

Cholsey Parish Council Publication Scheme

Cholsey Parish Council has adopted the Information Commissioner’s Model Publication Scheme under the Freedom of Information Act 2000. The model publication scheme is reproduced at the end of the below table which sets out the information made publicly available by Cholsey Parish Council. This document was last revised in December 2024.

Some of the information will be available only in hard copy and the Parish Council is entitled to make a charge for its provision. It has been decided, however, that subject to certain limitations, reasonable quantities of hard copies of information will be provided free of charge. Please see the model publication scheme for further information.

For queries regarding this document, contact the Clerk at clerk@cholseyparishcouncil.gov.uk or call 01491 652255

Information available from Cholsey Parish Council under the model publication scheme

Information	How to obtain	Charge
Class 1: Who we are and what we do:		
Who’s on the Council	Web site Hard copy	Free See scheme
Contact details for Parish Clerk and Council Members	Web site Hard copy	Free See scheme
Location and accessibility of Council office	Web site Hard copy	Free See scheme
Staffing structure	Web site Hard copy	Free See scheme
Forthcoming meeting dates	Web site Hard copy	Free See scheme
Class 2 – What we spend and how we spend it:		
For the current and previous Financial Year as a minimum:		
Annual Return form and Auditor’s Report	Website Hard copy	Free See scheme

Finalised Budget	Website and SODC website Hard copy	Free See scheme
Precept	Website and SODC website Hard copy	Free See scheme
Financial Standing Orders and Regulations	Website Hard copy	Free See scheme
Procurement information and expenditure exceeding £500	Website Hard copy	Free See scheme
Members allowances and expenses	View at office	Free
Class 3: What are our priorities and how we are doing		
Neighbourhood Plan	Website Hard copy	Free See scheme
Strategic Plan and Action Plan	Website Hard copy	Free See scheme
Chair's report to the Annual meeting (if applicable)	Web site Hard copy	Free See scheme
Class 4: How we make decisions		
Agendas of meetings	Parish Council notice board (Pavilion and The Forty) Web site Hard copy	Free See scheme
Minutes of meetings	Web site Hard copy	Free See scheme
Documents supporting agenda items	Web site Hard copy	Free See scheme
Responses to consultation papers	Hard copy/inspection	Free See scheme
Responses to planning applications	Via SODC website; Parish Council Minutes	Free
List of grants given	Web site Hard copy	Free See scheme

Class 5: Our policies and procedures		
Procedural Standing Orders	Website Hard copy	Free See scheme
Committee Terms of reference	Website Hard copy	Free See scheme
Code of Conduct	Website Hard copy	Free See scheme
Complaints procedure	Website Hard copy	Free See scheme
Equality policy	Website Hard copy	Free See scheme
Delegated authority in respect of the Clerk and Committees (Scheme of Delegation)	Website Hard copy	Free See scheme
GDPR Data protection policies	Website Hard copy	Free See scheme
Class 6: Lists and registers		
Assets register	By inspection	Free
Members Declaration of Acceptance of Office	By inspection	Free
Register of Members' interests	Website and SODC website	Free
Register of Gifts and Hospitality	By inspection	Free
Burial Ground Registers	By inspection	Free
Class 7: Services we offer		
Allotments: Sites, rents, availability	Website/Enquiry at office	Free
Burial Grounds: Charges, Regulations	Website/Enquiry at office	Free
Recreation Grounds: Recreation Ground, Jubilee Field, Whitehead Meadow	Web site/Enquiry at office	Free
Bus shelters, benches, bins, memorials (details in Asset Register)	Enquiry at office	Free

The Information Commissioner's Model Publication Scheme

Introduction

This model publication scheme has been prepared and approved by the Information Commissioner. It may be adopted without modification by any public authority without further approval and will be valid until further notice.

This publication scheme commits an authority 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 Scheme, where this information is held by the authority. Additional assistance is provided to the definition of these classes in sector specific guidance manuals issued by the Information Commissioner.

The scheme commits an authority:

- To proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by the authority and falls within the classifications Scheme.
- To specify the information which is held by the authority and falls within the classifications Scheme.
- 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 authority 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 available to the public.

Classes of information

Who we are and what we do

Organisational information, locations and contacts, constitutional and legal governance.

What we spend and how we spend it

Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts.

What our priorities are and how we are doing

Strategy and performance information, plans, assessments, inspections and reviews.

How we make decisions

Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations.

Our policies and procedures

Current written protocols for delivering our functions and responsibilities.

Lists and registers

Information held in registers required by law and other lists and registers relating to the functions of the authority.

The services we offer

Advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered.

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.

The method by which information published under this scheme will be made available

The authority will indicate clearly to the public what information is covered by this scheme and how it can be obtained.

Where it is within the capability of a public authority, information will be provided on a website. Where it is impracticable to make information available on a website or when an individual does not wish to access the information by the website, a public authority will indicate how information can be obtained by other means and provide it by those means.

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 timescale.

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

Charges which may be made for information published under this scheme

The purpose of this scheme is to make the maximum amount of information readily available at minimum inconvenience and cost to the public. Charges made by the authority for routinely published material will be justified and transparent and kept to a minimum.

Material which is published and accessed on a website will be provided free of charge.

Charges may be made for information subject to a charging regime specified by Parliament.

Charges may be made for actual disbursements incurred such as:

- photocopying
- postage and packaging
- the costs directly incurred as a result of viewing information

Charges may also be made for information provided under this scheme where they are legally authorised, they are in all the circumstances, including the general principles of the right of access to information held by public authorities, justified and are in accordance with a published schedule or schedules of fees which is readily available to the public.

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.

Written requests

Information held by a public authority 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.

Cholsey Parish Council Information Requests Policy

1. Introduction

Cholsey Parish Council's Publication Scheme outlines the information that is routinely made available by the Council online and in hard copy. This includes policies and procedures, agendas and minutes, financial information and strategic plans.

In addition, information held by Cholsey Parish Council that is not routinely published under its Publication Scheme can be requested in writing, when its provision will be considered in accordance with the provisions of the Freedom of Information ("FOI") Act 2000 ("the Act").

The Council is committed to ensuring transparency, accountability, and compliance with the Act, while safeguarding the Council's resources from misuse. This policy outlines the procedures for handling requests for information and details how the Council will manage vexatious or repeated requests.

2. Legislation

This policy is governed by the Freedom of Information Act 2000, the Environmental Information Regulations 2004, the Data Protection Act 2018, and the General Data Protection Regulation (GDPR). The policy ensures compliance with legal requirements while promoting good governance.

3. Scope

This policy applies to all FOI requests received by the Parish Council and includes information held in any format. It covers both the release of information and the handling of requests that may be considered vexatious, repetitive, or unreasonable.

4. Right to information

Under the Act, any individual has the right to request information held by the Parish Council, subject to certain exemptions. The Council will provide assistance to applicants making requests for information and will respond within the statutory time limit of 20 working days, in accordance with Section 10 of the Act.

5. How to make a request

- FOI requests must be made in writing (by letter, email, or any written format).
- Requests must include the name of the applicant, an address for correspondence, and a clear description of the information sought.
- Requests should be sent to the Parish Clerk at clerk@cholseyparishcouncil.gov.uk or Cholsey Parish Council, The Pavilion, Station Road, Cholsey OX10 9PT

6. Responding to requests

Upon receiving a request, the Parish Council will:

1. Acknowledge receipt of the request within 5 working days.
2. Clarify the request if necessary.
3. Determine whether the Council holds the requested information.
4. Provide the information, or issue a refusal notice, within 20 working days.

Where information is exempt from disclosure under the Act, the Council will explain the reasons for refusing the request, specifying the exemption(s) relied upon.

7. Fees

The Council may charge a fee for responding to FOI requests, in accordance with the Freedom of Information (Fees and Appropriate Limit) Regulations 2004. If a fee applies, the applicant will be informed in writing and the response timeline will be suspended until payment is received.

8. Refusal of requests

Requests may be refused if:

- The information is exempt under one or more exemptions provided in the Act (e.g., national security, commercial sensitivity, personal data).
- The request exceeds the cost limit set by the Act (currently £450 for local authorities).
- The request is considered vexatious or repetitive (as detailed in Section 12 and Section 14 of the Act).

The refusal notice will explain the grounds for refusal, including details of any applicable exemptions, and will inform the requester of their right to appeal.

Dealing with Vexatious and repeated requests

9. Vexatious requests

A request can be considered vexatious under Section 14(1) of the Act if it is deemed to cause a disproportionate or unjustified level of disruption, irritation, or distress. The Parish Council may refuse a request as vexatious if one or more of the following criteria are met:

- The request lacks serious purpose or value.
- The request is designed to harass, intimidate, or cause undue inconvenience to the Council or its staff.
- The request repeats issues already addressed, without presenting new evidence or circumstances.
- The request imposes a significant burden on the Council's resources, due to its frequency, scope, or complexity.

In determining whether a request is vexatious, the Council will take into account:

- The context and history of the request.
- The likely impact on Council staff and resources.
- The need to balance public access to information against the misuse of the FOI process.

10. Repeated requests

Under Section 14(2) of the Act, the Parish Council is not obliged to comply with repeated requests from the same individual or group if:

- The request is identical or substantially similar to a previous request.
- A reasonable amount of time has not passed since the previous request (typically 12 months).

If a request is refused on the basis of it being repeated, a refusal notice will be issued, explaining the reasons.

11. Refusal procedure for vexatious and repeated requests

When refusing a request as vexatious or repeated, the Council will:

1. Issue a refusal notice within 20 working days of receipt of the request.
2. Clearly state that the request has been refused under Section 14(1) or Section 14(2) of the Act.
3. Provide the requester with information on their right to appeal the decision and the process for doing so.

12. Appeals and Complaints

Applicants who are dissatisfied with the Council's handling of their FOI request, including any refusal to disclose information, may request an internal review. Complaints should be made in writing to the Parish Clerk within 40 working days of the response.

The internal review will be conducted by an independent member of the Council, who was not involved in the original decision. A response will be issued within 20 working days of the complaint being received.

If the applicant remains dissatisfied after the internal review, they may refer the matter to the Information Commissioner's Office (ICO).

13. Data Protection and Privacy

The Council will ensure that all personal data provided by applicants in the course of an FOI request is handled in accordance with the Data Protection Act 2018 and GDPR. Personal information will only be used for the purposes of processing the FOI request.

14. Record retention and management

The Parish Council is committed to maintaining accurate and thorough records of all Freedom of Information requests and the responses provided. These records are necessary for transparency, legal compliance, and potential review or appeal processes.

a. Retention of FOI requests and responses

All written FOI requests (including email and postal correspondence) will be logged and securely stored by the Parish Clerk. The record will include:

- The name of the requester.
- The date of the request.

- The nature of the request.
- The date of the Council's response.
- Any associated documentation, including correspondence, refusal notices, and exemptions applied.

FOI requests and the corresponding responses will be retained for a period of 5 years from the date of closure of the request. After this period, the records will be securely disposed of, unless required for ongoing legal or audit purposes.

b. Record of vexatious or repeated requests

Where a request has been deemed vexatious or repeated, the following additional records will be kept:

- The justification for classifying the request as vexatious or repeated.
- Any internal reviews or appeals filed by the requester.
- The outcomes of those reviews or appeals.

These records will also be retained for 5 years from the date of closure of the request.

c. Internal review and appeals records

If a requester asks for an internal review or submits a complaint regarding how the Parish Council handled their FOI request, records of the internal review, the decisions made, and all related correspondence will be kept for 5 years following the conclusion of the review process.

d. Data security and privacy

The Parish Council will take appropriate measures to ensure that all records related to FOI requests are securely stored and protected from unauthorized access. Personal data provided by the requester will be managed in compliance with the Data Protection Act 2018 and the General Data Protection Regulation (GDPR).

15. Review of Policy

This policy will be reviewed annually as part of the Publication Scheme or as required by legislative changes.

Adopted by Cholsey Parish Council on: 18th December 2024

Next Review Due: yearly at the Annual Meeting of Cholsey Parish Council