Donnington and Muxton Parish Council

Information Rights Policy and Publication Scheme under the Freedom of Information Act 2000

Responsibility for the Update of Policy	Clerk to the Council
Date adopted by the Parish Council	11th May 2026 Minute No. 26/05/013
Policy Review Cycle	Every two years
Date for Policy Review	May 2028

1. Purpose and Scope of Policy

1.1 Information rights is the collective name for 3 pieces of legislation that give rights of public access to information held by public authorities:

- **General Data Protection Regulations** – looks at personal information relating to individuals
- **Freedom of Information Act (FOIA) 2000** – encompasses any information held by the Council
- **Environmental Information Regulations (EIR) 2004** – information with an environmental impact

1.2 This policy is a statement of what the Council intends to do to ensure compliance with information rights legislation.

1.3 This policy will include information that the Council has produced internally as well as information that is maintained by the Council about another organisation or received from another organisation following a mutual exchange of information, e.g. a contract or partnership agreement

1.4 The Council has an agreed Data Protection Policy and therefore this policy will only cover information rights as part of the FOIA 2000 and EIR 2004.

2. What Constitutes an Information Request

2.1 The Council will comply with all requests for information in accordance with Council procedures and appropriate legislation. It will endeavour to assist the public in exercising their 'right to know'.

2.2 The FOIA 2000 and the EIR 2004 allow anyone to request any recorded information from the Council regardless of their age, nationality, location, motive or history, subject to a few specific exemptions and exceptions laid down by law.

2.3 Not all requests for information received by the Council have to be processed under information rights legislation. Requests may be deemed 'Business As Usual' (BAU) if they are concerned with relatively standard functions/operations, do not take much time to answer and it is intended to provide all the information requested, e.g. an individual requesting a copy of a leaflet, contact details, opening hours, etc. **BAU requests should be dealt with by the relevant service area** and not the Information Governance (IG) Team.

2.4 For an information request to be considered a valid FOI request it needs to:

- Be written (email, letter, fax, social media posting) and legible
- Contain the name of the applicant
- Contain an address or email address for the reply
- Clearly describe the information that is sought

2.5 Requests under the EIR 2004 do not need to be made in writing; however, a written record should be made of any verbal requests that are received. The other elements of 2.4 above apply to EIR.

Commented [DC1]: This makes it clear to the public that the Council has a legal duty to provide access to information for the public within the boundaries of it's Data Protection Policy (which complies with the *Data Protection Act 2018*)

Commented [DC2]: Any information not available via the councils publication scheme (below) can be requested by the public, who have a right to that information as long as there are no statutory grounds to withhold said information - *Freedom of Information Act 2000 s1(1)*

Commented [DC3]: The remining part of this sections shows clearly what the member of the public needs to do in order to request information not published for various reasons should they so require it. They are then told exactly how the council responds and the time frame in which they should expect a response.
2.6 - 20 days to respond.

2.6 The Council has 20 working days to respond to either an EIR or FOI request from the date it is received by the Council (not the date the IG team receives it).

2.7 Where the request is not clear then the Council can request clarification from the requester. In these cases the 20 working day 'clock' stops and does not restart until adequate clarification has been received.

3. Exemptions and Exceptions

Commented [DC4]: Shows how certain information could be exempt - for example, if it is considered to be vexatious or unreasonable, the council does not have to respond. *Freedom of Information Act 2000, S14 (1) "does not oblige a public authority to comply with a request for information if the request is vexatious"*

3.1 The Council will not withhold information in relation to an FOI or EIR request, unless:

- An exemption (FOI) or exception (EIR) to disclosure applies
- The information sought is not held
- The request is considered to be vexatious or manifestly unreasonable
- The request is identical or substantially similar to another request that the Council has received in the previous six months.

3.2 Exemptions under FOI are either 'Qualified' or 'Absolute' as per the FOIA 2000. If a 'Qualified' exemption applies, then the Council will complete a Public Interest Test (PIT - see separate PIT Policy) to ascertain if information should be released even if the exemption applies. The PIT does not apply to 'Absolute' exemptions.

3.3 Under EIR all exceptions are subject to the public interest test.

4. Processing Requests

4.1 All requests are recorded and processed by the Information Governance (IG) Team. Appendix 1 of this policy details the steps taken by IG to process a request.

4.2 Any information held by the Council in a recorded form (electronic or paper) must be considered for release. **It is an offence to destroy or amend information relating to a request after the request has been received.**

5. Appeals

5.1 If a requester is unhappy with the response they receive from the Council then they can appeal directly to the Council in the first instance. All appeals are sent to the IG team and are dealt with by officers who did not directly process the initial request.

5.2 If the requester is unhappy with the outcome of their appeal they have the right to refer the matter to the Information Commissioners Office (ICO – www.ico.org.uk)

Publication Scheme under the Freedom of Information Act 2000

The purpose of this publication scheme is to be a means by which the council can make a significant amount of information available routinely.

The scheme will ensure that the council will publish more information pro-actively and help it to develop a greater culture of openness and transparency.

This authority's key responsibilities are to represent the electorate of its areas, to take action within the legal framework and to provide a leadership focus for the community.

CORE CLASSES OF INFORMATION

- Council Internal Practice and Procedure
- Code of Conduct
- Periodic Electoral Review
- Employment Practice and Procedure
- Planning Documents
- Audit and Accounts

OPTIONAL DOCUMENTS WITHIN CORE CLASSES

- Council Internal Practice and Procedures
- Employment Practice and Procedure
- Audit and Accounts
- Development and implementation of Policy
- Council Newsletters

EXCLUSIONS

- Core Classes of Information
- Employment Practice and Procedure
- Planning Documents
- Audit and Accounts

CORE CLASSES OF INFORMATION

1. Council Internal Practice and Procedure

Information	Format in which it is available	Charge for supply(yes/no)
Minutes of Council, Committee and sub-committee meetings (limited to last 2 year)	A4 Sheets Website	Yes, 10p per sheet plus postage. Free
Procedural standing orders	A4 Sheets	Yes £2.50 per copy plus postage
Council's annual report to Parish meetings Minutes of the Annual Parish Meeting	A4 sheets Website Website	Yes, 10p per sheet plus postage Free Free
Timetable of Council Meetings	A4 sheet Website	Yes, 10p per sheet plus postage. Free

2. Code of Conduct

Information	Format in which it is available	Charge for supply(yes/no)
Members' declaration of acceptance of office	Held by Monitoring Officer at the District Council. Copies held by Parish Council	Yes, 10p per sheet plus postage
Members ' register of interests	Held by Monitoring Officer at the District Council. Copies held by Parish Council	Yes, 10p per sheet plus postage

Commented [DC5]: This enables an openness in the public sector and shows that the council is transparent in all it's business dealings.

Commented [DC6]: The Publication Scheme sets out Core Classes of Information - excluding information that the council is prevented to disclose by law, exempt from the Freedom of Information Act 2000, and any information in draft form.

For each class of information, the scheme details what information is available to the public, how they can access it, if there are charges avaible, and if so what those charges are.

Commented [DC7]: This demonstrate transparency as the website is easily accessible and simple to navigate. Compliant with *Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018*. The Accessibility Statement is on the website also.

Commented [DC8]: The minutes should state clearly the formal decisions / resolutions made by the council (or committees), showing transparency of how the council conducts its business. They are on the website for all to access.

Register of Members' interests book	Available to view at Parish Council Office	N/A

3. Periodic Electoral Review

This is information concerning changes to the electoral arrangements for parish councils. It includes recommendations for the creation of new wards, the amendment of existing wards, proposals for the names of new wards and alterations to the number of councillors to be elected to the council.

Information	Format in which it is available	Charge for supply(yes/no)
Information relating to the last Periodic Electoral Review of the council area	Available from Borough of Telford and Wrekin Council	
Information relating to the Latest boundary review of the council area	Map available to view at Parish Council Office	

4. Employment Practice and Procedure

Information	Format in which it is available	Charge for supply(yes/no)
Terms and conditions of Employment	A4 Sheets	Yes, 10p per sheet plus postage
Job descriptions	A4 Sheets	Yes, 10p per sheet plus postage

5. Planning Documents

Information	Format in which it is available	Charge for supply(yes/no)
Responses to planning applications	Record of comments available from Minutes. Website	Yes, 10p per sheet plus postage. Free

6. Audit and Accounts

Information	Format in which it is available	Charge for supply(yes/no)
Annual return form - limited to the last financial year	A4 Sheets	Yes, £1.00 plus postage
Annual statutory report by auditor (internal and external) - limited to the last financial year	Included in above	
Receipt/payment books, receipt books of all kinds, bank statement from all accounts - limited to the last financial year	Available to view, by appointment, at Parish Council Office	N/A
Precept request - limited to the last financial year	A4 Sheets	Yes, 10p per sheet plus postage
VAT records - limited to the last financial year	A4 Sheets	Yes, 10p per sheet plus postage
Financial Standing Orders and regulations	A4 Sheets	Yes, £1.00p per copy plus postage
Assets register - includes details of areas of land owned by the council.	A4 Sheets	Yes, 10p per sheet plus postage
Financial risk assessments	Included in Annual Audit return	

Commented [DC9]: A council must disclose to the public information regarding it financial affairs.
The council is compliant with the *Accounts and Audit Regulations 2015 s10* which states that the accounts (AGAR) must be published. This shows transparency regarding the councils financial transactions and how it handles public funds. And complies with its Financial Regulations which state:
1.1.The RFO shall make arrangements for the exercise of electors' rights in relation to the accounts, including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and documents required by the Local Audit and Accountability Act 2014, or any superseding legislation, and the Accounts and Audit Regulations.

OPTIONAL DOCUMENTS WITHIN CORE CLASSES

1. Council Internal Practice and Procedures

Information	Format in which it is available	Charge for supply(yes/no)
Agendas and supporting papers for council, committee and subcommittee meetings - limited in each case to the forthcoming/immediate committees	Agendas posted on Notice Boards and available to view on website. Available in A4 format with supporting papers (unless confidential)	Yes, 10p per sheet plus postage
Terms of Reference for Various Committees	A4 Sheets	Yes, 10p per sheet plus postage

2. Employment Practice and Procedure

Information	Format in which it is available	Charge for supply(yes/no)
Health and Safety policy	Available in A4 format. Website	Yes, 50p per copy plus postage Free
Equality and Diversity Policy	A4 Sheets Website	Yes, 10p per sheet plus postage Free

3. Audit and Accounts

Information	Format in which it is available	Charge for supply(yes/no)
Loan Sanction approvals	None	
Safety Inspection records	A4 Sheets	Yes, 10p per sheet plus postage
Register/file of members' allowances	N/A	

4. Development and Implementation of Policy

Information	Format in which it is available	Charge for supply(yes/no)
Complaints handling procedure	Available in A4 format Website	Yes, 10p per sheet. Free

5. Council Newsletters

Information	Format in which it is available	Charge for supply(yes/no)
Parish Council Newsletter	Magazine format Website	Delivered free to members of the Parish upon request. Free
History of parish	Brief History available on website.	Free

EXCLUSIONS

Commented [DC10]: This section clearly states what classes of information are excluded, the reasons why they are excluded and any legislation to support it.

Core Classes of Information

Employment Practice and Procedure
“Personal Records”, i.e. appraisals, employees specific salaries, disciplinary records, sickness records and the like by virtue of being personal data under the Data Protection Act 1998.

Planning Documents
Copies of planning consultations, the Development Plan, Structure Plan, Local Plan, and Rights of Way/Footpath maps, all of which are available from the local planning and/or highways authority respectively.

Audit and Accounts
All commercially sensitive information e.g. Quotations and tenders, loan documentation, and insurance policies. With regards to quotations and tenders, this information is treated as confidential to ensure that the tender process is fair, i.e. if tender information is released to a third party prior to the end of the tender period, those who initially submitted tenders could be undercut and/or unfairly disadvantaged.

Documents which are required to be in an alternative format or media e.g. braille or alternative language, will be provided. Applicants will be informed of the timescale involved.

Commented [DC11]: As per the Equality Act 2010

Adopted 19th April 2019
Reviewed 8th January 2024