

Campton and Chicksands Parish Council

Freedom of Information policy.

ADOPTED MAY 2023

REVIEWED 2024

1. INTRODUCTION

1.1. Campton and Chicksands Parish Council (CACS) is committed to the Freedom of Information Act 2000 and will meet all obligations so required under it.

1.2. Wherever possible, CACS will provide additional information beyond the limited requirements of the Freedom of Information Act 2000 but will be conscious of the Data Protection Act 2018 and Copyright Laws.

2. REQUESTS FOR INFORMATION

2.1. You might not need to make a Freedom of Information (FOI) request if CACS has already; 2.1.1. Published the information.

2.1.2. Previously responded to an FOI request.

2.2. Before you make a request for information, please check with CACS via the Clerk

2.2.1. By email tammy.medley@btinternet.com or

2.2.2. By telephone 07955521174.

2.3. All requests for information must:

2.3.1. Be made in writing (including in email form) in a legible form and capable of being used for subsequent reference.

2.3.2. Include the name and full contact details of the member of the public or legal persons (e.g. a corporate body) who has requested it. Requests sent using pseudonyms are not validly made requests (e.g.: Mr Santa Claus, North Pole Lane).

2.3.3. Contain details of the information required.

2.3.4. Contain the manner in which the information is to be provided e.g.: via email, in person etc

2.3.5. Be sent by e-mail to tammy.medley@btinternet.com or by post to CACS Parish Council c/o 24 Nuneham Grove, Westcroft, Milton Keynes, MK4 4DH.

2.4. If you cannot make your request in writing because of a disability, contact CACS and we will help you to make the request another way - for example over the telephone.

3. HOW THE REQUESTS WILL BE HANDLED

3.1. Requests will be handled in a logical manner. If the information is available on CACS website, those enquiring will be so directed.

3.2. CACS will determine whether it holds the information. If not, CACS will issue a notice to this effect.

3.3. The Clerk will aim to satisfy all information requests within twenty working days following its receipt. The first day starts the day after a valid request is received by CACS. The date on which a request is received is the day on which it arrive or, if this is not a working day, the first working day following its arrival. Non-working days include weekends and public holidays.

3.4. Where the information is to be provided in hard copy form, CACS reserves the right to make a nominal charge to cover costs. CACS will determine whether there will be a charge and will issue a fee notice (the applicant has three months to pay the required fee beginning on the day the fee notice is received). If payment is not made within 3 months CACS does not have to answer the information request. When the payment is received the twenty-day period for the response resumes the day after receipt.

3.5. CACS will compile the information for the request.

3.6. CACS will assess if any exemptions and apply the public interest test (if the request is subject to an exemption, then an exemption notice must be issued to the applicant).

3.7. CACS will consider whether the information contains personal information. If information relates to any personal information under Section 40 (2) to (4) of the Freedom of Information Act 2000 it becomes subject to the Data Protection Act 2018 and might be exempt.

3.8. The Classes of Information will not generally include information that is no longer readily available as it is contained in files that have been placed in archive storage or is difficult to access for similar reasons.

3.9. CACS will provide the requested information or issue an exemption notice, stating the reason why it is exempt and outlining the complaints / appeal process.

3.10. A record will be kept of all requests received as per the FOI Internal Control Sheet (Template 8).

4. NOTICES

4.1. A notice is a letter on CACS headed paper informing the applicant of CACS's decision and the reason for it.

5. EXEMPTIONS

5.1. Exemptions to the provision of information under section 14 of the Freedom of Information Act 2000 covers vexatious (includes repeated or obsessive requests). Section 14 Vexatious or repeated requests. (1) Section 1(1) does not oblige a public authority to comply with a request for information if the request is vexatious. (2) Where a public authority has previously complied with a request for information which was made by any person, it is not obliged to comply with a subsequent identical or substantially similar request from that person unless a reasonable interval has elapsed between compliance with the previous request and the making of the current request.

5.2. If CACS decides based on evidence, that a request is vexatious, repeated or obsessive it can make the decision not to enter into any further correspondence with that individual and will issue a notice to that affect.

5.3. Exemptions to the provision of information under section 12 of the Freedom of Information Act 2000 covers requests that exceed an appropriate cost limit as set out in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (the 2004 Regulations). This is currently £450, equivalent to 18 hours' work at £25 per hour regardless of actual hourly rates. When estimating whether responding to a request would breach the cost limit CACS will include:

5.3.1. Establishing whether the information is held.

5.3.2. Locating and retrieving information.

5.3.3. Extracting relevant information from the document containing it.

5.4. If CACS decides based on evidence, that a request exceeds the cost limit, they will discuss with the requester whether they would like to modify their request so as to reduce costs to below the £450 limit. If no modification is made CACS will issue a notice refusing the information request.

6. THE COMPLAINTS / APPEAL PROCESS

6.1. In the first instance the applicant will make an appeal to CACS as per the CACS Complaints Policy. CACS will review the request again and based on the evidence either uphold the exemption or provide the requested information.

6.2. If CACS decides to uphold its decision, then the applicant can appeal to the Information Commissioners Office (ICO). The ICO's contact details are: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF. Tel: 0303 123 1113. Alternatively, visit the ICO's website www.ico.org.uk 6.3. The ICO may uphold CACS's decision on the exemption or ask CACS to comply with the request.