

Woodmansey Parish Council

Freedom of Information Policy & Procedure

Introduction

The Freedom of Information Act 2000 gives individuals the legal right to access information held by public bodies, which includes Woodmansey Parish Council. Detailed information can be obtained from the Information Commissioner's website: www.informationcommissioner.gov.uk

Woodmansey Parish Council wishes to conduct its business in an open and honest fashion. When the Parish Council makes a decision, it is important that the Public is informed how these decisions have been made.

Policy intent

1 Availability of Information in the Public Interest: The Parish Council will make information publicly available unless there is a sound operational or public interest reason for not doing so, or there are legal reasons preventing it in particular reasons relating to the Data Protection Act and the privacy of individuals - similarly, the Parish Council will not classify documents as confidential without clear justification for doing so.

Woodmansey Parish Council would normally ensure availability of information via its website, noticeboards and by means of summary notes of Parish Meetings or Minutes of Parish Meetings.

2 Exemptions: Whilst every effort will be made to respond in full to a Freedom of Information Act request from a member of the public, Woodmansey Parish Council recognises that the exemptions to access in the Freedom of Information Act may allow the Parish Council not to release a document.

The Freedom of Information Act does permit Woodmansey PC to refuse a request if the requested information is already in the public domain or if the Parish Council reasonably estimate that it the amount of time needed to comply with the request is excessive in terms of the hours of the Parish Clerk (alternatively in those circumstances, the council can choose to either decline to respond to the request, or to do so only after payment of a fee).

3 Administrative Charges: The intent of the Freedom of Information legislation is to allow free access to public information; therefore, Woodmansey Parish Council will not normally charge any fee for such a request. However, the Freedom of Information Act or Data Protection Acts and Regulations do allow the Parish Council to make reasonable administration charges to help cover the cost of finding and making available the requested information especially in cases where the required work relating to a Freedom of Information request will mean the Parish Clerk, as the only paid Officer will have to work beyond their normal working hours.

The Parish Council will not seek to make a profit from the operation of Freedom of Information legislation – instead only seeking to cover its costs and a schedule of its costs are as below:

Schedule of Administration Charges for Woodmansey Parish Council

1.	Work required outside of the normal hours of the Parish Clerk will be charged at the hourly rate of the Clerk.
2.	Photocopying: by staff, per sheet
a.	black and white A4: 40p
b.	black and white A3: 70p
c.	colour A4: £1.50
d.	colour A3: £2
3.	To post you any documentation, we charge the cost of the photocopies plus postage. The minimum fee is £1.50.

If a fee is required, Woodmansey Parish Council will write advising of the fee required within 20 working days of receipt of the request. This is known as a 'Fees Notice'. When a Fees Notice has been issued, the 20 working day limit for responding stops and will start again when Woodmansey PC receive payment.

If Woodmansey PC do not receive the fee within three months, the Parish Council are not obliged to comply with the request.

4 Equality: The Parish Council will develop an environment in which access to information is not dependent of a persons physical, social or educational circumstances or first language.

5 Records Management: The Parish Council will specify adequate filing, retention, security, tracking, destruction and recycling standards as part of its ongoing development with data.

Procedure for Making a Request

As required by the Act, the following will need to be included with the request:

- Name of person requesting the information and that the request relates to the Freedom of Information Act
- Postal Address or email of the person requesting the information
- A clear description of the information being requested
- A preference of how the information is to be communicated e.g. hard copy, electronic or the opportunity to inspect a record containing the information. BPC will try to provide the information in the preferred media as far as is reasonably practical, or will notify the person requesting the information if BPC cannot do so.

The Parish Council is legally required to provide information within 20 working days of receipt. The Parish Council will endeavour to maintain contact with the applicant through this process, advising of any delays where applicable

Some of the indicators to be used by the Council to identify whether a request for information is vexatious (ICO Guidance – ‘Dealing with Vexatious Requests’).

Abusive or aggressive language	The tone or language of the requester’s correspondence goes beyond the level of criticism that a public authority or its employees should reasonably expect to receive
Burden on the authority	The effort required to meet the request will be so grossly oppressive in terms of the strain on time and resources, that the authority cannot reasonably be expected to comply, no matter how legitimate the subject matter or valid the intentions of the requester.
Personal grudges	For whatever reason, the requester is targeting their correspondence towards a particular employee or office holder against whom they have some personal enmity.
Unreasonable persistence	The requester is attempting to reopen an issue which has already been comprehensively addressed by the public authority, or otherwise subjected to some form of independent scrutiny.
Unfounded accusations	The request makes completely unsubstantiated accusations against the public authority or specific employees
Intransigence	The requester takes an unreasonably entrenched position, rejecting attempts to assist and advise out of hand and shows no willingness to engage with the authority.
Frequent or overlapping requests	The requester submits frequent correspondence about the same issue or sends in new requests before the public authority has had an opportunity to address their earlier enquiries.
Deliberate intention to cause annoyance	The requester has explicitly stated that it is their intention to cause disruption to the public authority, or is a member of a campaign group whose stated aim is to disrupt the authority.
Scattergun approach	The request appears to be part of a completely random approach, lacks any clear focus, or seems to have been solely designed for the purpose of ‘fishing’ for information without any idea of what might be revealed.
Disproportionate effort	The matter being pursued by the requester is relatively trivial and the authority would have to expend a disproportionate amount of resources in order to meet their request.
No obvious intent to obtain information	The requester is abusing their rights of access to information by using the legislation as a means to vent their anger at a particular decision, or to harass and annoy the authority, for example, by requesting information which the authority knows them to possess already.
Futile requests	The issue at hand individually affects the requester and has already been conclusively resolved by the authority or subjected to some form of independent investigation.
Frivolous requests	The subject matter is inane or extremely trivial and the request appears to lack any serious purpose. The request is made for the sole purpose of amusement.