



# BRIZE NORTON PARISH COUNCIL

## Freedom of Information Policy

| Freedom of Information Policy |           |
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| Adopted by Full Council       | May 2017  |
| Last Review                   | June 2023 |
| Next Review                   | June 2025 |

### **POLICY STATEMENT**

In order to operate, Brize Norton Parish Council and its working groups needs to collect and use information about all its functions. To promote a culture of openness, transparency and accountability and to comply with the Freedom of Information Act 2000 (FoIA) we have a responsibility to ensure that this information is either routinely made available or provided on request unless there is a legal reason for withholding it.

Therefore, we will:

- Provide a general right of access to recorded information we hold unless the information is subject to an exemption from disclosure. If that is the case we will normally inform the applicant whether we hold the information requested and explain why we are not giving it to them, where necessary considering the public interest in disclosure.
- Adopt and maintain a publication scheme, approved by the Information Commissioner, which relates to the publication of information we publish.
- Provide adequate and relevant advice and assistance to applicants to aid them in their application.

Freedom of information is a responsibility shared by all employees, elected members and sub-committee members.

**The Clerk to the Council** has overall responsibility for ensuring the effective implementation of the Policy. He/she will report to the Council on all matters relating to Freedom of Information and:

- Review, renew and amend the Council's Publication Scheme.
- Monitor compliance and standards and advise the Council of compliance-related issues.
- Provide general advice and guidance on Freedom of Information matters.
- Update this policy.

**Employees, Elected Members and Sub-Committee Members** (including contract, temporary, part time and agency staff) will have immediate responsibility to work in a manner which will ensure the security and good management of all information they have access in according to the Freedom of Information Act 2000 and Data Protection Act 2018 to and provide access to this information where necessary when fulfilling an Request for Information.

**The Chairman of the Council** is appointed under section 26 of the Act as the qualified person responsible for assessing whether release of information would prejudice the effective conduct of the Council's affairs.

A **Publication Scheme** and guide have been set up to meet the provisions of the Act. We will fulfil our duty to provide advice and assistance to applicants by giving relevant training to our staff and Members.

Requests for Information made in writing (including via e-mail or fax) that state the applicant's name and address and describes the information sought will be treated as a FoI request even if it does not mention the Freedom of Information Act 2000 or Data Protection Act 2018. All requests will be dealt with as soon as possible and we will aim to make all decisions within 20 working days. However, where there are complex issues that may make it impossible to meet this deadline we will give as accurate an estimate as possible of the date we expect to reach the decision and inform the applicant accordingly.

## **EXEMPTIONS AND REFUSALS**

Whilst the FoIA creates a right to request specific information held by public bodies, it also creates a number of exemptions from that right. These allow us to withhold some or all of the information requested where that information fits the terms of one or more of the exemptions. We will apply these exemptions as fairly and objectively as possible recording all decisions and the reasoning behind them. Where a request for information is refused for any reason we will notify the applicant of this and give the reasons including details of any exemptions applied. If an applicant feels we have applied the exemptions incorrectly they can ask the Clerk to the Council for a review.

## **CHARGING STRUCTURES**

Although the FoIA does not require charges to be made we reserve the right to charge for information supplied that is not available under the publication scheme or reasonably accessible to the applicant. Fees will not be charged for costs that are reasonably incurred in locating and retrieving the information at £25 per hour up to a maximum of £450 (appropriate costs). However, if the cost of locating and retrieving the information is over £450 then we reserve the right to either refuse to fulfil the request or charge the full costs for all resources used. We will make a reasonable charge for all disbursements i.e. the actual direct costs of supplying the information to the applicant, such as copying and postage charges. Applicants will be informed of the proposed charges and asked for payment in advance. Information will not be given until payment is received. Applicants will have up to 3 months to arrange payment.

## **EVALUATION, REVIEW AND REPORTING**

This policy will be evaluated and reviewed by the Clerk of the Council on a regular basis to ensure that it continues to:

- Meet the needs of the Council
- Embody new developments in good practice and technology