

# MINSTEAD PARISH COUNCIL

## Freedom of Information Quick Guide

### What is the Freedom of Information Act?

The Act gives people the right to be told about and given access to **any** information that the Council holds, unless there is a good reason not to do so.

Individuals have the right to ask about their personal information under the Data Protection Act 1998.

### What information is covered by the Act?

**All** information **held** by the authority, including information dated prior to January 2005, will be subject to the Act including paper and electronic records.

### What is the purpose of the Act?

The aim of the Act is to promote greater openness in Government, to provide increased transparency in decision-making and to build public trust and confidence.

### How does it work?

There are two ways that information will be available:

- Through the Council's **publication scheme**; and
- Through the **right of access**.

### What is a publication scheme?

A publication scheme is a guide to all of the information that the Council makes routinely available to the public. This can be information like published reports, minutes of meetings or one-off documents. Details of how each piece of information can be obtained and the cost that the Council will charge for providing it are contained within the Scheme.

The Council's Publication Scheme complies with the [ICO's Model Publication Scheme](#) and is available on request and can also be accessed via the Parish Council's [Website](#).

### What is the right of access?

People who ask for information have the right to:

- Be told if that information exists; and if so
- Be given the information, unless it is exempt.

The Council has **20 working days** to respond to a request.

It is not necessary to mention the Freedom of Information Act when making a request or to detail the reason for wanting the information.

### What is a request for information under the right of Access?

For a request for information to be recognised under the Act it must:

- Be in writing, for example a letter, e-mail or fax;
- Give the name of the person asking for the information;
- Give an address to which the Council can send correspondence; and
- Describe the information wanted.

### **What if a request is not clear or in the required format?**

The Council has a duty to provide advice and assistance in order to help people receive the information they want. We will try to assist applicants by:

- Providing details of the information already available via the Council's Publication Scheme
- Explaining the procedure the Council will follow in dealing with a request
- Assisting the applicant to make their request in writing
- Providing a standard application form which will guide the applicant in making their request; or
- Referring the enquiry to the Information Compliance Officer at Minstead Parish Council who may be able to help further.

### **Does the information have to be provided?**

The Act gives the Council a number of legitimate reasons to withhold information.

The Council can refuse requests if their sole purpose is to hinder the continuing operation of the Council's functions; these are known as vexatious requests under the Act. Requests from the same person that are substantially similar may also be refused.

Additionally the Act also allows for a number of **exemptions**. These mainly apply when releasing the information would not be in the Public Interest, for example the release would prejudice an investigation, infringe someone's rights under the Data Protection Act or breach confidentiality. Further information on the application of exemptions can be found within the Council's Access to Information Policy, available on request from the Information Compliance Officer or on the [website](#).

### **How will the information be provided?**

The person requesting the information can express a preference as to the format in which they would like to receive it; for instance, you may request a copy of the information or the opportunity to inspect the information.. Alternatively if there is a high volume of information you may be happy to receive a summary of the information. Wherever possible the information will be provided in the format requested.

### **What should I do if I want to make a request for information?**

Unless it is information already available in the normal course of business or contained within the Council's Publication Scheme, you should put your request in writing. The request will need to include a description of the information you want in order to help the Council locate and produce it and will need to include your name and address so the Council can provide you with the information. An Application Form is available to help you make your request.

### **What if I'm not happy with the response I receive?**

You should contact the Officer dealing with your request or the Council's Information Compliance Officer who will try to help clarify the information you want or offer further advice.

If you are not satisfied because your request has been refused you should put your complaint in writing to the [CHAIRMAN OF MINSTEAD PARISH COUNCIL](#) who will review the original decision.

### **What if I'm still not happy?**

If you are still unhappy following the internal appeal you are able to request a review by the Information Commissioners Office. The contact details are:

The Information Commissioner  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Tel No: 01625 545700  
Fax No: 01625 545510