

Kington Langley Parish Council - Freedom of Information Policy 2025-26

Adopted at the Kington Langley Parish Council meeting held on 9 June 2025 Min No. 038.25

What is the Freedom of Information Act

The Freedom of Information Act 2000 (FOI) gives people a general right of access to all types of information held by public authorities such as local councils. The Act was introduced to help bring about a culture of openness within the public sector and give the public a better understanding of how authorities carry out their duties, why they make the decisions they do, and how they spend public money. The Information Commissioner's Office (ICO) is the regulator of the Freedom Of Information regime.

Kington Langley Parish Council will process requests in line with the Freedom of Information Act 2000 (FOI) and the General Data Protection Regulations (GDPR) 2018. These Acts allow access to all the types of information held, whether personal or non-personal. This may include information about third parties, but account must be taken by the Parish Council of the GDPR before releasing any such personal information.

Applicants' Rights under the FOI 2000 Act

1. To be told whether the information exists.
2. To receive the information.

The right to access information held by public authorities can be exercised by anyone, both a person or a legal body, worldwide. Applicants can exercise their right of access to the information held and can ask for information recorded both before and after the Act was passed.

Before making a Freedom of Information Request, consideration should be given to what information the Parish Council routinely publishes, e.g. minutes and agendas, as the information needed may already be publicly available, so it is advised to check Kington Langley Parish Council's website www.kingtonlangley-pc.gov.uk first.

Kington Langley Parish Council's duties under the FOI 2000 Act

1. To adopt and maintain a Publication Scheme which sets out:
 - Details of information it will routinely make available
 - How the information can be obtained
 - Whether there is any charge for providing the information
2. To comply with all requests for the information, unless there is an exemption from disclosure. The Parish Council normally has a maximum of 20 working days to respond to the request. The first day starts the day after a valid request is received by the Parish Clerk. The date on which a request is received is the day on which it arrives or, if this is not a working day, the first working day following its arrival. Non-working days include weekends and public holidays anywhere in the UK. However, there are circumstances when this time limit can be extended. The Parish Clerk will advise you if we are likely to need to extend the time.

Kington Langley Parish Council Publication Scheme

All the information that the Parish Council routinely makes available is published on the Parish Council website.

How to make a Freedom Of Information request

If there is something you would like to know about the Council's activities, you can submit your request via email at: klparishclerk@kingtonlangley-pc.gov.uk or by post to Kington Langley Parish Clerk, Willow Cottage, Church Lane, Kington Langley, Chippenham SN15 5NR. The request must be made in writing, and all requests must provide a valid email or postal address to which the Parish Clerk can reply.

When you submit your request, give as much detail as possible to help correctly identify the information you are seeking. If we do need more detail from you to identify the information, we will contact you.

Parish Council Compliance with a Freedom of Information Request

The Parish Council does not have to comply with vexatious requests or repeated requests if it has recently responded to an identical or substantially similar request from the same person. However, it is under a duty to provide advice and assistance to anyone making a request.

The Parish Council is not required to comply with a request if to do so means exceeding an appropriate cost limit as set out in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (the 2004 Regulations). This is £450 for local authorities, equivalent to 18 hours' work at £25 per hour regardless of actual hourly rates. Public authorities can only include certain activities when estimating whether responding to a request would breach the £450 cost limit. These are establishing whether information is held, locating and retrieving information and extracting relevant information from the document containing it. If the Parish Council refuses to disclose the requested information we will discuss with the requester whether they would like to modify their request to reduce costs to below the £450 limit.

Exceptions and Exemptions

There are sometimes legal reasons why information may not be released. If we do not release information to you because an exception / exemption applies, the Parish Clerk will explain why.

Requests under FOI may be refused because:

- It is a matter covered by data protection legislation.
- It is available under the Parish Council's Publication Scheme.
- It might be considered prejudicial to the effective conduct of public affairs.