

EDMONDSLEY PARISH COUNCIL

Freedom of Information Policy

Date Adopted:	07/05/26
Review Date:	-
Version no.:	1

Introduction

Edmondsley Parish Council (“the Council”) is committed to transparency and accountability. The Freedom of Information Act 2000 (FOIA) provides the public with the right to access information held by public authorities. This includes Parish Councils, which are obligated to provide information unless it falls under one of the specified exemptions. The act was introduced to help bring about a culture of openness within the public sector and give the public a better understanding of how authorities carry out their duties; why they make the decisions they do; and how they spend public money.

The Environment Information Regulations 2004 (EIR) provide similar rights of access to environmental information.

Purpose

This policy sets out how Edmondsley Parish Council complies with its obligations under the FOIA and the EIR, detailing how the public can access information, the processes for making requests, and the Council’s responsibilities in responding to them.

Legal Framework

The key pieces of legislation guiding this policy are:

- **Freedom of Information Act 2000 (FOIA):** Provides the public with the right to access recorded information held by public authorities, subject to certain exemptions.
- **Environmental Information Regulations 2004 (EIR):** Provides public access to environmental information held by public authorities.
- **Data Protection Act 2018 (DPA) & UK General Data Protection Regulation (GDPR):** These govern the handling of personal data and may limit access to information under FOIA if personal data is involved.

Obligations

Every public authority has two main duties under the FOI act:

1. To adopt and maintain a Publication Scheme, overseen by an independent Information Commissioner, which details the classes of information that are routinely made available to the public. The publication scheme promotes transparency and outlines the types of information that can be accessed without the need for a formal FOI request.
2. To comply with all requests for the information, unless there is an exemption from disclosure.
 - Requests must be made in writing (by letter or email).
 - Requests should include the requester’s name, address, and a description of the information being sought.
 - Will be responded to within 20 working days of receiving the request, however there are circumstances when this time limit can be extended.

How do I make an FOI request?

If there is something you would like to know about the Council's activities, take the following steps:

- Search the Parish Council website – what you're looking for might already be there.
- If you can't find the information you are seeking on the website you can submit your request using the *Contact Us* form on our website – <https://www.edmondsleyparishcouncil.co.uk> or in writing to the Parish Clerk:

Parish Clerk
Edmondsley Parish Council
Appledore Gardens
Edmondsley
Durham
DH7 6DW

Email: clerk@edmondsleyparish.gov.uk

All requests must provide a valid email or postal address for us to reply to.

When you submit your request, give as much detail as possible to help us correctly identify the information you are seeking. If we do need more detail from you to identify the information, we will contact you.

Responding to Requests

Upon receiving a request, the Parish Council will:

1. **Acknowledge the request** – Confirm receipt of the request.
2. **Search for information** – Review Council records and locate the information requested.
3. **Provide the information** – Supply the information in the requested format (e.g. electronic or paper) or explain why it cannot be provided. If the request is complex, the Council may seek to extend the response time, informing the requester of the delay.
4. **Refuse the Request** – If applicable, explain any refusal based on the specific exemptions in the FOIA or the EIR. Refusals will include an explanation of the relevant exemption and inform the requester of their right to appeal.

Charges

The Council will not normally charge for responding to straightforward requests. However, if the request is deemed complex or voluminous, charges may apply. The Information Commissioners Office (ICO) sets out the fees that may be charged for information requests. The guidance states that all public authorities should calculate the time spent on the permitted activities at the flat rate of £25 per person, per hour. Where the council intends to charge, the ICO states that '*A public authority does not have to make a precise calculation of the costs of complying with a request; instead only an estimate is required. However, it must be a reasonable estimate.*'

This estimate will be based on the following -

- Determining whether the information is held;
- Locating the information, or a document containing it;
- Retrieving the information, or a document containing it; and
- Extracting the information from a document containing it.

There is a maximum charge limit for public authorities currently set at £450. This means that the appropriate limit will be exceeded if it would require more than 18 hours work to obtain the requested information.

Exceptions and exemptions

Certain categories of information may be exempt from disclosure under the FOIA. These exemptions include, but are not limited to:

- **Personal Information** (covered by Data Protection Law).
- **Confidential Information** (such as legally privileged advice or sensitive negotiations).
- **Commercially Sensitive Information** (which could affect the Council’s or a third party’s commercial interests).
- **Vexatious or Repeated Requests** (requests that impose a significant burden without merit).

If an exemption applies, the Council will explain why the information cannot be released, referring to the relevant section of the FOIA or EIR.

Appeals and Complaints

If a requester is dissatisfied with the response provided, or if their request is refused, they have the right to appeal. Appeals should be submitted in writing to the Parish Clerk as set out above.

If the requester remains unsatisfied after the appeal process, they may refer their complaint to The Information Commissioner’s Office (ICO). Contact details for the ICO, and further information regarding Freedom of Information requests is available on the ICO website at <https://ico.org.uk/>.

Chairman: _____ Date: _____

Clerk: _____ Date: _____