

Waltham Parish Council Freedom of Information (FOI) Policy

1. Introduction

This policy sets out how Waltham Parish Council complies with the Freedom of Information Act 2000 (FOIA).

The Council is committed to:

- Openness and transparency
- Providing access to information where possible
- Responding to requests promptly and fairly

The Council acknowledges that, as a small authority, it has limited staffing and has designed this policy to reflect that while meeting legal obligations.

2. Scope

This policy applies to:

- All recorded information held by the Council
- All FOI requests received

The Clerk is the designated FOI Officer.

3. Making an FOI Request

Requests must:

- Be in writing (email or letter)
- Include the requester's name and contact address
- Clearly describe the information requested

Requests should be sent to:

Clerk to Waltham Parish Council

4. Responding to Requests

The Council will:

- Acknowledge requests promptly
- Respond within 20 working days (as required by FOIA)
- Provide information unless exemptions apply
- If information is withheld, the response will:
 - State the exemption(s) relied upon
 - Explain why they apply

5. Internal Review Process

5.1 Right to Review

If a requester is dissatisfied, they may request an internal review within 40 working days of the response.

5.2 Conduct of Internal Review

The Council recognises best practice guidance that internal reviews should be carried out by someone not involved in the original decision. However, due to the Council having limited staff the following arrangements apply:

(a) Where possible

The Council will seek to introduce independence by:

- Referring the review to the Chair of the Council, or
- A panel of councillors, or
- A relevant committee, where available

(b) Where this is not possible

If no suitable alternative is reasonably available:

The Clerk may conduct the internal review, even where they handled the original request

In such cases:

The review will be a full and fresh reconsideration of the request

The Clerk will:

- Re-examine all evidence and decisions
- Consider the requester's arguments
- Review the application of any exemptions
- Record the reasoning clearly

The Council acknowledges that independence is limited in these circumstances and will ensure:

- Transparency in the review process
- A clearly reasoned decision

5.3 Outcome of Internal Review

The Council will:

- Respond within 20 working days (or up to 40 in complex cases)
- Clearly explain the outcome
- Inform the requester of their right to complain to the ICO

6. Complaints to the Information Commissioner

If a requester remains dissatisfied after the internal review, they may contact:

Information Commissioner's Office (ICO)

Website: <https://ico.org.uk>

Helpline: 0303 123 1113

7. Publication Scheme

The Council adopts the ICO model publication scheme and will:

- Routinely publish information where possible
- Make information available via its website or on request

8. Charges

The Council may:

- Provide information free of charge where practical
- Apply fees in accordance with FOIA regulations where applicable

9. Records Management

The Council will:

- Maintain records in an orderly manner
- Ensure information can be located efficiently

10. Review of Policy

This policy will be reviewed:

- Every 2–3 years, or
- Following significant legislative or organisational changes