Melksham Town Council
Freedom of Information Policy

Date Adopted: 16th February 2026

Date Due For Review Once suggested amendments are made

Freedom of Information Policy

1. Purpose of the Policy

Melksham Town Council is committed to openness, transparency, and accountability in its decision-making and use of public funds. This policy sets out how the Council will comply with the **Freedom of Information Act 2000 (FOIA)** and related legislation, and how members of the public can access information held by the Council.

2. Scope

This policy applies to:

- All recorded information held by Melksham Town Council, regardless of format (paper, electronic, audio, visual).
- All councillors, employees, contractors, and volunteers acting on behalf of the Council.

This policy covers requests made under:

- The **Freedom of Information Act 2000**
- The **Environmental Information Regulations 2004 (EIR)**

3. Legal Framework

- Freedom of Information Act 2000
- The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004
- Environmental Information Regulations 2004
- Data Protection Act 2018 and UK GDPR (where personal data is involved)
- ICO Codes of Practice and guidance

4. Publication Scheme

The Council will maintain and regularly update a **Publication Scheme**, making key information available proactively, including:

- Council structure and responsibilities
- Policies and procedures
- Minutes, agendas, and meeting papers
- Financial information (budgets, accounts, audits)
- Contact details

The Publication Scheme will be available on the Council's website.

5. Making a Freedom of Information Request

Requests for information:

- Must be made **in writing**
- Must include the requester's **name** and **contact address**
- Should clearly describe the information requested

Requests should preferably be sent via the dedicated Freedom of Information email but can be posted or hand delivered. Contact details will be maintained on Melksham Town Council's website Freedom of Information page.

6. Timescales for Response

- The Council will respond to FOI requests **within 20 working days** of receipt, unless we require clarification of the request.
- The Council will acknowledge receipt of the request and confirm the deadline for reply.
- Requests under the Environmental Information Regulations will normally be answered within **20 working days**, and no later than **40 working days** for complex requests.

7. Exemptions and Exceptions

Some information may be withheld where a valid exemption or exception applies, including but not limited to:

- Personal data (Data Protection Act 2018)
- Commercially sensitive information
- Information intended for future publication
- Confidential or legally privileged information

Where an exemption applies, the Council will explain the reason and, where required, apply the **public interest test**.

8. Fees and Charges

- The Council may charge for disbursements such as photocopying or postage.
- No cost will be applied for the first 14 hours of working on the request. After this, £25 per hour of staff time will be applied.
- Registered charities will not be charged
- A fee notice will be issued to the requestor allowing 30 days for payment, which will need to be made before the request continues to be processed.

- If payment is not received within 30 working days, a reminder will be sent to the requestor, and another 30 days will be given (60 days in total from the original fee notice). If payment is not received, it will be assumed the information is no longer required and the Council are no longer obligated to proceed with the request.
- Any charges will be communicated in advance.

9. Refusals

If a request is refused, the Council will:

- Provide a written explanation
- Cite the relevant exemption or exception
- Inform the requester of their right to request an internal review

10. Internal Review and Complaints

If a requester is dissatisfied with the response, they may request an **internal review** within 40 working days.

If still dissatisfied after the review, the requester may complain to:
The Information Commissioner's Office (ICO)

11. Roles and Responsibilities

- The Committee Clerk will have day to day responsibility for managing FOI requests but the CEO will have overall authority.
- All councillors and staff must assist in locating and providing information when requested.
- Training and awareness will be provided as appropriate.