



Freedom of Information Policy

This policy is a guide on how requests for information to Marlborough Town Council are handled. The town council will process requests for information in line with the Freedom of Information Act 2000 and the General Data Protection Regulations (GDPR) 2018.

Introduction

The Freedom of Information Act 2000 gives the public a limited right to access all types of recorded information held by public bodies, such as local councils.

Individuals also have a right to access information about themselves, which is held under the General Data Protection Regulation (GDPR) 2018 and this is known as a 'Subject Access Right'. A copy of the town council's Subject Access Request Procedure (SAR) can be found on its website.

These Acts allow access to all the types of information held by public bodies whether personal or non-personal, in the form of documents, emails, notes or letters.

Freedom of Information Publication Scheme

The Freedom of Information Act requires every public authority to have a publication scheme, approved by the Information Commissioner's Office (ICO), and to publish information covered by the scheme.

The scheme sets out the council's commitment to make certain classes of information routinely and freely available, such as policies and procedures, minutes of meetings, annual reports and financial information.

Marlborough Town Council's Publication Scheme can be found on the town council's website.

Obtaining information

There are various ways to obtain the information being sought as follows:

- 1. Marlborough Town Council Website** www.marlborough-tc.gov.uk

The website hosts routinely published information such as agendas and minutes of meetings, financial information, policies etc.

- 2. Inspect Documents held at Marlborough Town Council Offices**

Anyone wishing to view certain documents should in the first instance contact the town council, either in person, by telephone or in writing. Some documents may require time to locate and so it may be necessary to make an appointment to view these. Please refer to the website for office opening hours.

- 3. Formal Freedom of Information (FOI) Request**

If the information is not listed in the Publication Scheme or on the town council's website, a written request can be sent to the Town Clerk as follows:

- By email – townclerk@marlborough-tc.gov.uk
- By post – Marlborough Town Council, 5 High Street, Marlborough, SN8 1AA

Requests must include the name of the person requesting the information, an address for correspondence and a description of the information required.

Council's Response to an FOI Request

The town council will acknowledge the request as soon as practicable and has 20 working days from the date of receipt of the request to respond as follows:

- Confirm whether or not it holds the information being requested
- Advise if a fee will be charged (see below)
- Provide the information (after any relevant fee has been paid) unless an exemption applies (see below).

If the council can provide the information, as much information as possible should be given free of charge and any charge, if required, should be reasonable.

The Act allows the council to charge for answering FOI requests if any of the following apply:

- Disbursement costs such as printing, photocopying and postage (costs can be found on the Publication Scheme)
- When estimated staff costs involved in locating and/or compiling the information exceeds £450 (based on 18 hours at £25 per hour). In these circumstances the council can refuse the request on grounds of cost or charge the applicant the appropriate fee for the work required.

If any of the information requested under the FOI Act is 'exempt', the applicant should be told which of the exemptions has been relied on to withhold the information. There are 25 areas of exemption from the general rights of access which are set out in [Part II of the Freedom of Information Act 2000](#).

Complaints

Complaints linked to dissatisfaction with the response from the town council, should be made in the first instance in writing to the Town Clerk, Marlborough Town Council, 5 High Street, Marlborough, SN8 1AA or townclerk@marlborough-tc.gov.uk

If complaints cannot be resolved, the Information Commissioner can be contacted as follows:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

By telephone: 0303 123 1113

For more information visit www.ico.org.uk