

Otterhampton Parish Council

Freedom of Information and Environmental Information Policy



Adopted: 14th May 2026

Minute reference: 54.26

Review date: May 2029

Responsible officer: Clerk/RFO

1. Purpose

Otterhampton Parish Council is committed to openness, transparency and accountability. This policy explains how the Council will handle requests for information under:

- the **Freedom of Information Act 2000**.
- the **Environmental Information Regulations 2004**; and
- related data protection legislation, where a request involves personal data.

The Council will respond to information requests lawfully, fairly, promptly and in accordance with guidance issued by the Information Commissioner's Office.

2. Scope

This policy applies to recorded information held by Otterhampton Parish Council, including information held electronically, on paper, in minutes, reports, correspondence, accounts, contracts, policies, registers and other Council records.

It applies to requests from residents, councillors, businesses, journalists, public bodies and any other person or organisation.

This policy does not cover requests by individuals for their own personal data. Those requests will usually be treated as **subject access requests** under data protection legislation.

3. Publication Scheme

The Council will maintain a publication scheme in line with the Information Commissioner's Office model publication scheme.

The Council will aim to make commonly requested information available on its website or on request, including:

- who the Council is and what it does.
- councillor and committee information.
- meeting agendas, reports and minutes.
- financial information, including budgets, precept information, payments and annual returns.
- policies and procedures.
- statutory registers, where applicable.
- services and assets managed by the Council.

Where information is already reasonably accessible, the Council may direct the requester to where it can be found.

4. Making a request

A request under the Freedom of Information Act must:

- be made in writing, including by email.
- include the requester's name.
- include an address for correspondence, which may be an email address; and
- describe the information requested clearly enough for the Council to identify it.

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

Requests should be sent to:

Clerk/RFO, Otterhampton Parish Council

Address:

C/O Otterhampton Parish Council
21 Riverside
Combswich
Somerset
TA5 2QZ

Email: clerk@otterhamptonparishcouncil.gov.uk

The requester does not need to mention the Freedom of Information Act or Environmental Information Regulations for the Council to treat the request correctly.

5. Time limits

The Council will normally respond to requests within **20 working days**.

If the Council needs clarification, it will contact the requester as soon as reasonably possible. The response period may be paused until clarification is received.

For complex or voluminous environmental information requests, the Council may extend the response period to **40 working days**, where permitted by the Environmental Information Regulations.

6. How the Council will respond

The Council will normally confirm whether it holds the requested information and, where appropriate, provide it.

Information may be provided by:

- email.
- paper copy.
- inspection by appointment.
- directing the requester to the Council's website or another accessible source.

The Council will try to provide information in the format requested where reasonably practicable.

7. Advice and assistance

The Council will provide reasonable advice and assistance to requesters. This may include helping the requester to clarify the information they are seeking or explaining where relevant information can be found.

8. Fees and charges

Most information will be provided free of charge.

The Council may charge for reasonable disbursement costs, such as printing, photocopying or postage. If a charge applies, the Council will issue a fees notice before providing the information. Where the cost of complying with a Freedom of Information request would exceed the statutory cost limit, the Council may refuse the request. The Council will explain this to the requester and, where possible, offer advice on how the request could be narrowed.

9. Exemptions and exceptions

Some information may be withheld where the law allows or requires it.

This may include, for example:

- personal data about individuals.
- confidential information.
- commercially sensitive information.
- information intended for future publication.
- information where disclosure would prejudice law enforcement, public safety or other protected interests.
- vexatious or repeated requests.

Each request will be considered on its own facts. Where the Council refuses all or part of a request, it will explain the reason and identify the relevant exemption or exception, unless doing so would itself disclose protected information.

10. Personal data

The Council will not disclose personal data unless it is lawful to do so.

Where a request is for the requester's own personal data, the Council will usually handle it as a subject access request under data protection legislation rather than under the Freedom of Information Act.

Where a request includes personal data about someone else, the Council will consider whether disclosure would comply with data protection law.

11. Environmental information

Requests for environmental information will be handled under the Environmental Information Regulations 2004.

Environmental information may include information about:

- land, air, water, soil, landscape or natural sites.
- noise, emissions, waste or energy.
- planning, development, biodiversity or environmental measures.
- policies, activities or decisions affecting the environment.

The Council will apply the Environmental Information Regulations where the requested information falls within that regime, even if the requester refers to the Freedom of Information Act.

12. Records management

The Council will manage its records so that information can be located and retrieved efficiently.

The Council will retain and dispose of records in accordance with its document retention policy, legal obligations and good administrative practice.

13. Roles and responsibilities

The Clerk/RFO is responsible for:

- receiving and logging information requests.
- identifying whether the request falls under the Freedom of Information Act, Environmental Information Regulations or data protection legislation.
- coordinating searches for information.
- preparing responses.
- maintaining records of requests and responses.
- seeking advice where necessary.

Councillors and staff must promptly forward any information request they receive to the Clerk/RFO. The Council remains responsible for ensuring compliance with its statutory duties.

14. Internal review

If a requester is dissatisfied with the Council's response, they may request an internal review. Requests for internal review should be made in writing to the Clerk/RFO within 40 working days of the Council's response.

The review will normally be carried out by the Chair, Vice-Chair, a nominated councillor, or another suitable person who was not directly responsible for the original response, where practicable.

The Council will aim to complete the internal review within 20 working days. If more time is needed, the requester will be informed.

15. Complaints to the Information Commissioner

If the requester remains dissatisfied after the internal review, they may complain to the Information Commissioner's Office.

Information Commissioner's Office

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

Telephone: 0303 123 1113

16. Review of this policy

This policy will be reviewed periodically, or sooner if there are changes in legislation, ICO guidance or Council procedures.