

## **CRIGGLESTONE PARISH COUNCIL**

### **Freedom of Information Policy**

#### **Duties under Freedom of Information Act 2000**

The Parish Council has the following duties:

- To adopt a publication scheme
- To confirm or deny they have the information being sought
- To supply the information requested within twenty working days, unless it is subject to one of various exemptions
- To supply the information in the format requested
- To provide advice and assistance to a requestor of information
- To give formal notice to the requestor where it refuses to provide the information requested

#### **Publication Scheme**

Crigglestone Parish Council adopted a publication scheme on 2 December 2008. This shows what the Council does and how to obtain information. The publication scheme is on the Council's website.

#### **Process**

A request must be submitted in writing by post or email stating the requestor's name, correspondence address and the information sought.

On receipt of a request for information, the Clerk will acknowledge the request and confirm or deny that the Council has the information sought.

The requestor may decide the format of the information required: hard copy, electronic file or Braille/tape.

The Clerk will respond within 20 working days. There is no need to refer the request to the Council. If the request is refused, a refusal notice will be issued giving full details of the grounds for refusal. The decision can be challenged through the complaints procedure and if still dissatisfied the requestor can complain to the Information Commissioner's Office.

If information is available elsewhere – library, District Council etc – the request can be refused and the requestor advised where the information may be sought.

#### **Fees**

Fees will be charged for photocopying and postage and requestor will be informed in advance that a fee is payable. The Council may not charge for the time taken to research and respond to the request. If it will take more than 18 hours the Council can refuse a request for further work. Details of charges are shown in the Council's Publication Scheme.

#### **Requests**

Requests are not limited to residents of the parish.

#### **Exemptions**

An entire request can be refused 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 for the same person

In addition, the Freedom of Information Act contains a number of exemptions that allow a Council to withhold information from a requestor. In some cases it will allow a council to refuse to confirm or deny whether information is held.

## **Environmental Information Regulations 2004**

These regulations cover requests for information covering subjects such as:

- Atmosphere, water, soil, land, landscape and natural sites
- Energy, noise, radiation, waste, emissions, discharges
- Environmental policies, legislation, plans, programmes, agreements
- State of human health and safety

The regulations differ in that the time limit can be extended to 40 days, the range of bodies covered is wider and requests can be verbal.

The time limit here is 20 working days but can be extended to 40, and the request can be verbal rather than in writing. A reasonable fee can be charged for responding.

## **Data Protection Act 1998**

The Parish Council will observe the provisions of the Data Protection Act 1998.

See [www.ico.gov.uk](http://www.ico.gov.uk) The Council, as a Data Controller, notifies the Information Commissioner's Office on an annual basis.

For further information on the provisions of both acts see [www.ico.gov.uk](http://www.ico.gov.uk)

Adopted 01 05 12

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