

Aston Clinton Parish Council
Freedom of Information Requests

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PROCEDURE FOR DEALING WITH FREEDOM OF INFORMATION REQUESTS

A request for information is received: Note this must be in writing, state the name and address of the requester and the information requested. See Template 1
YOU HAVE 20 WORKING DAYS TO DEAL WITH THE REQUEST FROM DAY OF RECEIPT

If there is there more than 1 type of information requested, either copy into the form (template 1) or copy the letter as many times as there are requests.

1. Allocate a unique reference number to each request. Eg 01/2012
2. Complete a log summary sheet
3. Complete a record sheet for each request – TEMPLATE 9

Is the information on the list available under the Model Publication Scheme

YES

Release information immediately

NO

Acknowledge receipt of request using TEMPLATE 2

Are there any exemptions to release of the information? See link below for details of 23 exemptions.

http://www.ico.gov.uk/for_organisations/freedom_of_information/information_request/reasons_to_refuse.aspx

NO

Send out invoice for photocopying if applicable or release the information.

YES – Absolute Exemption
Use TEMPLATE 5 to advise requestor

YES – Qualified Exemption

Carry out public interest test
See www.ico.gov.uk for further information.

Result of Public Interest Test is to Release all information

Result of Public Interest Test Still Qualified Exemption
Use TEMPLATE 4

TEMPLATE 1 - FREEDOM OF INFORMATION – REQUEST FORM

This form can be completed online and sent by email or alternatively it can be printed and sent to the address at the bottom of this form. You do not have to use this form to make your request but it will help us deal with your request as promptly as possible if you do. If you prefer, you can make your request in writing e.g. letter, email, fax or other form which we can use for reference.

Applicant name:

Address:

Email address:

Fax number:

(at least one of the above (address, email or fax) must be provided for contact purposes)

Phone number (optional)

:

Date:

Description of the information you seek:

Any other details that may help us to identify and locate the information:

In what format would you prefer to receive the information (insert a)? *(we will try to meet your wishes as best we can)*

Paper copy

Electronic copy

Summary

Pre-arranged personal inspection

Any special requirements:

Send this form by post or email to:

Address

Email:

**TEMPLATE 2 - ACKNOWLEDGE RECEIPT OF REQUEST FOR INFORMATION, INCLUDING
FORMAT REQUIRED**

Dear

FREEDOM OF INFORMATION ACT 2000 - INFORMATION REQUEST

Thank you for your request for information about **[subject]**. Your request was received on **[date]** and I am dealing with it under the terms of the Freedom of Information Act 2000.

In some circumstances a fee may be payable and if that is the case I will let you know. A fees notice will be issued to you, and you will be required to pay before I will proceed to deal with your request.

You will receive the information requested within 20 working days unless the Council does not hold the information or there is a reason for it to be withheld. I will write to you in any event.

If you have any requirements regarding the format any information should be supplied in, e.g. the language to be used, audio, large print and so on, then please let me know. If you have not already done so, please supply your email address if you are willing to receive the information electronically.

If you have any queries or concerns then please do not hesitate to contact me. Please remember to quote the reference number above in any future communications.

Further information about your rights is also available from the Information Commissioner at: Information Commissioner's Office Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF Telephone: 08456 306060 or 01625 545745 www.ico.gov.uk

Yours sincerely

TEMPLATE 3 - ADVISE APPLICANT OF FEE PAYABLE (FEES NOTICE)

Dear

FREEDOM OF INFORMATION ACT 2000 - INFORMATION REQUEST

I am considering your request for information which was received on [date]. I can confirm that the Council holds information that falls within the description specified in your request.

I have estimated that it will cost more than the appropriate limit to consider your request. The appropriate limit is specified in regulations and for the Council this is set at £450.

This represents the estimated cost of one person spending 18 hours in determining whether the Council hold the information, and locating, retrieving and extracting the information. Consequently the Council is not obliged under the Freedom of Information Act 2000 to respond to your request. However we are still happy to do so if you pay the fee as set out in this notice. The charge has been calculated in accordance with Section 13 of the Freedom of Information Act 2000 and the Freedom of Information Fees Regulations.

I will be unable to continue processing your request until the fee is paid. Your cheque or postal order in pounds sterling should be made payable to Aston Clinton Parish Council. If you wish me to continue dealing with your request you should pay the fee requested within 3 calendar months by [date]. If I do not receive the payment fee by this date I shall take it that you do not wish to pursue this request and will consider the request closed.

If you narrow the scope of your request the Council may be able to provide the information free of charge because it would cost less than the appropriate limit to do so. For instance if you [provide appropriate advice and assistance]. Any reformulated request I receive will be treated as a fresh FOI request.

If you have any queries or concerns about the fees notice, then please do not hesitate to contact me. Please remember to quote the reference number above in any future communications.

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request a review of the decision, you should write to the Aston Clinton Parish Council at the above address.

If you are not content with the outcome of your complaint or review, you may apply directly to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by the Council. The Information Commissioner can be contacted at:

Information Commissioner's Office Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF
Telephone: 08456 306060 or 01625 545745 www.ico.gov.uk

Yours sincerely

TEMPLATE 4 - REFUSAL NOTICE (PUBLIC INTEREST TEST)

Dear

FREEDOM OF INFORMATION ACT 2000 - INFORMATION REQUEST

Further to your request for information dated [date], I can confirm that the information you requested is being withheld under the Freedom of Information Act 2000.

You requested **[Insert a brief summary of the information requested]**.

It is considered that the public interest in withholding the information outweighs the public interest in disclosing it and that therefore the information is exempt from release.

The exemption applied is **INSERT WHICH PUBLIC INTEREST EXEMPTION**.

This exemption applies because **INSERT REASON/S**.

The reasons why the public interest favours withholding the information (OR declining to confirm or deny that it is held) are **INSERT REASON/S**.

[You are not obliged to explain why an exemption applies or why the balance of the public interest favours non-disclosure if to do so would involve the disclosure of exempt information]

If you wish to discuss any of the above please contact me. Please remember to quote the reference number above in any future communications.

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request a review of our decision, you should write to Aston Clinton Parish Council at the above address.

If you are not content with the outcome of your complaint or review, you may apply directly to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by the Council. The Information Commissioner can be contacted at:

Information Commissioner's Office Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF
Telephone: 08456 306060 or 01625 545745 www.ico.gov.uk

Yours sincerely

TEMPLATE 5 - REFUSAL NOTICE (ABSOLUTE EXEMPTION)

Dear

FREEDOM OF INFORMATION ACT 2000 - INFORMATION REQUEST

Further to your request for information dated [date], I can confirm that the information you requested is being withheld under the Freedom of Information Act 2000.

You requested [brief summary of the information requested].

The exemption applied is INSERT ABSOLUTE EXEMPTION.

This exemption applies because INSERT REASON.

[You are not obliged to explain why an exemption applies if to do so would involve the disclosure of exempt information]

If you wish to discuss any of the above please contact me. Please remember to quote the reference number above in any future communications.

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request a review of our decision, you should write to the Parish Council at the above address.

If you are not content with the outcome of your complaint or review, you may apply directly to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by the Council. The Information Commissioner can be contacted at:

Information Commissioner's Office Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF
Telephone: 08456 306060 or 01625 545745 www.ico.gov.uk

Yours sincerely

TEMPLATE 6 - COST OF LOCATING/RETRIEVAL EXCEEDS LIMITS (REFUSAL NOTICE)

Dear

FREEDOM OF INFORMATION ACT 2000 - INFORMATION REQUEST

Thank you for your request for information about [subject]. Your request was received on [date] and I am dealing with it under the terms of the Freedom of Information Act 2000.

I can confirm that the Council holds information that falls within the description specified in your request.

However I have estimated that it will cost more than the appropriate limit to consider your request. The appropriate limit is specified in regulations and for the Council this is set at £450. This represents the estimated cost of one person spending 2½ working days in determining whether the Council holds the information, and locating, retrieving and extracting the information. Consequently the Council is not obliged under Section 12 of the Freedom of Information Act 2000 to respond to your request and we will not be processing your request further.

If you narrow the scope of your request the Council may be able to provide the information free of charge because it would cost less than the appropriate limit to do so, although I cannot guarantee that this will be the case. For instance if you [provide appropriate advice and assistance]. Any reformulated request I receive will be treated as a fresh FOI request.

If you have any queries or concerns about this letter then please do not hesitate to contact me. Please remember to quote the reference number above in any future communications.

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request a review of the decision, you should write to the Parish Council at the above address.

If you are not content with the outcome of your complaint or review, you may apply directly to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by the Council. The Information Commissioner can be contacted at:

Information Commissioner's Office Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF
Telephone: 08456 306060 or 01625 545745 www.ico.gov.uk

Yours sincerely

TEMPLATE 7 - RESULT OF INTERNAL APPEAL - SUCCESSFUL

Dear

FREEDOM OF INFORMATION ACT 2000 - INFORMATION REQUEST

Your appeal against the Refusal Notice in relation to provision of information in accordance with the Freedom of Information Act 2000 has been considered.

The decision is that your appeal is successful.

The information requested is enclosed.

[If unable to provide in the format requested by the applicant because it was 'unreasonable to do so' then state why]

or

[As you have asked to view the records in which the information is contained, and we are content to let you do so please telephone me to make the necessary arrangements]

consider

[Information you receive may be protected by the copyright of the person or organisation from which the information originated. You must ensure that you gain their permission before reproducing any third party information.]

If you have any queries or concerns about the handling of your request please do not hesitate to contact me. Please remember to quote the reference number above in any future correspondence.

Further information about your rights is also available from the Information Commissioner at: Information Commissioner's Office Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF Telephone: 08456 306060 or 01625 545745 www.ico.gov.uk

Yours sincerely

TEMPLATE 8 - RESULT OF INTERNAL APPEAL - UNSUCCESSFUL

Dear

FREEDOM OF INFORMATION ACT 2000 - INFORMATION REQUEST

Your request for a review of the issue of the Refusal Notice in relation to provision of information in accordance with the Freedom of Information Act 2000 has been considered by

The decision is that your appeal is unsuccessful.

The reason/s is/are INSERT BRIEF REASONS WITH REFERENCE TO THE ORIGINAL REFUSAL LETTER – CONFIRM WHETHER ALL REASONS UPHELD AND GIVE DETAIL IF ANY REASONS NOT UPHELD

If you are dissatisfied with this decision you may request the Information Commissioner to investigate. The contact details are: Information Commissioner's Office Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF Telephone: 08456 306060 or 01625 545745 www.ico.gov.uk

Yours sincerely

TEMPLATE 9 - CONTROL SHEET

Name of requestor	Date request received	20 working days date	Ref NO	
Details of the request		Details of the relevant information we hold		
First Stage decision making – the decision whether to apply any exemptions or not				
What exemptions were considered?				
What exemptions were applied by the decision maker?				
Were any of the exemptions “qualified” which could be overridden by a public interest test?				
<p>Note: The application of an absolute exemption such as about personal information is the end of the process. That decision can only be changed by an external appeal. The decision to apply a qualified exemption like to withhold commercial information to avoid prejudice to the Council or a business is only part of our decision making. Three senior officers who have not been involved in the decision will decide whether the decision to apply the qualified exemption should be overridden. They will not look at any other exemptions.</p>				
Second Stage decision making – should the public interest override any qualified exemption/s that has/have been applied?				
Third Stage decision making – an internal review of all of our decision making by the Chief Executive				
External Appeal – a review by the Information Commissioner				IC’s reference