



Kenilworth Town Council

Jubilee House, Smalley Place, Kenilworth, CV8 1QG

Telephone: 01926 859155

E-mail: kentc@kenilworth.org

Town Clerk: Miss M S Field

FREEDOM OF INFORMATION (FOI) AND DOCUMENT RETENTION POLICY

Date of Approval – 7 September 2023

Date of Review – September 2026

Introduction

Kenilworth Town Council is committed to complying with the provisions of the Freedom of Information Act 2000 and the Data Protection Act 2018. This includes publishing or making available information held by it in accordance with the Freedom of Information Act 2000 as set out below.

Freedom Of Information Act 2000

- This policy applies to all information the Council holds, regardless of how it was created or received. It applies regardless of the media the information is stored in, whether the information is paper-based, held electronically or as an audio recording. The Act is fully retrospective.
- *People shall have a right to know about the activities of the Town Council, unless there is a good reason for them not to.*
- *An applicant (requester) shall not be required to provide a reason for requesting information. The Town Council shall however justify refusing a request.*
- *The Town Council shall treat all requests for information equally, except under some circumstances relating to vexatious requests and personal data.*

Dealing with Requests

Kenilworth Town Council is committed to dealing with requests within the statutory timescales of no more than 20 working days. This can be extended in specific circumstances on legal advice. However, the Council is committed to providing a prompt service.

The Town Council will claim exemptions as appropriate whilst maintaining a commitment to openness, scrutiny and the public interest and will inform the FOI applicant when exemptions have been applied. Where appropriate, requests in writing will be treated as FOI requests.

Making a Freedom of Information Request

Any request for information under the Freedom of Information Act 2000, should:-

- Be in writing, addressed to the Town Clerk and sent to Jubilee House, Smalley Place, Kenilworth, Warwickshire, CV8 1QG or by email to townclerk@kenilworth.org.
- Contain the name and address of the requester.
- Contain sufficient information to allow the Council to locate the information requested.
- Be legible.

Once a request is received, the Town Council has 20 working days to:-

- Confirm whether the information requested is held.
- Advise whether a fee is payable for the information.
- Advise who may hold the information if the Council does not have it (if the information requested is held by another public authority, then the request may be transferred to the correct body with the requester's agreement)

All requests will be recorded by the Town Council and will be handled in accordance with The Freedom of Information Act 2000 and the Data Protection Act 1998. If more information is needed the 20 days will not start until the information is received.

Qualified Persons

Under section 36 of the Freedom of Information Act 2000 (FOI) and as directed by the Parliamentary Under Secretary of State, the Town Clerk acts as the Primary Authorisation for Freedom of Information requests and the Town Mayor as the Secondary Authorisation point.

Procedures

Due to the nature of this Council's activities it is not envisaged that redaction issues will arise over the release of information, with the other likely scenarios and exemptions being covered within the information issued by the Information Commissioner's Office (ICO), along with the Code of Practice (Section 45) and Records Management (Section 46) requirements of the FOI.

Should a request be received that cannot be resolved by the Clerk, or is vexatious or repeated, then, after referral to the Mayor, additional members, drawn from the Deputy Mayor, Leaders and Chair(s) of the Committee(s) etc, covering the aspects which are the subject of the request are to conduct an Internal Review of the application. Specialists are to be co-opted as required.

All responses are to comply with the requirements of the relevant legislation, including time limits, along with the relevant Guidance Sections and Codes of Practice issued by the ICO.

The Council is registered with the ICO, register entry number Z2761384.

Publication Scheme and Document Retention

Details of the availability of documents, copying (normally free of charge for a single copy) and associated requirements are contained in Annex A to this section.

All electronic material (including accounts, Council documents and minutes, policy matters, recordable decisions by officers and Members, PAYE and VAT accounts) is backed-up on a daily basis and maintained to ensure that the council complies with HMRC stipulations and any other regulatory requirements. In addition, the Council is committed to minimizing the period of any disruption of business following any form of incident.

It is imperative that documents are retained for an adequate period of time. If documents -are destroyed prematurely the Town Council and individual officers concerned could face prosecution for not complying with legislation and it could cause operational difficulties, reputational damage and difficulty in defending any claim brought against the Town Council.

In contrast to the above the Town Council should not retain documents longer than is necessary. Timely disposal should be undertaken to ensure compliance with the Data Protection Act 2018 so that personal information including Employee Records are not retained longer than necessary. This will also ensure the most efficient use of limited storage space.

List of Documents for Retention and Disposal

The retention period should be the number of years specified **plus** the current financial period (i.e. three years plus the current period, therefore at least three years documentation will always be retained at any given point in time).

This list is not exhaustive. If you are unsure about any documentation, contact the Town Clerk for clarification.

Document	Retention Period	Method of Disposal Shredding
Financial		
Receipt and payment account(s)	Indefinite	
Receipt books of all kinds	6 years	
Bank statements, including deposit/savings accounts	Last completed audit year	
Bank paying-in books	Last completed audit year	
Cheque book stubs	Last completed audit year	
Paid invoices	6 years	
Paid cheques	6 years	
VAT and HMRC records	6 years	
Petty cash, postage and telephone books	6 years	
Salary Sheets including superannuation	12 years	
Investments	Indefinite	
Time Sheets	Last completed audit year	
Personnel		
Pension Records	Until individual reaches state pension age	
Personnel Records / Employment Contracts	7 years after termination of employment	
Identification Documents	2 years after termination of employment	
Corporate		
Minutes	Indefinite	
Scales of fees and charges	6 years	
Quotations and tenders	12 years	
Insurance policies	2 years	
Certificates for Employers' Liability insurance	40 years from date insurance commenced or was renewed	
Title deeds, leases, agreements, contracts	Indefinite	
Allotments register and plans	Indefinite	
Complaints	3 years	
Members Allowance Register	6 years	
Member Filming Records of Public Meetings	6 years	
Neighbourhood Plans	Indefinite	
Routine papers, correspondence and emails	Retain as long as useful	
Health & Safety		
Accident Forms	25 years	
Incident Forms	25 years	
Risk Assessments	On going	
H&S Docs and External Contractor	4 years	
Records of any reportable injuries, diseases or dangerous occurrences	3 years	

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KENILWORTH TOWN COUNCIL - PUBLICATION SCHEME

<u>INFORMATION TO BE PUBLISHED.</u>	How the information can be obtained, additional to enquiry with or at the Council offices.	Cost See below
<u>Class 1 - Who we are and what we do</u> (Organisational information structures, locations and contacts). This is current information only.		
Who's who on the Council and its Committees.	KTC Website, Noticeboard.	
Contact details for Town Clerk and Council members (named contacts where possible with telephone number and email address, if used). Members have the choice to opt out of sharing their personal address and telephone number. If a Member opts out, the relevant information shared will be for the Council Office and any messages will be passed onto individual Councillors.	Noticeboard and KTC Website. Address, telephone, email and web site are detailed at the end of this document.	
Location of main Council office and accessibility details. The Jubilee House offices are not a call-in facility (by appointment only); those services are provided by the Library.	KTC Website, Noticeboard.	
Staffing structure.	KTC Website	
<u>COST: All Class 1 items are free for a single copy per elector.</u>		
<u>Class 2 - What we spend and how we spend it</u> (Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit).		Cost See below
Annual return form and report to auditor.	Kenilworth Library/ Website/Noticeboard. Agenda/Minutes	
Finalized budget.	Noticeboard/ Website/ Agenda/Minutes.	
Precept.	Agenda/Minutes Kenilworth Library and Website Council Tax information data (WDC).	

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Borrowing Approval letter.	Not presently applicable	
Financial Standing Orders and Regulations.	Council Offices and KTC website	
Grants given and received.	Agenda/Minutes and hardcopy.	
List of current contracts awarded and value of contract.	Agenda/Minutes and hardcopy.	
Members' allowances and expenses (Mayoral allowance only).	Accounts, Agenda/Minutes, Website	

COST: All Class 2 items are free for a single copy per elector.		
<u>CLASS 3 - What our priorities are and how we are doing</u> (Strategies and plans, performance indicators, audits, inspections and reviews).		Cost See below
Parish Plan (current and previous year as a minimum).	Not applicable	
Annual Report to Parish or Community Meeting (current and previous year as a minimum).	Town Assembly Agenda/Minutes Kenilworth Library, Website and hardcopy.	
Quality status.	Not applicable; reviewed periodically.	
Local charters drawn up in accordance with DCLG guidelines.	Not applicable	
Neighbourhood Plan.	Kenilworth Library, Website and hardcopy.	
COST: All Class 3 items are free for a single copy per elector.		
<u>CLASS 4 - How we make decisions</u> (Decision making processes and records of decisions). Current and previous council year as a minimum.		Cost See below
Timetable of meetings (council, any committee/sub-committee meetings and Town meetings).	Hard Copy, Kenilworth Library, Website	

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Agendas of meetings (as above).	Hard Copy, Kenilworth Library, Website	
Minutes of meetings (as above). NB. This excludes information that is properly regarded as private to the meeting.	Hard Copy, Kenilworth Library, Website	
Reports presented to council meetings. NB. This excludes information that is properly regarded as private to the meeting.	Hard Copy, Kenilworth Library, Website	
Responses to consultation papers (including draft Area Action Plan and Neighbourhood Plan)	Hard Copy at the Kenilworth Library Website WDC/WCC/HS2 and Parliamentary/EH etc Websites as applicable respectively	
Responses to planning applications (Contained within minutes of Planning Committee).	Hard Copy Kenilworth Library Website WDC/WCC Websites as applicable	

Bye-laws.	Not applicable. Refer to Warwick District Council and their website.	
COST: All Class 4 items are free for a single copy per elector.		
<u>Class 5 - Our policies and procedures</u> (Current written protocols, policies and procedures for delivering our services and responsibilities). (Current information only).		Cost See below
Policies and procedures for the conduct of council business.	Hard Copy Website	
Procedural standing orders.	Hard Copy, Website	

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Committee and sub-committee terms of reference.	Hard Copy	
Delegated authority in respect of officers.	Website Hard Copy Kenilworth Library	
Code of Conduct.	Website WDC website Hard Copy Kenilworth Library	
Policy statements.	Hard Copy, Kenilworth Library Website. WDC website	
Policies and procedures for the provision of services and about the employment of staff	Hard Copy	
Internal policies relating to the delivery of services.	No services except Castle Passes; covered in standing orders, in the Castle Pass policy and on the application forms.	
Equalities Statement	Hard Copy, Website	
Health and safety policy	Hard Copy/WDC for building aspects Town Clerk	
Recruitment policies (including current vacancies)	Hard Copy	
Policies and procedures for handling requests for information (via Town Clerk)	Hardcopy, Website	
Complaints procedures (including covering for information and operating the publication scheme)	Hard Copy Town Clerk/Mayor	

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	Website	
Information security policies	Hard Copy Standing Orders Website	
Records management policies (records retention, destruction and archive)	Hard Copy Website	
Data protection policies/Privacy Statement	Hard Copy ICO registration Standing Orders Website	
Schedule of charges (for the publication of information).	Standing Orders FOI Website	
COST: All Class 5 items are free for a single copy per elector.		
CLASS 6 – Lists And Registers		Cost
(Currently maintained lists and registers only).		See footer
Any publicly available register or list.	No registers are held that are available for inspection; Electoral Registers may be viewed upon application to WDC Electoral services.	
Assets Register.	Hard Copy including Kenilworth Library Annual Balance Sheet (Kenilworth Library) Website	
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).	Hard Copy	
Register of members' interests.	Hard Copy and website.	
Registers of gifts and hospitality (Town Mayor, Councillors and Council staff).	Hard Copy	
COST: All Class 6 items are free for a single copy per elector.		
CLASS 7 - The Services We Offer		Cost

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(information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses). (Current information only).		See below
Allotments. Two owned and one leased site (WDC site ownership-transfer of ownership in progress)	Hard Copy. Details are through Kenilworth Allotments Tenants Association (KATA).	
Burial grounds and closed churchyards.	Not applicable	
Community centres and village halls – WCC/WDC	Not applicable	
Parks, playing fields and recreational facilities (WDC)	None	
Seating, memorials, lighting and grit bins (grit bins filled by WCC). (Only grit bins though KTC; Council will provide grit bins on an individually approved basis).	Standing Orders Grit Bins - requests through Council Offices Grit Bin Locations – Council Offices and Library (Listing)	
Bus shelters.	None	
Markets.	None (WDC)	
Public conveniences.	None (WDC)	
Agency agreements.	None	
A summary of services for which the council is entitled to recover a fee, together with those fees (e.g. burial fees).	Not applicable other than Castle Passes; detailed in Schedule of Charges.	
Four Leaflets currently issued, 1xVisit Kenilworth 3x Trail Leaflets. Leaflets are also issued by other bodies. See WCC, WDC, English Heritage, Business Partnership etc information leaflets, events listings and similar.	Library, Town Council, Castle and local businesses. WCC and WDC websites. Web sites.	
Clocks, litter bins	None	
COST: All Class 7 items are free for a single copy per elector.		

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<u>ADDITIONAL INFORMATION</u> This advises information that is not itemised in the lists above.		
DESCRIPTION		BASIS OF CHARGE
The Council owns the freehold of Kenilworth Castle and administers part of Castle Green (village green). The Council owns the Odibourne and Spring Lane allotments sites, and leases the Beehive Hill allotment site from WDC. We are currently in the process of receiving the Beehive Hill allotment site from WDC into KTC ownership.		N/A Periodic review. Leased/sub-leased to the Kenilworth Allotment Tenants Association (KATA) who set plot rates and any other associated charges; details from KATA.

<u>SCHEDULE OF CHARGES</u> This describes how the charges have been arrived at.		
TYPE OF CHARGE	DESCRIPTION	BASIS OF CHARGE
Printing and disbursement cost for additional copies of Council business (only).	Photocopying and printing @ 10p per image (black & white) (A5 and A4 sizes). A3 size: £0.20p per copy. Colour material (including photocopies @ 15p per image (A4 size) and 30p per image A3 size. Duplex printing, image zoom and reduction can be undertaken upon request subject to availability and system capacity. Postage.	All subject to reasonable notice, with timescales for production depending upon the volumes required. Cost includes paper (80 gsm white). Coloured paper may be available upon request. Actual cost of 2 nd Class Royal Mail Standard and Large Letter, or equivalent for heavier items, or as requested. Special packing materials are supplied at cost price.
Statutory Fee.	Not normally applicable.	In accordance with the relevant legislation.

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Kenilworth Castle Pass.	Entry to Castle for residents in normal business hours. Valid for 10 years. Includes provision for disabled carers. Local Care Home passes also available.	£5 per Pass (subsidized). See online application form available on our website at www.kenilworthweb.co.uk/information/castlepass/castle-pass-application-form/ . Paper copies will remain available, obtainable from the Library, Kenilworth Castle and the Council offices.
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CONTACT DETAILS

Jubilee House Kenilworth	Kenilworth Town Council Smalley Place CV8 1QG	Tel: 01926 859155 Email: kentc@kenilworth.org www.kenilworthweb.co.uk
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