

FREEDOM OF INFORMATION REQUESTS- HOLT PARISH COUNCIL

POLICY dated 26th September 2019

The **Freedom of Information Act 2000** provides public access to **information** held by public authorities. It **does** this in two ways: public authorities are obliged to publish certain **information** about their activities; and, members of the public are entitled to request **information** from public authorities.

Requests will be handled under different regulations depending on the kind of information requested, such as:

1. Data Protection Act

Under the Data Protection Act 2018, individuals have the right to find out what information Holt Parish Council holds about them. These include the right to:

- be informed about how your data is being used
- access personal data
- have incorrect data updated
- have data erased
- stop or restrict the processing of your data
- data portability (allowing you to get and reuse your data for different services)
- object to how your data is processed in certain circumstances

2. Environmental Information Regulations (EIRs) if requesting environmental information

3. The Council may refuse a request **if the information is sensitive or the costs are too high.**

In addition, the Council may refuse an entire request under the following circumstances:

- It would cost too much or take too much staff time to deal with the request. (if it will cost more than £450 (£600 for central government) to find and extract the information).
- The request is vexatious.
- The request repeats a previous request from the same person.

In addition, the Freedom of Information Act contains a number of exemptions that allow you to withhold information from a requester. In some cases it will allow you to refuse to confirm or deny whether you hold information.

Some exemptions relate to a particular type of information, for instance, information relating to government policy. Other exemptions are based on the harm that would arise or would be likely arise from disclosure, for example, if disclosure would be likely to prejudice a criminal investigation or prejudice someone's commercial interests.

The FOI request can be made in writing by one of the following:

- letter
- email
- online form

However, Council may deal with requests by phone but are not required to provide information that is already in the public domain i.e through the website

Requests should include the following:

- Name of applicant (not needed if requesting environmental information)
- a contact address
- a detailed description of the information required
- in what particular format the information is required, paper or electronic copies, audio format or large print

Council must advise the applicant that a reply is being made and that the Information will be provided within 20 working days. Council are required to advise the applicant when to expect the information if more time is needed to prepare the reply.

In the instance of providing a reply under the Data Protection Act, Council must confirm the identity of the applicant