

Elloughton cum Brough Town Council

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Freedom of Information Policy

Document History

Adopted by Council – 15th May 2023

To be reviewed – May 2024

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Town Clerk

1. Introduction

- 1.1 Compliance with the Freedom of Information Act 2000 is the legal responsibility of local authorities and other public organisations.
- 1.2 Since January 2005 people have had a right to know what decisions are taken on their behalf, and how services are run. They can ask to see not only printed leaflets and other publications, but also any background files and other records relating to the business of the organisation, unless statutory exemptions apply.
- 1.3 The Town Council has published a Publication Scheme and Information Guide, which makes clear what information can be accessed and outlines any charges associated with the publication of information.
- 1.4 Any additional information which is not part of the Publication Scheme and Information Guide can be requested under the Freedom of Information Act 2000.
- 1.5 Where any correspondence is received from the Information Commissioner's Office in relation to a Freedom of Information matter, this will be referred to the Council or the appropriate committee for attention.

2. Request for information

- 2.1 Responsibility for dealing with all requests for information has been delegated to the Town Clerk.
- 2.2 A request for information must be made by letter or e-mail to the Town Clerk. The request must include a contact name, an address for correspondence and statement setting out clearly what information is required.
- 2.3 The first step will be to identify whether the requested data is held by the Council. If not, the applicant will be notified accordingly.
- 2.4 If the information is held, and is not subject to any exemption, it will normally be supplied within 20 working days unless there is a fee to pay or further clarification must be sought.
- 2.5 If the request for information is unclear, the Town Clerk will contact the applicant to clarify what data is being sought. If clarification is required, the 20 working day period will commence on receipt of the additional information.
- 2.6 If the information is not held by the Council, but the Council is aware of another public body which may hold the information, the applicant will be informed and asked to contact the third party concerned.
- 2.7 Where information cannot be provided, a refusal notice will be issued explaining which exemption applies, and advising of any right to appeal, if applicable.
- 2.8 Where information is subject to a 'qualified exemption' under the Freedom of Information Act, there may be an extension to the 20 working day period whilst further consideration is given to applying the public interest test, to determine whether any information should be withheld or disclosed.

3. Complaint

3.1 Where any complaint is received about the processing of any request for information, this will be referred to the Council or appropriate committee for further consideration.

4. Relevant legislation

4.1 The Council will meet its responsibilities under the Freedom of Information Act 2000, and will provide, as far as is reasonably practicable, the resources necessary to fulfil this commitment.

4.2 This section provides an overview of relevant openness and transparency legislation:

- Freedom of Information Act 2000
- Data Protection (Appropriate Limit and Fees) Regulations 2004 (SI.3244)
- Environmental Information Regulations 2004
- General Data Protection Regulations 2018