

Freedom of Information

How Withiel Parish Council will deal with a request

- The request must be made in writing, by letter or by email.
- The request will be dealt with within 20 days.
- The 20 day period will start on the day we receive the request.
- We will determine whether or not the Council holds the information. If it does not, we will notify the applicant.
- We will determine whether there will be a charge; if there is, we will issue a fee notice. The applicant has 3 months to pay the required fee beginning on the day the fee notice is received.
- When the fee is received, we will resume the 20 day period the day after receipt.
- We will compile the information for the request.
- We will assess if any exemptions apply, and we will apply the public interest test. If the request is subject to an exemption, we will issue an exemption notice to the applicant.
- We will consider whether the material contains personal information. If information relates to any personal information under Section 40 (2) to (4) of the Act, it becomes subject to the Data Protection Act 1998 and might be exempt.
- We will then either provide the information, or issue an exemption notice, giving the reason why it is exempt and outlining the appeals process.
- Under the exemptions to the provision of information we will not be obliged to comply with a request for information if the request is vexatious (including repeated or obsessive requests).
- If we decide, based on evidence, that a request is vexatious, repeated or obsessive, we can make the decision not to enter into any further correspondence and will issue a notice to that effect.
- A notice is a letter on Council headed paper informing an applicant of the Council's decision and the reason for it.

The Appeal Process

In the first instance the applicant should make an appeal to the Council. The Council will look at the request again, and based on the evidence either uphold the exemption or provide the requested information. If the Council decides to uphold their decision then the applicant can appeal to the Information Commissioners Office.

Adopted by the Council December 2011

Withiel Parish Council