

## WESTERLEIGH & COALPIT HEATH PARISH COUNCIL

### FREEDOM OF INFORMATION POLICY

#### 1. Introduction

The Freedom of Information Act 2000 gives individuals the right to access all types of information held by public bodies, including Westerleigh & Coalpit Heath Parish Council.

The Act is designed to:

- encourage greater openness and accountability in public authorities,
- help increase levels of public trust,
- encourage improvements in our dealings with the public.

As a general rule, an individual can request any information created within the Parish Council or received from elsewhere and held by the Council for any reason, although there are some cases where information may not be released.

#### 2. Accessing information held by the Council

There are two ways of accessing information held by the Parish Council. These are:

##### (i) Publication Scheme

Part of the Act requires the Parish Council to adopt a Publication Scheme. This scheme is a guide to the information routinely published by the Parish Council. It is not a list of actual publications, but rather it is a description of the classes of information published. The purpose of the scheme is to ensure that significant amounts of information are made available without the need for a specific request. The publication scheme may be found on the Council's website - <https://www.westerleighcoalpitheathparishcouncil.gov.uk/council-procedures-and-publications/>.

##### (ii) Individual requests for information

If the information required is not on the Publications Scheme or publicised on the website, an individual may submit a Freedom of Information request. This request must be made in writing, by email or post. Contact details are provided at the end of this document.

Individuals are advised to be as specific as possible when requesting information, following the Information Commissioner's Guidelines:

- Individuals can ask for any information they think a public authority may hold. The right only covers recorded information.
- Individuals should identify the information they want as clearly as possible.
- The request can be in the form of a question, rather than a request for specific documents, but the authority does not have to answer the question if this would mean creating new information or giving an opinion or judgement that is not already recorded.

A full copy of the ICO guidance on how to access information from a public body can be viewed [here](#).

<https://ico.org.uk/for-the-public/official-information/how-to-request-information-from-a-public-authority/>

When an individual submits a Freedom of Information request, the Council is **legally required to provide the information within 20 working days of receipt**, although this period may be extended in certain circumstances. The individual will be contacted in writing if this is the case.

The request will be acknowledged in writing. Staff will then check if the Council holds the information. If the Council does not hold the information the individual will be informed in writing (within the 20 working days). If the Council holds the information, Staff will check if any exemptions apply. If the information is not exempt, the Council will then contact the individual in writing, to make suitable arrangements for them to view the information or receive a copy.

In the interests of transparency, Freedom of Information requests made to the council and the responses to them, will be recorded and made available on the Council's website.

### **3. Reasons why information may not be released**

In some cases information cannot be released for example:

- the Council does not hold the information,
- the cost of retrieving the information exceeds the threshold set out in the Act,
- the request is vexatious (for example it is made in a threatening way, it is made to purposefully create unnecessary work or disruption),
- the information cannot be released due to an exemption.

In such cases the individual requesting the information will be informed in writing accordingly, with reasons given (within the 20 working days).

### **4. Exemptions**

Information can be exempt for several reasons, including:

- It is personal information that is covered by the Data Protection Act
- It is covered by the Environmental Information Regulations
- It is confidential
- It will be published in the future
- It is accessible by other means, such as the publication scheme
- It is prohibited by law
- It is about law enforcement
- It is about investigations and proceedings conducted by the Council

### **5. Requests for personal information/ data**

Individuals have a right to access their personal data held by the Council, under the UK GDPR and the Data Protection Act 2018. This is known as a Subject Access Request and not a Freedom of Information Request. Please refer to the Council's **Information and Data Protection Policy** for details of how to submit a request.

### **6. Contact details:**

Correspondence Address: The Parish Clerk, 22 Inglestone Road, Wickwar, South Gloucestershire GL12 8NH

Email: [clerk@westerleighcoalpitheathparishcouncil.gov.uk](mailto:clerk@westerleighcoalpitheathparishcouncil.gov.uk)

Website: [www.westerleighcoalpitheathparishcouncil.gov.uk](http://www.westerleighcoalpitheathparishcouncil.gov.uk)

**This policy was first adopted by Westerleigh & Coalpit Heath Parish Council in December 2023. It will be reviewed annually in June.**