

# Freedom of Information Procedure – September 2023

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BUCKLESHAM PARISH COUNCIL

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CLERK, BUCKLESHAM PARISH COUNCIL

## 1. Understanding the Law

- a) The Freedom of Information Act 2000 ('the Act') was passed on 30 November 2000.
- b) The Act extends access rights which already exist under the Data Protection Act 1998. A request by an individual for information about him/herself will be exempt under the Freedom of Information Act and will continue to be handled as a 'subject access request' under the Data Protection Act.
- c) Section (1) of the Act gives a general right of access to all types of 'recorded' information held by 'public authorities' (and those providing services for them).
- d) The Act applies to public authorities (such as Bucklesham Parish Council) and those providing services for them.
- e) Public authorities (such as Bucklesham Parish Council) have two main responsibilities under the Act:
  - i. They have to produce a 'publication scheme' (effectively a guide to the information they hold which is publicly available);
  - ii. They have to deal with individual requests for information.
- f) Section (1) of the Act gives applicants two related rights:
  - i. To be told whether the information exists;
  - ii. To receive the information.
- g) Authorities do not have to comply with 'vexatious' requests or 'repeated requests' if the authority has recently responded to an identical or substantially similar request from the same person.
- h) Public authorities are under a duty to provide advice and assistance to anyone making a request.
- i) While the Act creates a general right of access to information held by public bodies, it then sets out 23 exemptions where that right is either disapplied or qualified. The categories of exemption are detailed at <https://ico.org.uk> – The Information Commissioners Office – see also 3 below.

## 2. Requestor's procedure

If you would like to request information under the Freedom of Information Act 2000 you are required to observe the following process:

- a) Your request must be made in writing, in a legible form and must be capable of being used for subsequent reference.
- b) Your request must include sufficient information to enable Bucklesham Parish Council to identify the information requested.

- c) You can write to Bucklesham Parish Council in the following ways:
  - i. E-Mail – [buckleshampc@gmail.com](mailto:buckleshampc@gmail.com)
  - ii. Letter – Bucklesham Parish Council, 54 Levington Lane, Bucklesham, Ipswich IP10 0DZ
- d) Bucklesham Parish Council may make a charge for providing information. Details of all charges are held in our Publication Scheme which can be found on our website or is available upon request to the Clerk at the address in c) above.
- e) If a fee is requested by Bucklesham Parish Council, this must be paid before the information is released.

### 3. Bucklesham Parish Council’s procedure

When a request for information is received by Bucklesham Parish Council we will observe the following procedure:

- a) We will acknowledge receipt of your request within 10 working days.
- b) We will respond to your request as soon as possible, providing the information requested. This will normally be within 20 working days which may be extended, for example where the applicant is asked for further clarification or information about the request.
- c) If we do not hold the information requested, the applicant will be informed of this in writing. If it is established that the information could be obtained from another Authority, we will advise the applicant of this.
- d) Where possible we will provide the information to you in the manner requested.

Bucklesham Parish Council will also follow the guidelines laid down by the Information Commissioners Office at <https://ico.org.uk/for-organisations>

Adopted by the Parish Council at a meeting on: *6<sup>th</sup> September 2023*

Signed:

*Ruth Johnson*

*David Brinkley*

Ruth Johnson  
Clerk

David Brinkley  
Chair

### Version Control

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