



Introduction

1. The Freedom of Information (FoI) Act 2000 provides public access to information held by public authorities.
2. Under the Act, anyone can make a request in writing for recorded information held by or on behalf of Altham Parish Council (APC). APC must provide the information within 20 working days, unless one of the exemptions within the Act applies. In some circumstances an additional 20 working days may be permitted to consider the public interest test.

Scope

3. This policy sets out how APC will:
 - deal with FoI requests
 - publish certain information about APC activities (publication scheme)
 - manage appeals about our handling of FoI requests
4. The policy does not apply to requests for individuals' own personal data under the Data Protection Act 1998, or requests for the re-use of APC content under the Re-use of Public Sector Information Regulations.

Responsibilities

5. The Parish Clerk is responsible for managing and responding to FoI requests. They would then liaise with the management team of APC to ensure that requests are dealt with in accordance with the Act.
6. The Parish Clerk is responsible for responding to all requests under the Freedom of Information Act.

How requests are handled

7. The Parish Clerk manages FOI requests in accordance with the Code of Practice issued under section 45 of the Act.

8. The dedicated routes for information requests are:

- Email: althamparishcouncil@gmail.com
- Post: Altham Parish Council, Media House, Burnley Road, Altham, Lancashire, BB5 5TX

9. Requests for information must:

- be in writing addressed to: Parish Clerk (FOI request)
- include the real name of the requester
- include a valid address for correspondence
- describe the information requested
- be received in a legible form

10. FOI requests do not have to make any direct reference to the Act, or be the sole or main theme of the requester's correspondence.

11. The Parish Clerk will usually acknowledge receipt of requests within seven working days.

12. APC will respond to requests for information within 20 working days starting from the day following receipt of the request. If the response is likely to take longer than this, for example, because APC needs to consider the public interest test, the Parish Clerk will advise the requester and keep them informed of progress.

13. If APC is unclear on any point in the request, the Parish Clerk will contact the requester to ask for clarification. If clarification is not provided within 20 working days, APC will assume that the information is no longer required and the request will be closed.

14. If APC does not hold the information requested but believes another public body may hold the information, it will advise the applicant to contact the other public authority directly. Alternatively APC may transfer the request to that public authority and inform the applicant accordingly.

Exemptions

15. The Act contains a number of exemptions that allow APC to withhold information from a requester in certain cases, for example where the information is for confidential material or where disclosure may conflict with the data protection principles.

16. Some exemptions require consideration of whether or not the disclosure is in the public interest. The public interest test means APC must consider whether the public interest in withholding information outweighs the public interest in disclosing the information.

17. When information is withheld the requester will be told which exemptions have been applied and why.

Consultation with third parties

18. If disclosure of the requested information is likely to affect the interests of third parties, APC may contact those persons before determining whether or not an exemption applies.

Charges

19. APC does not charge for complying with Fol requests. However, in line with the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004.

- APC is not obliged to comply with a request if it is estimated that the request takes over 18hrs to produce however, if the Council holds the information and decides to release it, a charge of £25 per hour would be made for the amount of time it takes in locating, retrieving and extracting the information.
- There is a costs for postage, packaging, photocopying and complying with requests for information in a particular format,

20. If there is a charge you will be informed before the request is processed and should you wish to proceed arrangements will be made for payment prior to the information being given.

Appeals procedure

21. If a requester is dissatisfied with the handling of your request you have the right to appeal by contacting the Parish Clerk or Chair to see if the matter can be resolved informally. If a requester does not wish to do this or, if following the informal discussion, a requester remains dissatisfied with the response, a formal appeal can be made.

22. Appeals should be made in writing within 7 working days of APC's response to an Fol request and sent to:

- Email: althamparishcouncil@gmail.com
- Post: Altham Parish Council, Media House, Burnley Road, Altham, Lancashire, BB5 5TX

23. APC will acknowledge appeals within seven working days.

24. Appeals will be reviewed by APC management team. A response will be sent by the Parish Clerk or Chair within 20 working days. If the review is likely to take longer than 20 working days, for instance where there is a need to consider the public interest or due to the complexity of the case, APC will write to the requester with a revised timescale at the earliest opportunity.

25. In all cases if the requester is not satisfied with the final decision they can complain to the Information Commissioner's Office at the following address:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tele: 01625 545700