

EAST GOSCOTE PARISH COUNCIL

PROCEDURE FOR HANDLING REQUESTS UNDER THE FREEDOM OF INFORMATION ACT 2000



Approved by: Full Council

Date: 18th May 2026

Last reviewed:

Next review due: May 2027

Freedom of Information Act 2000 Procedure

1. Purpose and Scope

This procedure sets out how **East Goscote Parish Council** (“the Council”) will comply with its duties under the Freedom of Information Act 2000 (FOIA).

The Act provides a general right of access to **recorded information** held by public authorities, subject to certain exemptions.

This procedure applies to:

- All councillors, employees, and contractors
- All recorded information held by the Council (paper, electronic, audio, etc.)

2. Publication Scheme

The Council will:

- Maintain and regularly review a **Publication Scheme**
- Proactively publish key information such as:
 - Minutes and agendas
 - Policies and procedures
 - Financial information
 - Governance documents

This reflects the FOIA requirement to make information routinely available without the need for a request.

3. Receiving Requests

3.1 Valid Requests

A request must:

- Be in writing (email, letter, or other permanent form)
- Include the requester’s name and correspondence address
- Clearly describe the information requested

Requests do **not** need to mention FOIA explicitly.

3.2 Logging Requests

Upon receipt:

- The Clerk (or nominated FOI Officer) will:
 - Record the request in an FOI log
 - Assign a reference number
 - Record the date received

All staff must **forward requests immediately** to the Clerk.

4. Acknowledgement

The Council will:

- Acknowledge receipt promptly (usually within 2–5 working days)
- Provide:
 - Reference number
 - Statutory response deadline
 - Contact details for queries

5. Clarification and Advice

The Council has a duty to:

- Provide **advice and assistance** to applicants
- Seek clarification where requests are unclear

The response period may be paused until clarification is received.

6. Time Limits

The Council will respond:

- Within **20 working days** of receipt
- Unless:
 - Clarification is required
 - A public interest test requires additional time

7. Assessing the Request

The Clerk will:

1. Determine whether the information is held
2. Identify relevant records
3. Consider whether:
 - The request falls under FOIA or Environmental Information Regulations (EIR)
 - Any exemptions apply

Personal data requests will be handled under data protection legislation.

8. Searching for Information

The Council will:

- Conduct reasonable and proportionate searches
- Check:
 - Electronic systems
 - Emails
 - Paper files
- Consult relevant staff or councillors

This reflects ICO/SLCC guidance for small authorities to ensure effective internal searches.

9. Exemptions and Public Interest Test

Information may be withheld if:

- A statutory exemption applies
- The request is vexatious or repeated
- The cost limit is exceeded

Where exemptions are **qualified**, the Council will:

- Apply a **public interest test**
- Balance transparency against potential harm

Where possible:

- Partial disclosure will be made with redactions

10. Fees and Charges

The Council:

- Will normally provide information free of charge
- May charge:
 - Reasonable disbursement costs (printing, postage)
 - Fees where permitted under FOIA

A **fee notice** will be issued where applicable.

11. Preparing the Response

Responses will include:

- The requested information (or explanation if not held)
- Details of any exemptions applied
- Reasons for refusal (if applicable)
- Advice and assistance where appropriate

12. Issuing the Response

Responses will:

- Be issued in the requester's preferred format where reasonable
- Be sent within statutory timescales
- Be clear and accessible

13. Refusal of Requests

Requests may be refused if:

- Information is exempt
- The request is vexatious or repeated
- The cost of compliance exceeds the statutory limit

A refusal notice will:

- Cite the relevant FOIA exemption
- Explain the reasons for refusal
- Provide appeal rights

14. Internal Review

Applicants may request an internal review if dissatisfied.

The Council will:

- Accept requests for review within **40 working days**
- Appoint a reviewer not involved in the original decision
- Respond within **20 working days** (where practicable)

The review will:

- Reconsider the decision
- Confirm, amend, or overturn the original response

15. Complaints to the Information Commissioner

If still dissatisfied, applicants may complain to the:

- Information Commissioner's Office (ICO)

The Council will:

- Cooperate fully with any ICO investigation

16. Record Keeping and Monitoring

The Council will:

- Maintain a register of FOI requests
- Monitor compliance with timescales
- Use requests to improve transparency and publication

17. Responsibilities

- **Clerk / FOI Officer:** Overall responsibility for handling requests
- **Councillors and Staff:** Duty to assist and provide information
- **Council:** Ensures compliance and oversight

18. Data Protection Requests

Requests for personal data made by an individual about themselves will be handled under the Data Protection Act 2018 and UK GDPR, not the Freedom of Information Act 2000.

Where a request includes both personal data and other information, the Council will respond under the appropriate legislation for each part.

19. Review of Procedure

This procedure will be:

- Reviewed annually
- Updated in line with legislation and guidance

Signed.....

(Chair)

Date.....

East Goscote Parish Council

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