



WISTOW PARISH COUNCIL

Freedom of Information

Introduction

The Freedom of Information Act 2000 gives everyone a right of access to the information held by Councils including Wistow Parish Council. It sets out exemptions from that right and places a number of obligations on us as a Parish Council.

This Policy Document is therefore a framework through which information under the Act may be managed effectively.

This Policy ensures that the Council follows the provisions of the Act by:-

- Making routine information such as Minutes of Council meetings readily available to members of the public, via our web site and notice board
- Providing other information not available via our web site and notice board on request within the timescales of the Act, subject to any exceptions and public interest.

It is the intention of the Council to ensure that this Policy Document supplements the Data Protection Act and the Parish Council's processes for managing data.

The Freedom of Information Officer

Wistow Parish Council's Freedom of Information Officer is their Clerk to the Council.

The Freedom of Information Officer is responsible for:-

- The management of requests under this Act,
- Making disclosed information easily accessible to others, and
- Ensuring this process is completed in a timely manner.

Charges for the Provision of Information

Information requests may be made to the Clerk to the Wistow Parish Council via email parishclerk@wistowcambsparishcouncil.gov.uk.

Information provided by Wistow Parish Council under their Publication Scheme will normally be provided free of charge, unless otherwise specified (usually Formal Requests see below).

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The Wistow Parish Council’s Publication Scheme

The Parish Council’s Publication Scheme is based on the ICO’s model scheme and is reviewed annually.

Personal Information /Data Protection

Requests from an individual for access to information specifically about themselves (i.e. personal information) will be processed as a Subject Access Request in accordance with the Data Protection Act 1998.

Any request for personal information about another individual must ensure that the third parties rights under the Data Protection Act are not breached in any way.

Requests for Information

Where a formal request is made to the Parish Council for specific information, not available through the Publication Scheme, the applicant has the following rights, subject to any exemptions:

- a) To be told whether the information is held by the Parish Council; and-
- b) To receive that information.

Anyone can make a request for information. The request must be in writing (including e-mail) and specify the applicants name and contact details and the information they require.

Wistow Parish Council reserves the right to charge an appropriate fee for dealing with a request for information. Any fee charged will be in accordance with the Parish Council’s Charging Policy for Information. The Parish Council is not required to comply with a request for a number of related requests where the cumulative cost of complying with the requests would exceed the appropriate limit.

The Council may decide that some of the information it holds is exempt or excepted from disclosure, and withhold the requested information. The Parish Council will only withhold the specific information to which the exemption or exception applies.

Where disclosure of information would affect a third party, the Council may consult with them, if appropriate, to determine if and how it should be disclosed.

- The Parish Council should only accept information from third parties in confidence if it is necessary to obtain that information in connection with the exercise of any of its functions and it would not otherwise be provided. In addition, the council should not agree to hold information received from third parties ‘in confidence’ which is not confidential in nature. Acceptance of any confidentiality provisions must be for reasons that can be justified to the Information Commissioner.

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- When entering into contracts the Parish Council should refuse to include contractual terms which purport to restrict the disclosure of information held by the Council and relating to the contract beyond the restrictions permitted by the Act.

Where the Parish Council applies an exemption or exception to the disclosure of information, it will provide an explanation of its use and if appropriate the public interest factors, for and against disclosure, taken into account before reaching the decision.

If a request is deemed to be repeated or vexatious, then the Parish Council may refuse to comply with the request. Where a request is refused it will be in accordance with the guidelines set out by the ICO.

The Parish Council aims to resolve all requests within 20 working days, including those where it is necessary to consider the public interest in the application of an exemption or exception. This may be extended if clarification is required or fees are due.

Officers are expected to deal with requests promptly and not delay responding until the end of the 20 working day period if the information can reasonably be provided earlier. In those circumstances where it is not possible to deal with a request within 20 working days, the Council must:

- Provide a realistic and reasonable estimate of when a response will be provided;
- Explain clearly the reason(s) for the delay; and:-
- Not exceed 40 working days.

Complaints Procedure

The Clerk to Wistow Parish Council will bring before the Parish Council any complaints received in respect of the Freedom of Information.

An applicant may write a letter of complaint if they consider that:-

- The Parish Council is not complying with its Publication Scheme; or
- They are unhappy with the handling or the outcome of their request.

A complaint will be acknowledged within three working days, and a full response provided within 20 working days.

If an applicant is dissatisfied with the outcome of the internal review by the Parish Council they may seek an independent review from the Information Commissioner by writing to:

Information Commissioner's Office
Wycliffe House

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Water Lane
Wilmslow
Cheshire SK9 5AF

Review of the Policy

This policy and the supporting guidance will be reviewed every year by the Proper Officer of the Parish Council.

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