

FISHBOURNE PARISH COUNCIL

FREEDOM OF INFORMATION POLICY

Fishbourne Parish Council recognises its responsibilities under the Freedom of Information Act 2000. The emphasis in this act is on promoting openness and letting people know what information they are entitled to access. These rights encourage better understanding of how public authorities carry out duties, why they make decisions and how they spend public money.

The Data Protection Act and the Freedom of Information Act are very closely linked. The introduction of the Freedom of Information Act means that people will be able to access non-personal information about others, whereas previously the Data Protection Act has protected it. The Data Protection Act will apply if an individual wishes to obtain information about his/herself whereas the Freedom of information Act will apply if a person wishes to obtain information relating to a public authority.

Any non-personal information that Fishbourne Parish Council holds will be accessible to members of the public. This includes data that was obtained before the Act was passed. Fishbourne Parish Council has produced a guide to make members of the public aware of the data that they can access (see Freedom of Information Approved Publication Scheme attached).

HOW CAN MEMBERS OF THE PUBLIC ACCESS INFORMATION UNDER THE FREEDOM OF INFORMATION ACT?

Any information that is listed on the Approved Publication Scheme can be obtained from Fishbourne Parish Council. This scheme establishes how and where such information can be obtained from.

If anyone wishes to access any information from Fishbourne Parish Council, they need to make the request by writing (this includes email). A person must be told why the information has been held, they must also receive a response within 20 working days. The request must state the name and address of the person requiring the information and what information is required. Fishbourne Parish Council will charge a fee for providing information; this will be 5p per A4 sheet and any postage costs. The Parish Council will inform the person requesting the information about the fee prior to sending the information.

Fishbourne Parish Council will endeavour to meet the requests unless it is unreasonable to do so. If information is exempt material then the Parish Council will let the applicant know which exemptions apply to the requested information.

THE GENERAL RIGHTS OF ACCESS

Anyone has the right to view information held by a Public Authority. The Freedom of Information Act therefore gives people the right to access information held by Fishbourne Parish Council regardless of when the information was created or how long

it has been held for. Exceptions to the general rights of access are; sensitive and confidential information which are covered by the Data Protection Act. Fishbourne Parish Council can also use its discretion to decide whether it is in the public interest to withhold certain information.

COMPLAINTS

If an applicant is not happy with the response they receive from Fishbourne Parish Council, they must first complain to the Parish Council itself. If they are still unhappy then they can complain to the Information Commissioner who will decide whether the request has been dealt with appropriately.

The applicant and Fishbourne Parish Council will be informed of the Information Commissioner's decision notice. If Fishbourne Parish Council could have dealt with the request more appropriately, the Commissioner will inform the Council what steps it needs to take in order to comply with the Act. Both the applicant and the Parish Council can appeal against the Commissioners decision.