



## Moulton Parish Council

<https://moultonpc.org.uk>

# Freedom of Information Policy

## Introduction

This policy sets out how the parish council makes a significant amount of information available to the public, and how it responds to requests under the Freedom of Information Act 2000 (FoIA).

Under the Freedom of Information Act 2000 (FoIA), Moulton Parish Council (the Council) also has a duty to adopt and maintain a Publication Scheme describing:

- The classes of information it publishes
- How and where such information is published
- Whether or not a charge is made for such information

The Council has adopted the Model Publication Scheme. This document defines what information is automatically and routinely published, and what can be requested from the council.

Other information is available from the Council by individual request, under the FoIA. In addition, personal data can be requested using rights conferred in General Data Protection Regulations (GDPR) and the Data Protection Act 1998 (DPA).

## Obtaining Information

Most of the information contained within the council's publication scheme is supplied free of charge and is available to be downloaded from our website. Where the requester has required documents in paper format, the council may charge for providing the copies. Requests should be made in writing to the Clerk of the Council at the published address or e-mail address.

## Exemptions

While the FoIA enshrines a general right of access to information, it also defines information that the Council does not have to make available for specific reasons; these are called exemptions. This is data that, if published, might prejudice the health, safety or security of the parish council, its staff, systems, services or property or breached an individual's data protection rights. If information is requested but is covered by an exemption, the Clerk of the council will tell the applicant in writing why the Council has refused the request and quote the relevant exemptions. If the information requested is not disclosed, the applicant can ask the Information Commissioner to review the Council's decision.

## **FoIA Management**

All clarifications and correspondence between the council and the requestor must be made in writing, either via Royal Mail post or e-mail.

When a request is made to the council, the Clerk must acknowledge the request. The clerk must, as soon as practicable, assess the request and estimate the time required to produce a draft response to the request. If the request is not clear, the clerk should contact the requester and ask them to submit a clarification to the council to ascertain what information they require. If the time required to complete the request is greater than twenty hours, they should refer the matter to the Data Protection Officer or Chairman, to review and direct the response accordingly.

If the time required to complete the request is less than twenty hours, then the clerk should present a draft response to the Data Protection Officer and Chairman, for review, within fifteen days.

Once reviewed and when any required amendments have been made, the response can be provided to the requestor. The council will published all completed FoIA requests on the website, unless the Data Protection Officer believes that it is appropriate to not do so.

All FoIA requests must be answered within twenty working days from when the original request was received by the council, or when any appropriate clarification was accepted.

## **FoIA Reviews**

If a requestor has demanded a review of their completed FoIA request, then a member of the council, who has not addressed and satisfied the original request, must consider the grounds for the complaint and rule accordingly.

The response to a review is due within forty working days.

## **External consultants**

The council may consult with external specialists, including but not limited to legal representatives, Information Commissioner and data protection specialists, at any time to ensure that the council meets its legal obligations.

## **Charges**

The Council's Fees and Charges are stated in the Publications Scheme. If administration costs exceed £450, to enable a Freedom of Information request to be met, then the Council is able to charge the requestor for the administration costs in meeting the request. A charge may be made for photocopies.