

Sleaford Town Council

CONSTITUTION

Chapter 15

Title: Information Policy, Freedom of Information and Data Protection



The Town Hall
Quayside House
Navigation Yard
Sleaford
Lincolnshire NG34 7TW

Tel: 01529 303456
E-Mail: enquiries@sleaford.gov.uk

INFORMATION POLICY

This Policy is designed to assist Town Councillors and staff to effectively communicate with the general public.

Objective

To provide a helpful response to telephone, or written enquiries in an efficient and polite manner.

Personal Contact

This can be in person or by telephone.

If it relates to a Town Council service, then the caller will be dealt with by the appropriate member of staff. If that member of staff is unavailable, contact details will be taken to ensure the caller can be contacted at the earliest suitable opportunity.

If it relates to a County Council or District Council service the caller will be advised to contact the County Council or District Council by providing them with the following appropriate number / e-mail:

- Lincolnshire County Council – 01522 552 222
customer_services@lincolnshire.gov.uk
- North Kesteven District Council – 01529 414155
Customer_Services@n-kesteven.gov.uk

Town Councillors and Staff are advised against acting as an intermediary with the County Council and District Council Contact Centres; this is not being unhelpful, but to aid the trained staff of the County and District Council and /or their trained call centre staff to direct enquiries to the appropriate department or other public service. No direct dial numbers are to be given for any officer(s) at either the County or District Council.

Written Enquiries

These could be by letter or, more frequently, by email. Wherever possible a detailed reply should be given within 5 working days. If that is not possible, a holding response should be sent within 5 days.

There is no need to respond to unsolicited invitations or spam emails, indeed there are very good reasons for not so doing.

Inevitably, the Town Council may receive repeated communications from individual members of the public on the same subject(s). It is permissible for staff to merely acknowledge such emails/letters without having to respond to each and every point. In any such case, the Town Clerk should be consulted.

It should always be remembered that it is possible to recover any electronic correspondence.

Town Councillor's Details

If requested, the staff will provide a member of the public with the names, addresses and telephone numbers for Town Councillors.

Media Statements

Any press release from the Town Council is to be approved by the Town Clerk /Chairman/Leader and where requested, copied to all Town Councillors.

Press releases from the Town Council need not be formally worded in stilted language but must not be partisan.

For the avoidance of doubt, an individual Town Councillor or political party may issue their own statements to the media but those must not give the impression of being a release from the Town Council.

Purdah

Purdah is the period prior to an election, once a notice of poll has been officially given by the Returning Officer. It applies to Town and County Council elections as well as other national elections (e.g. a General Election).

It also applies if there is a local by-election.

During such a period, special care is needed to avoid any impression that the Town Council, as a body, supports any aspirant for elected office or a particular party.

More specific advice will be issued by the NALC and / or the Returning Officer at the County Council. A separate policy statement in respect of the 'purdah' period is available from the Town Clerk.

Obscene & Abusive Language

Staff and Councillors are not obliged to listen to abusive and obscene tirades or address members of the public in this way. In such a case the caller should politely be asked to desist and advised that if they continue to use such language the call will be terminated. If the abuse or obscenity continues then the call can be terminated.

Care however should be taken as some 'vivid descriptions' are used in the ordinary course of speech by certain sections of the community. A judgement should be made from the tone if that is the position. In such cases a councillor or member of staff can ask for moderation but may choose to continue the contact.

Sleaford Town Council Policy for Handling Freedom of Information Requests.

- Sleaford Town Council has produced and publicised a Publication Scheme which makes it clear what information can already be accessed. The Publication Scheme outlines any charges which may be made in supplying any information.
- Any additional information, which is not part of the Publication Scheme can be requested under the Freedom of Information Act 2000.
- A request for information must be made by letter or e-mail and should be sent to the Clerk to the Council. The request must include a contact name, an address for correspondence, and state clearly what information is required and in what format.
- Responsibility for dealing with all requests for information has been delegated to the Clerk to the Council.
- The first step is to identify whether the requested information is held by the Council. If not, the applicant will be notified accordingly.
- If information is held, and is not subject to any exemption, it will normally be supplied within 20 working days, unless there is a fee to pay, or further clarification must be sought.
- If the request for information is unclear, the Clerk to the Council will contact the applicant to clarify what data is being sought. If clarification of a request is needed, the 20 day working period will commence on receipt of the additional information.
- If the information is not held by the Council, but the Council is aware of another public body which may hold the information, the request will either be forwarded to the third part concerned, or the applicant will be given details of which public authority is believed to hold the information.
- Where information cannot be provided, a refusal notice will be issued explaining which exemption applies, and advising of any right to appeal through a Council appeal process, if applicable, and of the right to appeal to the Information Commissioner's Office. Contact details of the I.C.O. will be supplied.
- Where information is subject to a "qualified exemption" under the FOI Act, there may be an extension to the 20 days period whilst further consideration is given to applying the public interest test to determine whether any information should be withheld or disclosed.
- Where any complaint is received about the processing of any request for information, this will be immediately referred on to Council for attention.
- Where any correspondence is received from the Information Commissioner's Office in relation to any Freedom of Information matter, this will immediately be referred on to Council for attention.

DATA PROTECTION ACT 1998

1. General Information and statement

Authority name: Sleaford Town Council,
Authority address: The Town Hall, Quayside House, Navigation Yard, Sleaford, NG34 7TW

Responsible Officer: Clerk

The Data Protection Act requires that the Town Council advises the public of the uses it makes of personal data provided to it by the public themselves and from other principal authorities and organisations in connection with the Town Councils function.

Sleaford Town Council's Data Protection Statement is as follows:

Sleaford Town Council considers that protecting the personal information is very important and recognises that the general public has an interest in how the Town Council collects, uses and shares such information.

2. The Town Council's principles

The Town Council's principles in respect of processing personal information are:

- To comply with the obligations under the Data Protection Act 1998 and any other relevant legislation.
- To keep personal information in strict confidence and not disclose it without the permission of the individual to which it relates except in limited circumstances as permitted or required by law.
- To obtain personal information lawfully and fairly.
- To keep personal information for only as long as its function remains relevant.
- To maintain appropriate procedures to ensure that personal information in the Town Council's possession is accurate and kept up to date.
- To maintain appropriate technical and organisation safeguards to protect personal information against loss, theft, unauthorised access, disclosure, copying, use or modification.
- Not to sell personal information.

3. How the Town Council processes personal information

The Town Council may make use of information given to it as follows:

- Processing and administering applications and tenancy agreements for allotments.
- Processing and administering applications and maintenance in respect of the cemetery.
- Processing and administering elector services.
- Processing and administering the management of Council meetings and Council business in respect of identifying whether a person has a right to participate in meetings of, or take action on behalf of, Sleaford Town Council.
- Fulfilling its statutory role in planning and other consultation processes.

4. Your rights and other information

You have the right to ask us for a copy of the information held by us in our records in return for payment of a fee. Please refer to the Town Council's policy relating to the Freedom of Information Act 2000 for the relevant fee structure.

You also have the right to require us to correct any inaccuracies in your information.

5. Review of Policy

This Policy will be reviewed in the event of changes of legislature and every twelve months in accordance with the Constitution.