



Swanton Morley Parish Council

INFORMATION GUIDE RELATING TO THE FREEDOM OF
INFORMATION ACT

Last reviewed July 2020

Next review July 2021

1. What is the Freedom of Information Act 2000 (FOIA)?

The FOIA was introduced to make all levels of government more open to the public. The FOIA allows the public access to all types of recorded information held by public authorities (in this case Swanton Morley Parish Council). It allows access to information regardless of when the information was created or how long it has been held and sets out exemptions from that right and places a number of obligations on public authorities.

2. Who can ask for information?

Anyone can request information from Swanton Morley Parish Council provided the request satisfies all of the relevant conditions.

3. Does a reason for the request need to be given?

No, there is no obligation to provide a reason for your request, although it would help the Council if a reason was given to identify all the information relevant to your enquiry.

4. How do I ask for information?

Write to the Parish Clerk with your name, address and description of the information you are looking for.

5. What type of information can I ask for?

You can ask for any information, although there are limits on information the Council must provide. The Council is required by law to keep some types of information permanently, or for several years. Some information is routinely destroyed after a few days or weeks.

6. What does it cost to obtain the information?

The majority of costs for complying with requests will be met by the Council. The Act allows for public authorities to decline to comply with certain requests for information on the grounds of cost where these requests would be particularly expensive. It also allows for public authorities to charge for answering requests for information in certain circumstances.

Section 12 of the Act allows public authorities to refuse to answer requests for information if the cost of complying would exceed the 'appropriate limit' prescribed in the Regulations.

7. Can the Council refuse to give me information?

The Council might refuse your request if you ask for one of the types of information which are deemed as 'exempt' from the Right to Freedom of Information, for example:

- If the Council does not hold the information you have requested, or has not retained it.
- If providing you with the information would involve the Council in excessive cost or effort, or would disrupt services.
- If revealing the information is forbidden by law, or if the people who supplied the information expect us to keep it secret.

If we refuse your request, we will explain why.

Even if the information you have requested is 'exempt', the Council will still consider whether it would be in the public interest to release it.

8. What is the Publication Scheme?

The Council's Publication Scheme sets out what information it will make available as a matter of course, how and when it will do so and whether or not there will be a charge. The Publication Scheme is shown in the following pages.

9. How long will I have to wait for the information?

The Council will provide the information within 20 working days of receiving your request.

If we ask you to pay a fee for the information requested, the 20 working-day time period will stop until you have paid the fee. You have up to 3 months to send the fee to the Council. When the Council receives your fee the 20 working-day time period will recommence.

If you do not pay the fee within 3 months the Council will close the file and you will not receive the requested information.

10. What can I do if I think my request has not been handled correctly?

If you feel that your request has been mishandled, please contact the Chairman of the Council. Your complaint will involve a review of the way your request was handled and whether any exemptions have been correctly applied.

If, following the review, you are still not satisfied with the way your request has been handled then you can contact the Information Commissioner.

11. Can I use the information freely?

How you use the information is up to you, but the Council, or the person who supplied the information to the Council, will still hold any copyright, and your use of the information is therefore limited by copyright law (broadly speaking, you can use it for research, for commercial purposes and private study, and for criticism, review and news reports).

12. Where can I obtain further information?

Further information on the FOIA is available on the Information Commissioner's website:

www.ico.org.uk