

BRANSTON AND MERE PARISH COUNCIL

FREEDOM OF INFORMATION REQUEST PROCEDURE:

Compliance with the Freedom of Information Act 2000 is the legal responsibility of local authorities and other public organisations. It is part of a wider group of national policies which aim to modernise government and show people how it is working on their behalf. 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.

- Branston & Mere Parish Council has produced and publicised a Publication Scheme, which makes it clear what information can already be accessed. The Publication Scheme outlines any charges which may be made in supplying any information.
- Any additional information which is not part of the Publication Scheme can be requested under the Freedom of Information Act 2000.
- A request for information must be made by letter or e-mail and should be sent to the Clerk to the Council. The request must include a contact name, an address for correspondence and state clearly what information is required, and in what format.
- Responsibility for dealing with all requests for information has been delegated to the Clerk to the Council.
- The first step will be to identify whether the requested data is held by the council. If not, the applicant will be notified accordingly.
- If 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.
- If the request for information is unclear, the Clerk to the Council will contact the applicant to clarify what data is being sought. If clarification of a request is needed, the 20-working day period will commence on receipt of the additional information.

- If the information is not held by the Council, but the Council is aware of another public body or 3rd party which may hold the information, the request will either be forwarded to the public body/3rd party concerned, or the applicant will be given details of which public authority is believed to hold the information.
- Where information cannot be provided, a refusal notice will be issued explaining which exemption applies, and advising of any right to appeal, if applicable.
- Where information is subject to a ‘qualified exemption’ under the FOI Act, there may be an extension to the 20-day period whilst further consideration is given to applying the public interest test, to determine whether any information should be withheld or disclosed.
- Where any complaint or request for review is received, this will be referred on to full Council for review.
- Where any correspondence is received from the Information Commissioner’s Office in relation to any Freedom of Information matter, this will be referred on to full Council for attention.
- Environmental information will be handled in accordance with the EIR 2004, which is also regulated by the ICO.
- personal data may be handled under the UK GDPR or Data Protection Act 2018.

DOCUMENT HISTORY

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