

SWAN COMMUNITY COUNCIL (“The Council”)

FREEDOM OF INFORMATION ACT 2000

Policy and Procedure for Handling Requests for Information

1. The Council shall provide proper advice and help to any member of the public seeking information.
2. The Clerk shall decide whether requested information is freely accessible, whether it is available in the requested form, whether a Refusal Notice needs to be served in respect of all or part of the requested information.
3. The Clerk shall acknowledge a request in writing within three days of receipt of the request and provide a date by which it is anticipated the information will be provided which shall be within 20 working days in normal circumstances.
4. If it is not reasonably possible to provide the information within 20 working days of receipt of the request, the reasons for the delay and a target date shall be provided which must not exceed 40 working days.
5. If a Refusal Notice is issued in respect of all or part of the requested information it shall state that the Council is relying upon an exemption and why it applies. Details of the Internal Review procedure shall be enclosed with the Notice and the right of appeal to the Information Commissioner.
6. If a Refusal Notice is issued in respect of all or part of the requested information for any of the following reasons;
 - i. The cost of complying with the request will exceed £450
 - ii. The Council is unable to identify the information despite every reasonable attempt to do so
 - iii. The Council considers the request to be vexatious (ie to cause harm or annoyance rather than to obtain information)
 - iv. The information has already been provided or is freely accessible without reference to the Councilthen details of the right of appeal to the Information Commissioner shall be provided.
7. If the requested information cannot be found within the Council records then the applicant shall be advised, accordingly, as soon as the search is completed. Details of the Internal Review procedure shall be provided and of the right of appeal to the Information Commissioner.
8. The Council shall maintain a record of FOIA requests for 3 years.
9. A Freedom of Information Request Form is available either from the website or the Clerk.

Policy Author – Linda Hedley, Locum Clerk

Adopted by Council – May 2019 Minute 6/19 b)

Review – May 2021