

# Freedom of Information Policy

Greatwood Hall

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It is Checkley Parish Council's policy to act in accordance with The Freedom of Information Act 2000, the pertinent points of which are outlined below and also The Audit Commission's Transparency for Smaller Authorities. This policy is supplemented by a Publication Scheme based on the Information Commissioner's Model Publication Scheme, which is available on the Information Commissioner's Office website ([www.ico.org.uk](http://www.ico.org.uk)).

### **The Freedom of Information Act 2000:**

- Provides public access to recorded information held by public bodies – including local authorities such as Checkley 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.

### **General Enquiries**



If you have any queries regarding the Freedom of Information Act, please contact the Parish Clerk whose contact details are listed on the Parish Councils website ([www.checkleyparishcouncil.co.uk](http://www.checkleyparishcouncil.co.uk)).

### **Requests for Information**

- 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).
- Requests can either be in paper format or in electronic format via e-mail.
- When requesting information, the enquirer does not have to mention the Freedom of Information Act nor the reason(s) why the information is sought.
- The enquirer does not necessarily have to be resident in the parish of Checkley.
- The enquirer can be an individual or an organisation.
- The Parish Clerk is responsible for responding to requests.
- All responses will be in writing.
- Checkley 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).
- Charges can be made in respect of disbursement costs (copying, printing, postage etc) to reflect the costs incurred in meeting a request.
- 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). 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 Checkley Parish Council. The exemptions that are most likely to apply to Checkley Parish Council are listed below (the list is not exhaustive). (i) If the request exceeds the cost limit (as already mentioned). (ii) If the requested information is accessible by other means. (iii) If the requested information is intended for future publication. (iv) 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 General Data Protection Regulations 2018 using the Subject Access Request Policy which can be found on the Parish Council's website ([www.checkleyparishcouncil.co.uk](http://www.checkleyparishcouncil.co.uk)).
- Checkley 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 Checkley 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, in writing, the Chairman of Checkley Parish Council at their home address which is listed on the Parish Council website ([www.checkleyparishcouncil.co.uk](http://www.checkleyparishcouncil.co.uk)).

- 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 [www.ico.gov.uk](http://www.ico.gov.uk)

***This Freedom of Information Policy was reviewed and adopted by Checkley Parish Council:***

<b>Meeting Date:</b>	15 <sup>th</sup> September 2020
<b>Minute Reference:</b>	09.20/5c
<b>Signed By:</b>	
	<b>The Chairman (Vice)</b>
<b>Signed By:</b>	
	<b>The Parish Clerk</b>