



Kingston Parish Council

Freedom of information policy

Freedom of Information Act 2000

This places a duty on Parish Councils to provide information to members of the public on request.

Principal features of the Act are:

- i. A general right of access to information held by the Parish Council; it only covers recorded information held, whether accurate or not.
- ii. A requirement for the Parish Council to consider the exercise of any discretion which it may have to disclose information, notwithstanding that an exemption applies to the information.
- iii. A duty to adopt and maintain a scheme which relates to the publication of information by the Parish Council.

Procedures and Exemptions

- i. A request for information must be made in writing by letter or email, stating the real name and a correspondence address of the applicant and describing the information required. The request does not have to be for a specific document, and it can be in the form of a question. Should a request be ambiguous, the requester should be contacted for clarification. Requests for information will be acknowledged as soon as practicable.
- ii. The Parish Council may levy a fee to cover communication costs. If the fee is not paid within 3 months of the request, the Parish Council does not have to provide the information.
- iii. The Council must provide the information, unless there is good reason not to. The information requested must be provided within 20 working days after the receipt of the request or clarification, and if a fee is levied, after payment of the fee.
- iv. The information must be given (so far as is reasonable practicable) in a form acceptable to the applicant; this is normally done by providing a copy of the relevant document(s).
- v. Vexatious and repeated requests do not generally have to be complied with.
- vi. Where a request for information is refused, the Parish Council must state the reason in a written refusal notice. The reason will usually be that an exemption applies, or that the request is vexatious, or has already been met.
- vii. The main exemptions are:-
 - When information is available by means other than a request under the Act.
 - Information dealing with national security, defence, international relations, criminal investigations, law enforcement, certain audit functions, parliamentary privilege, formation of government policy or personal information which is covered by the Data Protection Act 2018.

Enforcement

Complaints that a request for information has not been dealt with properly or not at all, are handled by the Information Commissioner, who may issue an enforcement notice if satisfied that the Act has been breached. There is a process of appeal against such a decision.

Kingston Parish Council

Doc Ref	Version No	Document Title	Originator	Date
KPC 10	1	Freedom of information Policy	KPC	10 July 2019