



## **Freedom of Information Policy**

### **Freedom of Information Policy**

Adopted at the Full Council Meeting held on Thursday 23<sup>rd</sup> May 2024

The Freedom of Information Act 2000 provides public access to information held by public authorities, subject to exemptions.

The purpose of the Act is summarised below:

- Provides a right of access to recorded information held by Public Authorities.
- Creates exemptions from the duty to disclose information.
- Establishes the arrangement for enforcement and appeal.

You do not need to give a reason for requesting information.

The Act does not give an automatic right to Council documents or other types of records; instead it gives a right (subject to some exemptions) to information contained within them. It does not give you the right to council documents, records or information on other people. There will be times only some parts of a document can be made available.

The Parish Council already makes a lot of information publicly available. Before making your request you need to check if the information is already available. If it is, the Council is not obliged to deal with your request.

The Freedom of Information Policy does not overturn the duty of confidence or statutory provisions that prevent disclosure identifiable information. The release of such information continues to be covered by the Data Protection Act 1998.

### **Requesting Information**

Requests for information should be made in writing, by letter or e-mail, Council staff will advise and assist if necessary. Your request must include:

- Your contact details for the reply
- A detailed description of the information you would like.

- The format in which you would like to receive the information.

Northiam Parish Council has a duty to provide assistance to applicants under Section 16 of the FOI Act so far as it would be reasonable for the Council to do so. The Council must advise whether it holds the information and must normally supply it within 20 working days. However if your request is unclear and we need further details to establish if we hold the information, we may ask you for clarification. The time limit will stop and will not restart until we receive the additional detail from you.

The Council is not obliged to respond to broad requests for information. Please ensure that your request is as specific as possible and that the description of the information that you require is clear and detailed.

The Council reserves the right to make a reasonable charge for disbursements e.g photocopying and postage.

If we intend to charge a fee, we will inform you beforehand. Once we receive the fee, we will respond to your request.

The Act gives individuals the right to find out what information Northiam Parish Council holds about him or her. This, with certain exemptions, is known as "The Right of Subject Access". The Act does not give people access to their own personal data (information about themselves). Individuals wishing to see information about themselves need to make a Subject Access Request under the Data Protection Act 2018.

To request a copy of any information held concerning you, please make the request in writing, to the address below, providing proof of your identity and current address. An acknowledgement of your request will be sent within 7 working days of receipt of your request, with a complete reply sent within 20 working days.

**Requests for information by post should be directed to:**

The Freedom of Information Officer  
Northiam Parish Council  
Parish Office  
Main Street  
Northiam, Rye  
TN31 6LP

**By E-mail:**

E-mail: [clerk@northiamparishcouncil.gov.uk](mailto:clerk@northiamparishcouncil.gov.uk) – Attn: The Freedom of Information Officer

**Repeat Requests**

Where a repeated request is received that is identical or substantially similar to a previous request from the same person, the Council will consider this as a repeated request. The Council is not obliged to comply with repeat requests for information, under the FOI Act unless a reasonable

interval has elapsed between compliance with the previous request and the making of the current request. A 'reasonable interval' will be deemed to be 40 working days.

### **Vexatious requests**

The Council is not obliged to comply with vexatious requests under the FOI Act.

In determining whether a request should be refused because it is vexatious the Council will consider all the circumstances of the request, including:

- The context and history of request submitted by the applicant
- Whether the request is likely to cause unjustified distress, disruption or irritation
- Whether the request could fairly be seen as obsessive
- Whether complying with the request imposes a significant burden
- Whether and applicant is habitually and persistently submitting requests where there appears to be no reasonable grounds for them to do so
- Whether there is a strong likelihood that such requests are being made to intentionally cause harassment, cause distress to staff, divert resources or to disrupt the proper workings of the Parish Council

### **Request for review**

If you have not received the information you asked for, or some of it has been withheld, the Council has a process for reviewing FOI requests.

You must put your request for review in writing within 40 working days of receiving the Council's response, giving the reasons for your review request.

### **Appealing to the Information Commissioner's Office**

If you are not happy with the way your request has been handled or your review response you may appeal to:

The Information Commissioner  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
Tel: 01625 545745  
Fax: 01625 524510  
Website: <https://ico.org.uk>