

BRINSLEY PARISH COUNCIL

FREEDOM OF INFORMATION POLICY

1. Purpose

This policy outlines the Parish Council's approach to handling requests for information under the Freedom of Information Act 2000 (FOIA). It provides transparency in how the council operates, ensuring that individuals and organisations can access information held by the council, subject to exemptions.

2. Scope

The policy applies to all information held by the Parish Council, including records, documents, emails, and other forms of communication, whether in physical or electronic form. It covers any request for information made under the Freedom of Information Act 2000.

3. Making a Request

Requests for information can be made:

- In writing (by email or letter)
- Verbally (in person or by phone)
- Electronically (via email or the website)

Although requests can be made verbally, the council may ask for them to be confirmed in writing to ensure accuracy and clarity.

Requests should include:

- The requester's name and contact details
- A description of the information being requested
- The format in which the requester would prefer to receive the information (e.g., paper, email)

4. Timeframe for Response

The council will aim to respond to all FOI requests within 20 working days from the date the request is received. If the council needs more time to process the request or if an exemption applies, the requester will be informed.

5. Exemptions

Certain information may be exempt from disclosure under the Freedom of Information Act. These exemptions include, but are not limited to:

- Personal data (under the Data Protection Act 2018)
- Information held for law enforcement purposes
- Commercially sensitive information
- Information that could harm national security

If an exemption applies, the council will explain why the information cannot be provided.

6. Charges for Information

In most cases, information will be provided free of charge. However, the council may charge for the time spent locating and preparing the information or for copying costs.

If a charge applies, the requester will be informed in advance.

7. Refusal of Request

In certain circumstances, the council may refuse to provide the requested information. Common reasons for refusal include:

- The request is too broad or vague
- The information is already publicly available
- The request falls under one of the exemptions

If a request is refused, the council will provide a clear explanation and, where possible, offer guidance on how to refine the request.

8. Review and Appeal

If a requester is dissatisfied with the council's response or decision, they may ask for an internal review. The review will consider whether the response complied with the law and whether the correct exemptions were applied. If the requester is still dissatisfied after the review, they may appeal to the Information Commissioner's Office (ICO).

9. Publication Scheme

In line with the Freedom of Information Act, the council maintains a Publication Scheme that provides information about the types of information the council routinely publishes, such as:

- Minutes and agendas for council meetings
- Annual accounts and financial reports
- Policies and procedures
- Contact details for councillors and staff

The Publication Scheme can be accessed on the Parish Council website or by request.

10. Monitoring and Review

This policy will be reviewed every 3 years to ensure compliance with the Freedom of Information Act 2000 and any changes in legislation.