COWLING PARISH COUNCIL
DATA MANAGEMENT AND FREEDOM OF INFORMATION POLICY

Adopted: 2015

Date for Review: Sep 2023

History Page		
Version	**Brief description of changes**	**Date Approved**
1	Adopted NALC STO and modified to reflect Cowling Parish Council references.	**07 Sep 2015**
2	Review of document, references, addresses checked and still valid. Only changes are: Change Clerk/RFO from Mr. A. Mallinson and address to the 'Clerk at Cowling Parish Council, PO Box 679, Keighley, BD21 9GY Change clerk email from russ@msn.com to cowlingparishcouncil.org.uk Add paragraph numbering.	**03 Oct 2022**

Cowling Parish Council
Data management and Freedom of Information policy

Record Management

1. Statement of Intent

The purpose of the policy is to ensure the confidentiality, integrity and availability of information is maintained by implementing best practice to minimise risk.
Information is stored in a variety of forms and the Record Management Policy recognises the different requirements of each. These forms include;

- computer disk / electronic copies
- website
- printed copy

2. Computer Stored

Council data is initially stored on the Clerk's laptop computer. This computer is personally owned by the Clerk and the Clerk is responsible for the updating of non-specialist software and provision of security. Council data will only be stored on the Council's lap-top which is in the possession of the Clerk. The Clerk is responsible for updating all non-specialist software and security for the lap-top and data. Software may be purchased by the Clerk for the purposes of updating or security as appropriate and will be reimbursed on the production of receipts. The Records Management Policy requires that relevant Council data on this computer will be backed up onto an external storage media at least once a week.

3. Websites

Data contained on the website is gleaned primarily from computer held records. The remainder is updated online. All data is replicable and back up storage is of low priority.

4. Voice Recorded

Voice recording is currently not used.

5. Printed Copy

Certain printed material is generated using computers and as such will be recorded and stored along with other files. There are many other documents both received and sent covering current and historical time periods. It is recognised that many documents are of little or no importance after a very short period.

The Records Management Policy requires an assessment of documents annually, and documents which are not required to be kept by law or for audit purposes (see Appendix A) will be destroyed unless considered required on an on-going basis (the majority of such documents will be scanned and held in electronic format).

6. Information Security

The purpose of the policy is to ensure the confidentiality, integrity and availability of information is maintained by implementing best practice to minimise risk.
Information exists in many forms including:

- printed or written on paper

- stored electronically
- published on the internet
- transmitted by post or electronically
- conversational and voice recorded

6.1 Information Security requires the adherence to both the Record Management and the Data Protection polices of the Council.
Information Security is primarily vested in Clerk and any other members of staff. However, individual Councillors are also required to meet the objectives of these policies as well as those contained within the Standing Orders and Code of Conduct.
Where information is sensitive, all recipients are expected to respect the nature of such information and afford it the appropriate level of security. Such security will include the prevention of access by unauthorised personnel.
Nothing within this policy, or those for Record Management and Data Protection, will detract from the basic principles of the Freedom of Information Act.

7. Appendix A: Retention of documents for Audit requirements

DOCUMENT	MINIMUM RETENTION PERIOD	REASON
Minute books	Indefinite	Archive
Receipt and payment account(s)	Indefinite	Archive
Receipt books of all kinds	6 years	Audit/VAT
Bank statements, including deposit/savings accounts	Last completed audit year	Audit
Bank paying-in books	Last completed audit year	Audit
Cheque book stubs	Last completed audit year	Audit
Quotations and tenders	6 years	Statute of Limitations
Paid invoices	6 years	VAT
Paid cheques	6 years	Statute of Limitations
VAT records	6 years	VAT
Insurance policies	Whilst valid	Management

8. Introduction - The Freedom of Information Act:

- Provides public access to recorded information held by public bodies – including local authorities such as Ilkley Parish Council.
- Applies to documentary information and electronic data held by a public body.
- Obliges public bodies to disclose information/data unless an exemption detailed in the legislation is applicable.

9. General enquiries

If you have any queries regarding the Freedom of Information Act, please contact the parish clerk (Mrs L. Whitehead) by telephone (07788237480), by e-mail (cowlingparishcouncil.org.uk).

10 Requests for information

10.1 Requests for information must be in writing and include the enquirer's name and address (a contact telephone number would be helpful though not essential).

10.2. Requests can either be in paper format addressed to the Clerk, Cowling Parish Council, PO Box 607, Keighley, BD21 9GY or via e-mail to cowlingparishcouncil.org.uk

10.3. When requesting information the enquirer does not have to mention the Freedom of Information Act nor the reason(s) why the information is sought.

10.4. The enquirer does not necessarily have to be resident in the parish of Cowling.

10.5. The enquirer can be an individual or an organisation.

10.6. The parish clerk (or, in his absence, the Parish Council Chairman) is responsible for responding to requests.

10.7. Cowling Parish Council has a duty to respond to all requests by informing the enquirer whether or not it holds the requested information and then supplying the information (except where an exemption applies).

10.8. Charges can be made in respect of disbursement costs (copying, printing, postage etc) to reflect the costs incurred in meeting a request.

10.9. Charges will not be made for staff time in sourcing information if the estimated cost is less than £450.00 or 18 hours.

10.10. Requests can be denied if the staffing cost necessary to retrieve/supply the information is greater than £450 or 18 hours (as per exemption 12 of the Freedom of Information Act 2000). Alternatively, a fee notice can be issued setting out the intended amount to be charged for the supply of the requested information.

- Requests can be denied (wholly or in part) if an exemption applies. The Freedom of Information Act contains 32 exemptions but not all of them are applicable to Cowling Parish Council. The exemptions that are most likely to apply to Cowling Parish Council are listed below (the list is not exhaustive).
  1. If the request exceeds the cost limit (as already mentioned).
  2. If the requested information is accessible by other means.
  3. If the requested information is intended for future publication.
  4. If the requested information would prejudice the effective conduct of public affairs.
- Requests for personal information in respect of the enquirer him/herself cannot be dealt with by the Freedom of Information Act. Such requests should be submitted in accordance with the Data Protection Act.
- Cowling Parish Council is statutorily obliged to respond to requests within 20 working days. The day after the request is received is the first day of the 20 (working) days.
- If a request is too vague and/or insufficiently clear, the enquirer will be contacted for clarification. However, the 20 days response timescale would commence the day after a sufficiently clear request has been received.
- If Cowling Parish Council does not hold all the requested information, it will supply the information it does hold and provide guidance as to whom to contact to obtain the remainder of the information.
- If the response is not satisfactory, the enquirer can request a review by contacting (a) the chairman of Cowling Parish Council, whose contact details are available on the parish web site or (b) Freedom of Information Section, Craven District Council, 1 Belle Vue Square,

Broughton Road, Skipton, North Yorkshire BD23 1FJ. (Letters should be marked "Private and Confidential")

- If a review is requested it will be completed within 20 working days (or within 40 working days in exceptional cases).
- If the review(s) is not satisfactory, the enquirer has a right of appeal to the Information Commissioner. Information Commissioner's Office Wycliffe House Water Lane Wilmslow SK9 5AF Tel: 0303 123 1113.

11. Date approved 03 October 2022

12. Chairman .....

13. Minute reference **77.1 - 03 Oct 2022**