

MINSTEAD PARISH COUNCIL

Freedom of Information Quick Guide

The Freedom of Information Act

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

Individuals have the right to ask about their personal information under the Freedom of Information Act 2000.

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

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

There are two ways that information will be available:

- Through the Council's **Publication scheme (Available Documents and Charges)**;
- Through the **right of access**.

Publication Scheme (Available Documents and Charges)

A publication scheme is a guide to all of the information that the Authority 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 Authority will charge for providing it are contained within the Available Documents and Charges document.

The Council's Publication Scheme (Available Documents and Charges) complies with the Information Commissioners Office's (ICO) Model Publication Scheme, is available on request and can also be accessed via the Parish Council's [Website](http://minstead.org.uk/Parish%20Council/Regulatory/Minstead%20PC%20Publication%20Scheme) (minstead.org.uk/Parish Council/Regulatory/Minstead PC Publication Scheme)

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.

Managing Freedom of Information in Minstead

In Minstead the Parish Council is the Authority and the Clerk to the Parish Council is the Information Compliance Officer.

Making 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.

It is not necessary to mention the Freedom of Information Act when making a request or to

detail the reason for wanting the information.

The Parish Council has **20 working days** from the date of receipt to respond to a request.

The Parish 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 (Available Documents and Charges)
- 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.

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.

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.

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. A [FOI Application Form](#) is available to help you make your request.

If you are not happy with the response that you receive you should contact the Council's Information Compliance officer (Parish Clerk), details available on the [website](#) 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 Chair of Minstead Parish Council, details available on the [website](#) who will review the original decision.

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:

Information Access Team
Information Commissioner's Office
Wycliffe House, Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel No: 01625 545700
Fax No: 01625 545510