



# EDINGTON PARISH COUNCIL FOI POLICY

## FOI Policy Update Timeline

- **Version:** 1.0
- **Adopted:** 14 September 2026
- **Adopted by:** Full Council
- **Published:** 14 September 2026
- **Review Due:** Feb/March 2027

# 1. INTRODUCTION

**Edington Parish Council** is committed to complying with the provisions of the **Freedom of Information Act 2000 (FOIA)** and has issued this policy in response to the Act. This policy is also aligned to other legislation relating to access to information, including the **Data Protection Act 2018** and the **Environmental Information Regulations 2004**. The Council supports the FOIA's key objectives of increasing openness, accountability, and transparency in the public sector to build public trust and confidence in local government.

This Policy applies to all employees of the Council, including elected members, contract, agency and temporary staff, volunteers, and employees of partner organisations working for the Council. The FOIA applies to all information held by the Council or by another person on the Council's behalf.

## 1.1 Legislative Requirements

The FOIA places two main obligations on the Council:

- To publish certain information about its activities through a **publication scheme**.
- To respond to requests for information from members of the public.

The Act does not provide access to an individual's own personal data; such requests must be made as a **Subject Access Request** under the Data Protection Act 2018.

## 1.2 Environmental Information Regulations 2004 (EIR)

The public has a right to request environmental information, which covers:

- The state of the environment (air, water, soil, flora, fauna, etc.).
- Emissions, discharges, noise, energy, and waste.
- Policies, plans, agreements, and economic analyses.
- Human health, safety, and cultural sites.

# 2. POLICY STATEMENT

The Council aims to foster a culture of routine, proactive transparency by:

- Endeavouring to provide the public with access to the official information it holds.
- Making people aware of their rights to access information.
- Making routine information available via the Council's Publication Scheme and website.
- Providing reasonable advice and assistance to applicants.
- Ensuring all staff and councillors are aware of their obligations under the Act.

## 3. DEALING WITH REQUESTS FOR INFORMATION

Members of the public have a general right to be told whether the Council holds specific information and, if so, to have that information communicated to them.

### 3.1 Making a Request

- Requests must be in **writing** (including email), providing the applicant's **name and return address**, and describing the information requested clearly.
- Requests do not need to mention the FOI Act specifically.
- Applications should be sent to the Parish Clerk at:  
[clerk@edingtonwiltsparishcouncil.gov.uk](mailto:clerk@edingtonwiltsparishcouncil.gov.uk)

### 3.2 Processing Requests

- All requests will be logged and acknowledged.
- The Council has **20 working days** to deal with a request. This period begins only after any necessary clarification is received from the applicant.
- If a delay is likely, the applicant will be informed of the reasons and an expected timeframe.

### 3.3 Fees and the "Appropriate Limit"

- The Council may charge a fee for providing information.
- If the information can be provided within 18 hours of staff time, there is no charge for staff time.
- Charges may be made for disbursements (photocopying, postage, etc.) if they exceed **£10.00**.
- Under FOI Section 12, the Council is not obliged to provide information if the cost of finding and sorting it exceeds **£450** (equivalent to 18 hours at a rate of £25 per hour).
- Applicants may be asked to reframe requests to fall below this limit. Note that environmental information cannot be refused solely on the grounds of cost.

## 4. REFUSALS AND EXEMPTIONS

The Council may refuse a request if:

- The cost exceeds the £450 limit.
- The information is not held.
- The information is **exempt** under Part II of the FOI Act (e.g., information already accessible, intended for future publication, or where disclosure would cause prejudice).
- The request is considered **vexatious or repeated** (See Appendix 1).

## 5. APPEALS PROCESS

If a request is refused, the Council will provide a refusal notice explaining the reasons and the applicant's right of appeal.

- **Internal Review:** Applicants can request an internal review by the Council, which will typically be completed within **20 working days**.
- **External Appeal:** If the applicant is still dissatisfied, they may appeal to the **Information Commissioner's Office (ICO)** at Wycliffe House, Water Lane, Wilmslow, SK9 5AF.

# APPENDIX 1: VEXATIOUS AND REPEATED REQUESTS

The Council is not obliged to comply with vexatious or repeated requests.

## Repeated Requests

A request is "repeated" if it is identical or substantially similar to a previous request from the same person and a **reasonable interval** (deemed to be **40 working days**) has not elapsed.

## Vexatious Indicators

The Council uses ICO guidance to identify vexatious requests, including:

- **Abusive or aggressive language.**
- **Grossly oppressive burden on the authority's time and resources.**
- **Personal grudges targeting specific employees or office holders.**
- **Unreasonable persistence in reopening closed issues.**
- **Unfounded accusations or an entrenched, intransigent position.**
- **Frequent or overlapping requests on the same issue.**
- **Deliberate intention to cause annoyance or disruption.**
- **Scattergun approach designed for "fishing" for information.**
- **No obvious intent to obtain information (e.g., using FOI to vent anger).**
- **Frivolous or futile requests lacking serious purpose.**