## 9. Publication Scheme

The publication scheme is based on a model which is approved by the Information Commissioner and it commits Tolleshunt D'Arcy Parish 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 Parish Council. (Model Publication Scheme provided by the ICO – Version 1.2 – dated 23/10/15)

This scheme commits Tolleshunt D'Arcy Parish Council:

- To proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by the Parish Council and falls within the classifications below.
- To specify the information which is held by the Parish 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 Parish 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.
- To publish any dataset held by the authority that has been requested, and any updated versions it holds, unless the authority is satisfied that it is not appropriate to do so; to publish the dataset, where reasonably practicable, in an electronic form that is capable of re-use; and, if any information in the dataset is a relevant copyright work and the public authority is the only owner,

to make the information available for re-use under the terms of the Re-use of Public Sector Information Regulations 2015, if they apply, and otherwise under the terms of the Freedom of Information Act section 19. The term 'dataset' is defined in section 11(5) of the Freedom of Information Act. The term 'relevant copyright work' is defined in section 19(8) of that Act.

**Classes of information**

**Format**

<p><b>Who we are and what we do</b></p> <p>Organisational information, structures, locations, contacts, constitutional and legal governance</p>	
<ul style="list-style-type: none"> <li>• <b>Council structure</b></li> </ul>	W
<ul style="list-style-type: none"> <li>• <b>Councillors details</b></li> </ul>	W
<ul style="list-style-type: none"> <li>• <b>Staffing structure</b></li> </ul>	W
<ul style="list-style-type: none"> <li>• <b>Location</b></li> </ul>	W
<ul style="list-style-type: none"> <li>• <b>Contact details</b></li> </ul>	W
<p><b>What we spend and how we spend it</b></p> <p>Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts</p>	
<ul style="list-style-type: none"> <li>• <b>Annual Return form</b></li> <li>• <b>Auditors Reports</b></li> <li>• <b>Budget &amp; precept demand</b></li> <li>• <b>Councillors' allowances and expenses</b></li> <li>• <b>Grants made</b></li> <li>• <b>Current contracts</b></li> <li>• <b>Financial Regulations</b></li> <li>• <b>Monthly Financial Report (included in the monthly meeting minutes)</b></li> </ul>	W P W N/A W P W W
<p><b>What our priorities are and how we are doing</b></p> <p>Strategy and performance information, plans, assessments, inspections and reviews</p>	
<ul style="list-style-type: none"> <li>• <b>Annual Reports</b></li> <li>• <b>Responses to consultation papers</b></li> <li>• <b>Quality status</b></li> <li>• <b>Local charters</b></li> </ul>	N/A E N/A N/A
<p><b>How we make decisions</b></p> <p>Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations</p>	
<ul style="list-style-type: none"> <li>• <b>Timetable of meetings</b></li> <li>• <b>Agendas and minutes of all council meetings open to the public.</b> (Excluding information that is properly regarded as private to the meeting)</li> <li>• <b>Reports presented to the Council when open to the public (available with the Agenda or Minutes of the Council meeting)</b></li> <li>• <b>Responses to planning applications</b></li> <li>• <b>Record of the Parish Assembly (Parish Meeting)</b></li> </ul>	W W W E W

<b>Our policies and procedures</b> Current written protocols for delivering our functions and responsibilities	
<b>Key Policies:</b> <ul style="list-style-type: none"> <li>• <b>Standing Orders</b></li> <li>• <b>Health and Safety</b></li> <li>• <b>Equality and Diversity Policy</b></li> <li>• <b>Feedback, Compliments &amp; Complaints Procedure</b></li> <li>• <b>Code of Conduct</b></li> <li>• <b>Records Retention Policy</b></li> </ul>	<p>W</p> <p>W</p> <p>W</p> <p>W</p> <p>W</p> <p>W</p>
<b>Lists and registers</b> Information held in registers required by law and other lists and registers relating to the functions of the Parish Council	
<ul style="list-style-type: none"> <li>• <b>Assets Register</b></li> <li>• <b>Register of Councillors Interests</b></li> <li>• <b>Register of gifts and hospitality</b></li> </ul>	<p>W</p> <p>W</p> <p>I</p>
<b>The services we offer</b> Information about the services we offer, advice and guidance, leaflets and newsletters. Details of the services offered	
<ul style="list-style-type: none"> <li>• <b>Recreation Ground and Play Area</b></li> <li>• <b>Parish Events</b></li> <li>• <b>Street Furniture (seats, litter/dog bins, notice boards, village signs)</b></li> <li>• <b>Street Lighting (maintenance and supply)</b></li> <li>• <b>Woodup Amenity Pool</b></li> <li>• <b>Open spaces</b></li> <li>• <b>Cemetery</b></li> <li>• <b>Allotments</b></li> <li>• <b>Defibrillators</b></li> <li>• <b>Pavilion Hire</b></li> </ul>	<p>W</p> <p>E</p> <p>E</p> <p>E</p> <p>W</p> <p>W</p> <p>W</p> <p>W</p> <p>W</p> <p>W</p>

Key to format abbreviations:

W – Website [www.tolleshuntarcyparishcouncil.gov.uk](http://www.tolleshuntarcyparishcouncil.gov.uk)

E – Email

P – Paper

I – Inspection

N/A – Not applicable at this time

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.

Information will be provided in the language in which it is held or in such other language that is legally required. Where the Parish 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.

Policy adopted: January 2026

Last Review: January 2026

Next Review: January 2027

**Policy Review History**

Version	Details of Changes	Date	Approver
V1.0	Reviewed and Adopted	03/01/2018	TDPC
V1.0	Reviewed – No changes	29/01/2019	TDPC
V1.0	Reviewed – No changes	10/05/2022	TDPC
V1.0	Reviewed – No changes	17/05/2023	TDPC
V2.0	Reviewed and amended	14/05/2024	TDPC
V3.0	Reviewed and amended	07/01/2025	TDPC
V4.0	Reviewed and replaced – New Freedom of Information Policy adopted	07/01/2026	TDPC
	<b>Next Review – January 2027</b>		