

# **INGLEBY GREENHOW PARISH COUNCIL FREEDOM OF INFORMATION POLICY.**

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## 1. Introduction

The Freedom of Information Act 2000 ('the Act') (FOIA) and Environmental Information Regulations 2004 (EIR) place legislative requirement on all public authorities, including local Councils.

- These laws established the legal Right to Know, a presumption in favor of public access to information held by public authorities, subject to certain exemptions, and other measures to improve public sector transparency.
- The Council is obliged to provide information.
  - Through a publication scheme
  - In response to requests made under the general right of access.
- When responding to requests there are set procedures that the Council needs to follow. These include:
  - The time limit public authorities are allowed for the responding to requests.
  - The fee or amount that the public authorities can charge for dealing with requests. Public Authorities are not obliged to deal with requests if the cost of finding the information exceed a set amount known as the appropriate limit.
  - Public Authorities need not to comply with vexatious or repeated requests.

The Act also recognises that there are valid reasons for withholding information by setting out several exemptions from the right to know some of which are subject to a public interest test.

## 2. Policy Statement

As part of a society where information right and responsibilities are respected by all. Ingleby Greenhow Parish Council will aim to move away from the need for individual freedom of information requests and complaints toward a culture of routine, proactive and substantially increased transparency on the part of the Council by:

- Being open and transparent and endeavoring to provide the public with access to the official information that it holds, as a matter of course.
- Making people aware for their rights to access the official information the Council holds.
- Making as much routine information as possible available through the Council Publication Scheme and Website.

- Providing reasonable advice and assistance to applicants for information including pointing applicants to possible sources of the information they seek if it is not held by the Council.

### 3. Dealing with Requests for Information

- (i) Members of the Public have a general right of access to information held by Ingleby Greenhow Parish Council.
  - To be told whether or not the information is held by the Council and
  - If it is, to have the information communicated to them.
- (ii) Requests for information must be in writing, must give the applicants name and return address and must describe the information requested in such a way that the PC is able to locate it.
- (iii) All requests for information will be logged on a record sheet.
- (iv) Receipt will be acknowledged but if it is possible to respond with the information requested, this will be done instead. If further time is required to locate the information requested this will be undertaken as quickly as possible within the times scale.
- (v) The Council has 20 working days in which to deal with your request for information. If it is Not clear what information is required, the 20 days period does not begin until clarification is received from the applicant.
- (vi) A charge will be made for the photocopying of information requested as follows:
  - 10p per single A4 sheet
  - Additionally, postage will be charged at cost.
  - If the cost of the finding, sorting, and the information requested is more than £450 then, under the FOI Act, the Council **does not** have to provide the information.
- (vii) Any requests for information that is not contained in the Publication Scheme will be passed to the Council Clerk to deal with under the FOI Act. A certain amount of guidance on dealing with requests are held by the Clerk, but it may be necessary that further specific guidance will be required from the Information Commissioner's Office. If the Clerk is unsure as to whether a request for information is routine or not, they will refer to the Chairman of the Council as certain information is covered by the Data Protection Act.
  - The applicant will be kept informed at all stages of the process of supplying the information requested, particularly if it is complex request, when guidance may have to be sought from other agencies.
  - If a request is refused, the refusal notice will give the reasons for refusing the request.

