

# **Freedom of Information Policy and Information available from Stalmine-with-Staynall Parish Council under the model publication scheme**

## **Publishing datasets for re-use**

Public authorities must publish under their publication scheme any dataset. 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, The Datasets Code of Practice recommends that public authorities make datasets available for re-use under the [Open Government Licence](#)

The term 'dataset' is defined in section 11(5) of FOIA. The terms 'relevant copyright work' and 'specified licence' are defined in section 19(8) of FOIA. The ICO has published [guidance on Datasets \(section 11, 19 & 45\)](#) on the dataset provisions in FOIA. This explains what is meant by "not appropriate" and "capable of re-use". 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.

## **Introduction**

Stalmine-with-Staynall Parish Council has a commitment to openness and transparency. The Transparency Code for smaller authorities came into force in December 2014 requiring Parish Councils to make information available via its website to increase democratic accountability. The Freedom of Information Act, which came into force on 1 January 2005, gives everyone a statutory right of access to information held by bodies such as the Parish Council.

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 below, 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 below.

- To specify the information which is held by the authority 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 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.

### **Making a request for information**

Individuals or organisations may make a written request for other information which they believe the Parish Council holds. To request information under the provisions of the Act and to help us to help you in identifying the precise information you require, please email the clerk or write to the Clerk. Please be sure to include your name, address and a clear description of the information you are seeking when you make your request. The Parish Council advise that you look at guidance available on the Information Commissioner's Office (ICO) website about making requests and 'dos and don'ts' when applying for information <https://ico.org.uk/for-the-public/make-a-subject-access-request/>

### **Responding to your request**

The Parish Council will inform you in writing whether we hold the information you have requested and if so, provide it to you no later than 20 working days after we receive the requests. In some circumstances we may ask you to clarify your request. The Parish Council will refer to the ICO document 'The Guide to Freedom of Information' when processing your request and will seek further advice directly from the ICO if necessary. The Freedom of Information Act does identify a number of categories of information which the Parish Council is not required to disclose under the Act. In this case, we will write to you stating the exemption which provides the basis for refusal within the Act and why it applies to the information you requested. The Parish Council are obligated to safeguard the privacy of individuals (under the Data Protection Act) and this may also have a bearing on being able to supply you with the information you request. Reasons for refusal will be communicated to you within the 20-working day time period.

### **Refusing a request for information**

Below is a statement from the Information Commissioners Office (ICO) which explain when the Parish Council may have to refuse providing you with the information requested. Further information can be found at <https://ico.org.uk/for-organisations/foi/freedom-of-information-and-environmental-information-regulations/section-17-refusing-a-request-writing-a-refusal-notice/#overview>

“A requester may ask for any information that is held by a public authority. However, this does not mean you are always obliged to provide the information. In some cases, there will be a good reason why you should not make public some or all of the information requested.

Stalmine-with-Staynall Parish Council reserve the right to refuse an entire request under the following circumstances:

- It would cost too much or take too much staff time to deal with the request.
- The request is vexatious.
- The request repeats a previous request from the same person.

In addition, the Freedom of Information Act contains a number of exemptions that allow the Council withhold information from a requester. In some cases, it will allow the Council to refuse to confirm or deny whether we hold information. Some exemptions relate to a particular type of information, for instance, information relating to government policy. Other exemptions are based on the harm that would arise or would be likely arise from disclosure, for example, if disclosure would be likely to prejudice a criminal investigation or prejudice someone's commercial interests.

There is also an exemption for personal data if releasing it would be contrary to the Data Protection Act 2018.

The Council can automatically withhold information because an exemption applies only if the exemption is 'absolute'. This may be, for example, information the Council receive from the security services, which is covered by an absolute exemption. However, most exemptions are not absolute but require the Council to apply a public interest test. This means the Council must consider the public interest arguments before deciding whether to disclose the information. So, the Council may have to disclose information in spite of an exemption, where it is in the public interest to do so.

### **Complaints**

If you are dissatisfied with the way the Parish Council has responded to a request for information, please write to the clerk. The Information Commissioner's Office (ICO) is responsible for enforcing the operation of the Act and you may raise issues with this office at any time. More information can be found on the ICO website <https://ico.org.uk/make-a-complaint/> by telephone on 0303 123 1113 or by writing to the address below:

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

**\*Please note contact details for the Clerk and Council members are at the end of this document\***

Information to be published	How the information can be obtained	Cost* (See below)
<b>Class 1 - Who we are and what we do</b> (Organisational information, structures, locations and contacts) Current information only		
Who's who on the Council	See Contact Details for Clerk and Council members on website <a href="https://www.stalmine-with-staynall-pc.gov.uk/">https://www.stalmine-with-staynall-pc.gov.uk/</a> Currently the Council has no committees or subcommittees	
Contact details for Clerk and Council members (named contacts where possible with telephone number and email address (if used))	Available on the Council's website <a href="https://www.stalmine-with-staynall-pc.gov.uk/">https://www.stalmine-with-staynall-pc.gov.uk/</a> In each monthly edition of the Over Wyre Focus <a href="https://www.focusmags.co.uk/">https://www.focusmags.co.uk/</a> or contact the Clerk	
Location of main Council office and accessibility details	There is no Council office	
Staffing structure	The council has two part time employees, a clerk, a lengths man and a contracted plantsman Further information from the Clerk – <a href="mailto:clerk@stalmine-with-staynall-pc.gov.uk">clerk@stalmine-with-staynall-pc.gov.uk</a>	
<b>Class 2 – What we spend and how we spend it</b> (Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit) Current and previous financial year as a minimum		
Annual return form and report by auditor	Available on the Council website <a href="https://www.stalmine-with-staynall-pc.gov.uk/">https://www.stalmine-with-staynall-pc.gov.uk/</a> or contact the Clerk	
Finalised budget	Contact the Clerk	
Precept	Contained within the minutes of the precept setting meeting available on the website <a href="https://www.stalmine-with-staynall-pc.gov.uk/">https://www.stalmine-with-staynall-pc.gov.uk/</a> or contact the	
Borrowing Approval letter	The Council currently has no borrowings Contact the clerk	

Financial Standing Orders and Regulations	Available on the Council's website <a href="https://www.stalmine-with-staynall-pc.gov.uk/">https://www.stalmine-with-staynall-pc.gov.uk/</a> or contact the Clerk	
Grants given and received	Contact the Clerk	
List of current contracts awarded and value of contract	Contact the Clerk	
Members' allowances and expenses	The Council does not currently pay any Members' Allowances and only pays expenses in exceptional circumstances	
<b>Class 3 – What our priorities are and how we are doing</b> (Strategies and plans, performance indicators, audits, inspections and reviews)		
Annual Report to Parish or Community Meeting (current and previous year as a minimum)	The Council's Annual Report is available on the Council's website <a href="https://www.stalmine-with-staynall-pc.gov.uk/">https://www.stalmine-with-staynall-pc.gov.uk/</a> or contact the Clerk	
Quality status (now Local Council Award Scheme)	The Council is not pursuing the Local Council Award Scheme	
Local charters drawn up in accordance with CLG guidelines	There is a Town and Parish charters with Lancashire County Council – see their website	
Parish Plan	The Council has an Action Plan available on the Council's website <a href="https://www.stalmine-with-staynall-pc.gov.uk/">https://www.stalmine-with-staynall-pc.gov.uk/</a> or contact the Clerk	
<b>Class 4 – How we make decisions</b> (Decision making processes and records of decisions) Current and previous council year as a minimum		
Timetable of meetings of Parish Council meetings and parish meeting	Available on the Council's website <a href="https://www.stalmine-with-staynall-pc.gov.uk/">https://www.stalmine-with-staynall-pc.gov.uk/</a> or contact the Clerk	
Agendas of meetings (as above)	Available on the Council's website <a href="https://www.stalmine-with-staynall-pc.gov.uk/">https://www.stalmine-with-staynall-pc.gov.uk/</a> or contact the Clerk	
Minutes of meetings (as above) – this will exclude information that is properly regarded as private to the meeting.	Available on the Council's website <a href="https://www.stalmine-with-staynall-pc.gov.uk/">https://www.stalmine-with-staynall-pc.gov.uk/</a> or contact the Clerk	

Reports presented to council meetings - this will exclude information that is properly regarded as private to the meeting.	Available on the Council's website <a href="https://www.stalmine-with-staynall-pc.gov.uk/">https://www.stalmine-with-staynall-pc.gov.uk/</a> or contact the Clerk	
Responses to consultation papers	Contact the Clerk	
Responses to planning applications	Available in the minutes of the meetings on the Council's website <a href="https://www.stalmine-with-stalmine-pc.gov.uk">https://www.stalmine-with-stalmine-pc.gov.uk</a> and on Wyre Council's website Wyre Borough planning portal <a href="https://www.wyre.gov.uk/planning/planning-application-search/1">https://www.wyre.gov.uk/planning/planning-application-search/1</a>	
Bye-laws	The Council does not currently have any bye-laws	
<b>Class 5 – Our policies and procedures</b> (Current written protocols, policies and procedures for delivering our services and responsibilities) Current information only		
Policies and procedures for the conduct of council business:  Procedural standing orders Committee and sub-committee terms of reference Delegated authority in respect of officers  Code of Conduct  Policy statements	A number of documents are available on the Council's website <a href="https://www.stalmine-with-stalmine-pc.gov.uk">https://www.stalmine-with-stalmine-pc.gov.uk</a> or contact the Clerk  (There are no committees or subcommittees)  Clerk's delegations available on the Council's website <a href="https://www.stalmine-with-stalmine-pc.gov.uk">https://www.stalmine-with-stalmine-pc.gov.uk</a>  Available on website  Contact the Clerk	
Policies and procedures for the provision of services and about the employment of staff:	Contact the Clerk  Contact the Clerk	
	Contact the Clerk	

Internal policies relating to the delivery of services		
Equality and diversity policy	Contact the Clerk	
Health and safety policy	Contact the Clerk	
Recruitment policies (including current vacancies)	Contact the Clerk	
Policies and procedures for handling requests for information (also see GDPR) Complaints procedures (including those covering requests for information and operating the publication scheme)	Available on the Council's website <a href="https://www.stalmine-with-stalmine-pc.gov.uk">https://www.stalmine-with-stalmine-pc.gov.uk</a> or contact the Clerk	
GDPR data protection policy and privacy notice	Available on the Council's website <a href="https://www.stalmine-with-stalmine-pc.gov.uk">https://www.stalmine-with-stalmine-pc.gov.uk</a> or Contact the Clerk	
Other GDPR related policies	Contact the Clerk The parish council is registered under the Data Protection Act	
Records management policies (records retention, destruction and archive)	Contact the Clerk	
Schedule of charges for the publication of information)	Shown at the end of this document	
<b>Class 6 – Lists and Registers</b>		
Currently maintained lists and registers only		
Any publicly available register or list (if any are held this should be publicised; in most circumstances existing access provisions will suffice)	None held	
Assets Register	Available on the Council's website <a href="https://www.stalmine-with-stalmine-pc.gov.uk">https://www.stalmine-with-stalmine-pc.gov.uk</a> or contact the 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)	Not held by the Parish Council.	
Register of members' interests	Available on the Council's website <a href="https://www.stalmine-with-stalmine-pc.gov.uk">https://www.stalmine-with-stalmine-pc.gov.uk</a> or contact the Clerk	
Register of gifts and hospitality	Contact the Clerk - visual inspection only	
<b>Class 7 – The services we offer</b> (Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses) Current information only		
Allotments	The Council does not currently have any allotments	
Burial grounds and closed churchyards	The Council does not currently have any burial grounds and closed churchyards	
Community centres and village halls	The Council does not currently have any community centres and village halls	
Parks, playing fields and recreational facilities	The Council leases the playing field on Hall Gate Lane from Wyre Council and there is a children's playground and older children's play zone at the end of Douglas Avenue	
Seating, litter bins, clocks, memorials and lighting	The Council has a number of seats in a variety of locations around the parish area and 1 bin situated at the playing fields. It has no clocks, memorials or lighting. Contact the Clerk for details or see asset register on website.	
Bus shelters	The Council is responsible for five bus shelters, one situated on A588 opposite Moss House Lane, one on A588 backing on to Moss House Lane, one on Hall Gate Lane outside the Seven Stars, one on Carr Lane at the junction with Ned's Lane and one situated at the entrance to Staynall Lane on A588.	
Markets	The Council does not have responsibility for any markets in the Parish	
Public conveniences	The Council does not have responsibility for any public conveniences in the Parish	

Agency agreements	The Council does not have any agency agreements	
A summary of services for which the council is entitled to recover a fee, together with those fees (e.g., burial fees)	The Council does not provide any fee-paying services	
<b>Additional Information</b> This will provide Councils with the opportunity to publish information that is not itemised in the lists above		

**Clerk Contact details:**

**Call:** 07769 686674

**Post:**

Debbie Smith  
32 Mill Lane  
Stalmine  
FY6 0LR

**Email:** [clerk@stalmine-with-staynall-pc.gov.uk](mailto:clerk@stalmine-with-staynall-pc.gov.uk)

**Council website:** <https://www.stalmine-with-staynall-pc.gov.uk/> – contact form

**Council Members Contact details:**

Access the Parish Council's website: <https://www.stalmine-with-staynall-pc.gov.uk/councillors.php>

**SCHEDULE OF CHARGES**

This describes how the charges have been arrived at and should be published as part of the guide.

TYPE OF CHARGE	DESCRIPTION	BASIS OF CHARGE
Disbursement cost	Information on the website Information provided by email Information provided by phone  Hard copies Photocopying (black and white – colour not available)	Free  £0.10p per sheet (actual charge)

	Postage	Actual cost of Royal Mail standard 2 <sup>nd</sup> class
<b>Other</b>	Not all requests for information are free of charge. Section 12 of the Freedom of Information Act makes provision for a council to charge for information exceeding the cost limit threshold – currently £450 for a parish/town council. Staff time is calculated at a flat rate of £25 per hour in accordance with current guidelines. This is a maximum of 18 hours work for one or a series of linked requests. For more information see the Information Commissioner's website <a href="https://ico.org.uk/">https://ico.org.uk/</a>	

Policy document added to the Publication Scheme

Reviewed and adopted November 2025 or as required through-out the civic year