

Freedom of Information

The Freedom of Information Act 2000 (the Act) creates a statutory right to information held by a Public Authority. This right of access is subject to a limited number of exemptions.

How does the Freedom of Information Act work?

The Act facilitates access to information held by public authorities in two ways:

1. By requiring public authorities to adopt and maintain publication schemes. A Publication scheme is list of the information routinely made publicly available. This should have the effect of improving the amount and quality of information routinely made available to the public.
2. By creating a right to make a request for information (effective from 1 January 2005).

Who has a right of access?

Anyone, including people living abroad, non-UK citizens, journalists, political parties, lobby groups and commercial organisations, will have the right to ask public authorities for any information they hold.

How do I get a copy of the publication scheme?

Please visit the policy & procedures section on the Great Bedwyn Parish Council Website at www.greatbedwyn-pc.gov.uk.

How do I request information under the Act?

- All requests for information must be made in writing (which includes transmission by electronic means i.e. fax and email).
- Must be made in a legible form.
- A request must state your name and provide an address for communication.
- Describe the information requested.

How do I request information from Great Bedwyn Parish Council?

1. First, see if the information is available on this website or in our publication scheme.
2. Or, send an email titled 'Request for information' to bedwynclerk@gmail.com

How will you respond to my request?

- We have a duty to either confirm or deny if the information exists.
- You may express a preference for communication of the information by any one or more of the following means;
- The provision of a copy in a permanent form or another form acceptable to the applicant.
- The provision of a reasonable opportunity to inspect the record containing the information.
- A digest or summary of the information in a permanent form or another form acceptable to the applicant.
- We must, as far as is reasonably practical, give effect to the applicants stated preference.
- If we require further information to assist us in responding to your request, then we will contact you promptly.

- If there is a charge for the information we will send you a fees notice detailing the charges to be paid before we disclose.

Does the Freedom of Information Act 2000 give me a right of access to my personal information?

No, personal information is exempt under the Freedom of Information Act 2000. If you want to access your personal data held by Great Bedwyn Parish Council you should make a subject access Request under the Data Protection Act 1998.

Is there a charge for information?

If a charge is to be made for a request, we will inform you of the necessary charge. Please see our Publication Scheme document for guidance. You then have three months to pay. Until such fee is paid we are under no obligation to provide the requested information.

How long do you have to respond to my request?

We have to respond to a request within 20 working days of receiving it.

If a fee is to be paid we have 20 working days to respond from the day the fee is received. In addition, where we reasonably require further information from the individual to fulfil the request, we do not have to respond until that information is provided.

Are there circumstances where you can refuse to meet my request?

Yes, the Act does provide exemptions to the right of access. If we think that an exemption applies to the information requested, then we do not have to provide the information.

The exemptions fall into two categories; absolute and qualified exemptions. Qualified exemptions are subject to a public interest test, i.e. although an exemption may exist, if the public interest in disclosing the information is greater than the public interest in withholding the information then the exemption will not apply.

In addition, we can refuse a request for information if the request is:

- Vexatious
- Where we have recently responded to a similar request from the same applicant
- Where further information has been requested but not received,
- Where a fee has been requested and it has not been paid, or
- In circumstances where we estimate that it would be too expensive to respond to the request.

How do you refuse a request?

If we not going to satisfy your request then we will serve you with a refusal notice. A refusal notice should contain:

- A statement to why the request is being refused, what exemption applies and why.
- Details of our complaints handling policy.
- The Details of an individual's right to complain to the Information Commissioner under section 50 of the Act.

What if I am not satisfied with how my request has been handled?

If you are not satisfied with our response you should put your complaint in writing, within two months, to:

- Corporate Complaints, Wiltshire Council, Bythesea Road, Trowbridge, Wiltshire BA14 8JN
- Or online at www.wiltshire.gov.uk/council/complaints.htm

If you remain dissatisfied with the outcome of your complaint, you may wish to contact the Information Commissioner at:

Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Tel: 0303 123 1113

Fax: 01625 524510

Website: www.ico.co.uk