

The Freedom of Information Act 2000 (FOIA) is concerned with ensuring the public sector is more accountable for decisions and actions taken. It does this in two ways - general right of access and publication schemes. This document deals with the general right of access; the Parish Council publishes the Model Publication Scheme separately.

General Right of Access

The FOIA allows any person or organisation the right of access (subject to exemptions) to any recorded information held by public authorities.

Arrangements for Access to Information

Under the FOIA 2000, the Council has a duty to adopt and maintain a Model Publication Scheme. This commits a Parish Council to produce and publish the method by which the specific information will be available so that it can be easily identified and accessed by members of the public:

- a. To ensure that the public know what information is available and how it can be obtained.
- b. Who the contact is for requests for information, how arrangements are made for if they wish to view the information in person, considering the possibility that certain information only lends itself to be viewed in person. In such circumstances an appointment to view the information must also be arranged within a reasonable timescale.
- c. To provide information in the language in which it is held or in such other language that is legally required. To translate any information where the council is legally required to do so.
- d. To adhere to requirements under disability and discrimination legislation and any other legislation to provide information in other forms and formats.

The classes of information which the Council must provide information in respect of are:

- a. Organisational information, locations and contacts.
- b. Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts.
- c. Council priorities.
- d. Policy and procedure for delivery of services and in respect of employment, and for the conduct of council business (includes Standing Orders, committee and sub-committee terms of reference, delegated authority in respect of officers, adopted Code of Conduct, complaints procedures, data management, records management).
- e. Current written protocols for delivering functions and responsibilities.
- f. Information held in registers required by law and other lists and registers relating to the functions of the authority.
- g. Services offered.

Making a request

All requests for information should be made in writing to the Parish Clerk:
hawksheadparishcouncil@gmail.com

It is not necessary to:

- Request a specific form to make the application.
- Write the request in a specific way.
- Mention the FIOA.
- Give a reason for the request.

What are the exemptions?

The Act sets out 23 exemptions which public authorities can use to decline the release of information. The exemptions are complex and do not apply automatically. It is always safer to assume that information can be released. In general, information about individuals is protected from release by the Data Protection Act.

How long do we have to provide the information?

Information must be provided as soon as possible and within 20 clear working days of the date the request was received. During this time, it must be decided what is going to be released and the requester provided with the information or told why the information is not being released.

Council Staff Responsibilities

It is important that a request is identified and dealt with appropriately. All FOIA requests will be processed by the Clerk to the Council. Common sense should be applied to all enquiries and requests. Under the FOIA the Council has a duty to assist enquirers.

The FOIA makes it a criminal offence to damage, alter or conceal records where a valid request has been received.

This policy is reviewed annually.