

GUIDANCE NOTES FOR APPLICANTS

Freedom of Information

The Freedom of Information Act 2000 aims to make public bodies more open and accountable by creating a right for any person to request information held by the Council.

You have a right to obtain information held by the Council for its purposes as a local authority, except for certain circumstances when the Council may withhold information (see below).

A lot of Council information is already made available to the public on its web site or by contacting services directly, and this is listed in the Council's Publication Scheme. This document specifies where information can be obtained from and whether there is a fee payable for it. The Publication Scheme is available on the Council's website https://www.ribblevalley.gov.uk/info/200415/open_data_and_transparency

How to Make a Request for Information

If the information you require is not available through the web site and Publication Scheme, you can request it from the Council.

You must put your request in writing, and include:

- your name,
- your contact details (including email and fax
- a description of the information you require.

You should send your request to:

Council Offices
Church Walk
Clitheroe
Lancashire
BB7 2RA

You may also email your request to katharine.collinge@ribblevalley.gov.uk

How we will deal with your Request

When we receive your request, we will check it to make sure that you have provided your name and contact details and have clearly described the information that you require. We may need to contact you for further information if your request is not clear. We will then send you an acknowledgement and tell you when we expect to be able to deal with your request.

We will make a search of our records to establish whether the Council holds the information you have requested. If the Council does not hold the information, we may suggest other authorities who may hold the information,

or if you agree, we may transfer your request to the authority who does hold the information you require.

If the Council does hold the information you have requested, we will make it available to you, either by providing copies of it, a digest of it, or by inviting you in to the Council's offices to inspect it. We will try as far as possible to comply with your preference on how the information is made available to you.

Time Limit for Dealing with your Request

In most cases, the Council is obliged to deal with your request within 20 working days of receiving it. If we cannot deal with it within that timescale, we will let you know and provide an estimate of when we expect to be able to deal with it.

Fees for Dealing with your Request

Most information will be provided free of charge. However, if a fee is payable, we will let you know as soon as possible.

The Council will not charge a fee if it decides not to provide you with the information because it is 'exempt' under the Act (see below).

Circumstances in which the Council may refuse your Request

Some categories of information are treated as 'exempt' under the Freedom of Information Act. This means that the Act does not allow access to such information and the Council may refuse to disclose information which falls into these categories. The following are examples of exempt information:

- Information that is available to you through other means e.g. from the Council's web pages or Publication Scheme;
- Personal information relating to a living individual;
- Information which may, if disclosed, prejudice commercial interests.

There are 23 categories of exempt information in the Act. In some cases, the Council may only refuse to disclose information if it is in the public interest to do so. A panel of senior Council officers will decide whether information is exempt or not.

If the Council is of the view that the information you have requested is exempt and should not be disclosed, you will be sent a Refusal Notice. This will explain why the Council believes the information is exempt.

The Council is also not obliged to deal with requests:

- Which are vexatious or repeated;
- Which will result in a cost to the Council which exceeds a statutory limit;
- Where you have not responded to a request from the Council for assistance in identifying the information you require.

Information relating to Third Parties

If you request information which relates to third parties, the Council may need to consult that third party to see if they have any objection to the information being disclosed to you.

If you wish to be notified before such consultation takes place, please advise in writing as part of your request, or if you have already made your request, without delay, since consultation will take place early on in the 20 working day period. However, please bear in mind that in some circumstances the Council is under a duty to consult third parties and will be obliged to do so in order to be able to properly deal with your request. It is also possible that some third party information may be exempt (see above).

Advice and Assistance

The Council will do its best to provide you with advice and assistance in making a request under the Freedom of Information Act. If you require assistance, please contact katharine.collinge@ribblevalley.gov.uk 01200 414536 who will try and assist you.

Environmental Information

Some categories of information relate to the environment and a request for information that is classed as environmental will be dealt with under the Environmental Information Regulations 2004. Your request will be processed in the same way as a Freedom of Information request except that in addition to requesting environmental information in writing you can also make a verbal request. The details will be copied onto a form and all requests processed as for a Freedom of Information requests. Where possible requests will be dealt with within 20 working days but where a large volume of information is involved or the information is complex, the request may be dealt with within 40 working days. The Council will let you know if this is the case.

As with Freedom of information, there are certain circumstances when information may be withheld under the Regulations. The Council will explain why it considers that such information should be withheld.

Complaints

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request a review of our decision you should write to

Diane Rice,
Head of Legal and Democratic Services
Ribble Valley Borough Council,
Council Offices,
Church Walk,
Clitheroe,
Lancashire,
BB7 2RA.

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner for a decision. Generally the Information Commissioner's Office cannot make a decision unless you have exhausted the complaints procedure provided by Ribble Valley Borough Council.

The Information Commissioner can be contacted at:

The Information Commissioner's Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire
SK9 5AF.

www.ico.org.uk

General information regarding your rights under the Freedom of Information Act and Environmental Information Regulations are also available from the Information Commissioner's office.