

**EBERNOE PARISH COUNCIL
FREEDOM OF INFORMATION ACT**

1. What is Freedom of Information?

- 1.1 Freedom of information provides public access to information held by public authorities under the Freedom of Information Act 2000.
- 1.2 Ebernoe Parish Council (the Council) provides this public access in two ways:
 - Publishing certain information proactively
 - Responding to requests for information from members of the public or organisations.
- 1.3 The Act covers any recorded information that is held by the Council. Recorded information includes printed documents, computer files, letters, emails, photographs, and sound or video recordings.

2. What can be requested?

- 2.1 The right to ask for information only relates to information held by the Council at the time the request is made.
- 2.2 A request under the Freedom of Information Act gives a right to 'information' rather than specific records or documents.
- 2.3 The Council publishes information on its website. Before submitting a request for information, the Council would urge individuals to visit the Council's website (www.ebernoeparish.co.uk).

3. Refusal of a request

- 3.1 In certain circumstances the Council may refuse a request for information.
- 3.2 Vexatious and repeated requests and/or applications made with the aim of frustrating the operations of the Council may be refused.
- 3.3 The Council may refuse to meet a request where the Council estimates that the time to comply with the request would be in excess of 5 hours. In such cases a fees' notice will be issued requiring a fee to be paid to complete the request.
- 3.4 The Council may also refuse to accede to a request for information where the information is considered to be exempted under the Freedom of Information Act. Similarly some parts of a request response may be redacted where the release would breach the Data Protection Act.
- 3.5 All requests will be considered on their merits and with the aim that information should be made available unless it is clearly not in the public interest to do so. A written explanation for any refusal of a request for information will always be given.

4. Making a request

- 4.1 A request must be made in writing via e mail. The request does not need to state the reason why the information is being sought, however as much information as possible must be given to enable the Council to

identify and locate the information being requested.

- 4.2 Requests should be to the Parish Clerk, via email to Clerk@ebernoeparish.co.uk.
- 4.3 Where an individual is not able to make a request in writing, perhaps as a result of illiteracy, disability or illness, they may ask another person or agency (such as Citizen's Advice Bureau) to help them or make the request of their behalf.

5. Response

- 5.1 The request will be dealt with by the Parish Clerk. The Parish Clerk will do so in accordance with the guidance set by the Information Commissioners Office for dealing with requests.
- 5.2 The Council will respond promptly to a request for information and in any event, not later than the 20th working day after the request has been received. If for any reason the request is likely to take longer to deal with, the Council will inform the requester of this.
- 5.3 The requester is entitled to say how they wish the information to be communicated to them. This may be by letter or email, in the form of a summary of the information. Where an inspection of documents is required, this will be arranged with the Parish Clerk for a mutually convenient date and time.
- 5.4 In certain circumstances the Council may charge a fee for any retrieval and provision of information. Full details of any charges will be notified to the requester by the Parish Clerk before the request is processed.
- 5.5 The Parish Clerk may waive these charges where it is felt the information sought would be of particular assistance to the understanding of an issue of local importance.

6. Appeal of a response

- 6.1 If the requester is unhappy with the outcome of their request; usually where a request has been refused or they do not feel the request has been properly handled, they should first attempt to resolve this directly with the Parish Clerk.
- 6.2 If it cannot be resolved in discussion with the Parish Clerk then an appeal should be submitted to the Information Commissioner, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

7. Recording

- 7.1 All requests under the Freedom of Information Act will be recorded on a central log.
The Parish Clerk will report any requests received as part of the Clerk's report to each Full Parish Council meeting.