

Policy & Procedure for Information Requests

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1 Introduction

- 1.1 Alderton Parish Council (APC) is committed to the Freedom of Information Act 2000 and will meet all obligations so required under it.
- 1.2 Wherever possible, APC 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 APC has already
 - i. published the information.
 - ii. previously responded to an FOI request.

Before you make a request for information, please check with APC via the Clerk by email clerk@aldertonparishcouncil.org.uk or

- 2.2 All requests for information should be made in writing by email or letter to APC via the Clerk
 - i. by e-mail to clerk@aldertonparishcouncil.org.uk or
 - ii. by post to 21 Beckford Road, Alderton, Tewkesbury, GL20 8NL

A request for information must include

- i. the name and full contact details of the member of the public who has requested it and
- ii. contain details of the information required.

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

3 How the Requests are handled

- 3.1 Requests will be handled in a logical manner. If the information is available on APC website, those enquiring by email will be so directed.
- 3.2 APC will determine whether it holds the information. If not, APC will issue notice to this effect.
- 3.3 Where the information is to be provided in hard copy form, APC reserves the right to make a nominal charge to cover costs. APC 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). When the fee is received the twenty-day period resumes the day after receipt.
- 3.4 The Clerk will aim to satisfy all information requests within twenty working days at the latest.
- 3.5 APC will compile the information for the request.

- 3.6 APC will assess if any exemptions apply 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 APC 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 APC will provide the requested information or issue an exemption notice, stating the reason why it is exempt and outlining the appeal process.

A record will be kept of all requests met by hard copy together with the amount charged.

4 Notices

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

5 Exemptions

- 5.1 One of the 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.

If APC 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 effect.

6 The Appeal Process

- 6.1 In the first instance the applicant will make an appeal to APC. APC will look at the request again and based on the evidence either uphold the exemption or provide the requested information.

- 6.2 If APC 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.

The ICO may then uphold APC's decision on the exemption or ask APC to comply with the request.