



FREEDOM OF INFORMATION ACT POLICY AND PROCEDURE

LEGAL POSITION

The Freedom of Information Act is legislation that gives an individual a right of access to recorded information held by public authorities, such as the Council. There are two main responsibilities under the Freedom of Information Act 2000 (FOIA):

- to produce a 'Publication Scheme', this is a guide to the information held which is publicly available and
- to process individual requests for recorded information

COUNCIL'S COMMITMENT

Publication Scheme

The Council has adopted a publication scheme approved by the Information Commissioner's Office (ICO). The publication scheme commits Balsall Parish Council to make information available as part of its normal business activities. It describes the types of information that a public authority should make routinely available and the ways it makes information available.

The Council has adopted the ICO model publication scheme. This is our legal commitment to routinely make available the kinds of information the ICO requires.

Categories of information available through the Publication Scheme

There are specifically seven classes of information available and most information that a public authority holds falls into one of them. The categories are:

1. Who we are and what we do

Organisational information, including council structures, locations and contacts.

2. What we spend and how we spend it

Financial information, including contracts, tenders, projected and actual income and expenditure, financial audit, grants given and received, precept, members allowances.

3. What our priorities are and how we are doing

Strategies and plans, audits, inspections and reviews.

4. How we make decisions

Decision-making processes and records of decisions, such as council or committee meeting minutes.

5. Our policies and procedures

Current written protocols, policies and procedures for the conduct of council business.

6. Lists and registers

Information held in registers required by law and other lists and registers relating to the functions of the authority, such the asset register, gifts and hospitality and councillor interests.



Balsall Parish Council

7. Services and facilities provided by the council

Information about the services the council provides, such as the burial ground, parks and playgrounds, flower planters, litter bins and Christmas lights.

What if the information is not available from the Publication Scheme?

If there is something specific that is not already available, you can make an individual request under the legislation.

Making a Freedom of Information (FOIA) request

Anyone is able to make a request for recorded information. The legislation states it has to be made in writing, for example by email or letter and it *must* contain **all** of the following:

- the name of the applicant
- an address for correspondence
- a description of the information sought

You can send your request to:

Clerk to the Parish Council
Balsall Parish Council
287/289 Kenilworth Road
Balsall Common
CV7 7EL
or email: balsallparishcouncil@gmail.com

What happens after I have submitted a request?

The council will advise whether it holds the information, and must normally supply it within 20 working days. However, if your request is unclear and we need further details to establish if we hold the information, we may ask you for clarification. The time limit will stop and will not restart until we receive the additional detail from you.

Will I receive all of the information I request?

Not necessarily. Responses under this legislation are not just made to the requestor, but made to 'the whole world'. So there are exemptions within FOIA to ensure a proper balance is achieved between the right to know, the right to personal privacy and the delivery of effective government. If we apply any exemptions, we must explain why we have done so in our response.

What exemptions can be applied to a response?

There are a number of exemptions and a few examples are listed below:

- The cost of providing the requested information is more than £450 (this is equivalent to 18 hours of staff time)
- The information is already publicly available or it is due to be published
- The information requested could be used by anyone to make fraudulent claims against the Council
- The request is for personal information

Complaints

If you wish to request a review of our decision or make a complaint about how your request has been handled under FOIA, you should write within 40 days of receipt of your response to:



Balsall Parish Council

Clerk to the Parish Council
Balsall Parish Council
287/289 Kenilworth Road
Balsall Common
CV7 7EL
or email: balsallparishcouncil@gmail.com

Any requests received after this time will be considered at the discretion of the Council. If having exhausted the review process you are not content that your request or review has been dealt with correctly, you have a further right of appeal to the Information Commissioner's Office (ICO) for a decision:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone: 0303 123 1113 (local rate) or 01625 545 745 (national rate).
Website: www.ico.org.uk

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ⁱ This policy is cross-referenced to the following Balsall Parish Council's adopted policies and procedures:
Publication Scheme
Complaints Procedure