

Milcombe Parish Council Freedom of Information Policy

1. Introduction

This Freedom of Information (FOI) Policy sets out how the Parish Council complies with the Freedom of Information Act 2000 (FOIA) and the Environmental Information Regulations 2004 (EIR). The Council is committed to openness, transparency, and accountability, and aims to make information available proactively wherever possible.

This policy explains how the Council handles requests for information, the responsibilities of officers and members, and the procedures followed to ensure compliance with statutory requirements.

2. Scope of the Policy

This policy applies to all recorded information held by the Parish Council, in any format, including paper, electronic files, emails, audio, video, and maps. It applies to councillors, employees, contractors, and volunteers acting on behalf of the Council.

It covers requests made under:

- Freedom of Information Act 2000
- Environmental Information Regulations 2004
- Data Protection Act 2018 (for personal data)

3. Publication Scheme

Under Section 19 of the FOIA, the Council has adopted the Information Commissioner's Office (ICO) Model Publication Scheme. The Council publishes information in accordance with the seven classes of information defined by the ICO.

The Council also maintains a Guide to Information, which sets out:

- What information is published
- Where it can be accessed
- Whether any charges apply

The Publication Scheme and Guide to Information are available on the Council's website or from the Clerk.

4. Making a Request for Information

Requests for information under the FOIA must:

- Be made in writing (email or letter)
- Include the requester's name and contact address
- Describe the information sought

Requests should be sent to:

The Parish Clerk

3 Tanners, Close, Middleton Cheney, Banbury, OX17 2GD or
clerk@milcombeparishcouncil.gov.uk

Requests for environmental information may be made verbally or in writing.

5. Responding to Requests

The Council will:

- Acknowledge and process all valid requests
- Respond within 20 working days, unless an extension is permitted
- Confirm whether the information is held
- Provide the information unless an exemption applies
- Explain any refusal and advise on the right to request an internal review

If clarification is required, the 20-day period pauses until clarification is received.

6. Exemptions and Exceptions

The Council may withhold information where a FOIA exemption or EIR exception applies.

Common examples include:

- Personal data
- Information provided in confidence
- Commercially sensitive information
- Information prejudicial to law enforcement or investigations
- Draft documents still under consideration

Where information is withheld, the Council will:

- State the exemption relied upon
- Explain why it applies
- Provide the public interest test outcome (where relevant)

7. Fees and Charges

Most information is provided free of charge. Charges may apply for:

- Photocopying or printing
- Postage
- Disbursements
- Requests exceeding the appropriate limit (£450 for parish councils)

If a fee is required, the Council will issue a Fees Notice. Work will not begin until the fee is paid.

8. Internal Review Procedure

If a requester is dissatisfied with the Council's response, they may request an internal review within 40 working days.

The review will be conducted by a member or officer not involved in the original decision, where possible.

If the requester remains dissatisfied, they may complain to:

Information Commissioner's Office (ICO)

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

9. Records Management

The Council maintains records in accordance with its Records Management and Retention Policy. Information is retained, archived, and disposed of securely and lawfully.

10. Responsibilities

- The Parish Clerk is the Council's FOI lead officer and is responsible for day-to-day compliance.
- Councillors and staff must ensure that information is handled in accordance with this policy.
- The Council is responsible for ensuring adequate training and oversight.

11. Review of this Policy

This policy will be reviewed when legislation or guidance changes.