

## Freedom of Information

The Freedom of Information Act 2000 extends people's rights to access any information held by public authorities and applies from 1st January 2005. A 'public authority' is defined in the Act, and includes central and local government, non-departmental public bodies, the police, the health service and schools, colleges and universities. Any person who makes a request in writing to a public authority for information must be informed whether the public authority holds that information, and subject to exemptions, must be supplied with that information within 20 working days.

One of the exemptions concerns personal data – information we hold on an individual. Access to the information is protected under the Data Protection Act 1998, which gives an individual the right to ask what personal information is held about them.

The Freedom of Information Act requires each public authority to produce a Publication Scheme. This sets out what information will be made available to the public, how the public can access that information and whether the information will be available free of charge or on payment.

Our approach on how we will comply with the Data Protection Act 1998, the Human Rights Act 1998 and the Freedom of Information Act 2000 is set out below. We will seek to meet our obligations in law and in spirit and to achieve an appropriate balance between the Council's resources, confidentiality, other people's rights to privacy and the purpose for which the information is held.

We do this by:-

- being transparent and fair in the way we meet our obligations under the above Acts, recognising the rights to privacy of individuals
- ensuring that there are proper security measures in place to protect the confidentiality of individuals
- facilitating access to information where this does not prejudice the purpose for which the information is held or infringe rights to privacy
- treating people justly and fairly when dealing with requests for information
- raising awareness through effective staff training
- setting out clear procedures for responding to requests for information
- setting out clear procedures for making a complaint and ensuring a prompt response

You can access information by:

- looking for information on our website
- emailing us
- telephoning or faxing our office on 01564 703200
- writing to us at: Tanworth-in-Arden Parish Council office, Rear of Earlswood Village Hall, Shutt Lane, Earlswood, Warwickshire, B94 6BZ

When requesting information under the Freedom of Information Act you must include the following details:

- Your full name and address
- The information or documents you would like to access

It would be helpful to include a telephone contact number in case we need to clarify your information needs, and any accessibility requirements.

We will supply the information you want within the 20 working days or give our reasons for refusing to supply the information.

Some information will be held until after the council has met to discuss it and has made a decision.

### **Exemptions under the Freedom of Information Act**

The Act sets out a number of circumstances in which a public authority may decide not to provide information to the public. This is called 'exempt information' under the Act. It is not intended to set out all the exemptions in full, however the following is a summary of the types of information which are exempt-

- Information accessible by other means – information which is already public and reasonably accessible.
- Information intended for future publication
- Information covered by legal professional privilege
- Information likely to prejudice the effective conduct of public affairs
- Personal Information about living individuals – people may make requests for personal information held about themselves under the Data Protection Act 1998
- Information provided in confidence or trade secrets

### **Charges and guidance notes.**

The council may make charges for supplying information, below is how we will charge.

You may access, print off or download any information on the website free of charge.

Minutes & Agendas for the last 3 months will be sent free on request.

Older Minutes & Agendas from the last two year you may visit our office and read the Minutes & Agenda book during our normal office hours. You may use our photocopier for a charge of 5p per page. If you ask us to do the copying and post them the charge is 10p per page.

If you ask us to search the minutes and copy all items on a particular subject then we will charge £ 10.00 per hour plus the photo copy charge of 10p per page.

Planning files from the last two years. You may visit our office and read planning files during our normal office hours. You may use our photocopier for a charge of 5p per page. If you ask us to do the copying and post them the charge is 10p per page. We only have A4 copying machine if you want copies of plans you must get them from Stratford District Council planning department. (Many of the current plans are on Stratford District Council planning web site)

If you ask us to search for older plans and copy all items on a particular application then we will charge £ 10.00 per hour plus the photo copy charge of 10p per page. We only have A4 copying machine if you want copies of plans you must get them from Stratford District Council planning department

Other information If information is readily available and all that is required is photocopying we may make a charge for photocopying. The actual fee depends on the amount of information you have requested. We will not normally photocopy publications which have been produced by other parties but refer you to them.

Where the information is already available from other sources we will give you details of the publication and where to get it.

We will advise you of any charges following receipt of your request. We will ask whether you wish to continue with the request before we undertake the work. No charges will be made where we refuse a request for information.

Where it will take time to gather or prepare the information you want, we will advise you of the charge. The maximum prescribed limit is (currently £450) Where information is available and a charge is payable we will only provide the information after receiving the appropriate fee.

### **What happens if you are not satisfied with the service you receive?**

Our policy is to be as open as possible and supply the information you have requested, but we may withhold information if we consider the information falls within one of the exemptions or would involve significant staff time in locating and preparing the information for release.

If we refuse to supply all or part of any other information you have asked for we will write to you giving our reasons for refusal. If you are not satisfied with the reasons you have the right to appeal. You may also appeal if you believe the charges we have made to supply information are unfair.

If you are not satisfied with the outcome, you may also appeal to the Information Commissioner if you feel we have not complied with our obligations. Your rights are explained on the Information Commissioner's publication

You may contact the Information Commissioner at the address below:

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

### **How can I use the information?**

Every effort is made to ensure that the information provided is accurate and up to date, but no legal responsibility is accepted for errors, omissions or misleading statements.

### **Our Copyright Policy**

Different copyright restrictions apply to individual publications. If you see the following symbol on a publication © or a statement that it is copyright protected then the following copyright statement applies:

Our minutes & agendas are copyright

You are granted permission to access the information on the website, including printing a paper version of the information or downloading the material onto electronic, optical or similar storage media provided that such activities are for private research, study or in house use only. You are granted permission to use information supplied to you in other formats for private research, study or in house use only.

You must not copy, distribute or publish any of the information. Any other use of the information requires the formal permission of the Council.

You may not use Our name, address and logo in any form without the written permission of the Council

More information on these acts can be found on the Information Commissioners Office website, the independent body responsible for access to information.

<http://www.informationcommissioner.gov.uk/>