

Pembrokeshire County Council
Cyngor Sir Penfro



Freedom of Information

Corporate Request Management Policy

Document Revision History

Version No	Comments	Author	Date of Issue	Status
1.0		John Roberts	April 2013	Complete

CONTENTS

- 1.0 Introduction
- 2.0 Identifying A Request Made Under The Freedom Of Information Act
- 3.0 Logging Request
- 4.0 Retrieving Information
- 5.0 Performance
- 6.0 Exemptions

1.0 Introduction

The purpose of this document is to outline procedures to be followed when a request for information under the Freedom of Information Act 2000 is made.

The government first published proposals for Freedom of Information (FOI) in 1997. In the white paper [Your Right to Know](#), the government explained that the aim was a more open government based on mutual trust.

The main principle behind freedom of information legislation is that people have a right to know about the activities of public authorities, unless there is a good reason for them not to. This is sometimes described as a presumption or assumption in favor of disclosure. The Act is also sometimes described as purpose and applicant blind.

This means that:

- Everybody has a right to access official information. Disclosure of information should be the default – in other words, information should be kept private only when there is a good reason and it is permitted by the Act;
- An applicant (requester) does not need to give you a reason for wanting the information. On the contrary, you must justify refusing them information;
- You must treat all requests for information equally, except under some circumstances relating to vexatious requests and personal data (see [When can we refuse a request?](#) for details on these). The information someone can get under the Act should not be affected by who they are. You should treat all requesters equally, whether they are journalists, local residents, public authority employees, or foreign researchers; and
- Because you should treat all requesters equally, you should only disclose information under the Act if you would disclose it to anyone else who asked. In other words, you should consider any information you release under the Act as if it were being released to the world at large.

This does not prevent you voluntarily giving information to certain people outside the provisions of the Act.

2.0. Identifying An information Request Under The Freedom of Information Act

Anyone can make a freedom of information request – they do not have to be UK citizens, or resident in the UK. Freedom of information requests can also be made by organisations, for example a newspaper, a campaign group, or a company. Employees of a public authority can make requests to their own employer, although good internal communications and staff relations will normally avoid the need for this.

Requests can take many forms such as:-

- Letters
- e-mails
- via Social Networking sites

The requestor does not have to notify the Council that they are making their request for information under the Act, it is up to the Council to identify the request as such.

3.0 Logging request

All Freedom Of Information requests should be forwarded to the Information Governance / Freedom of Information Officer. The request will then be logged.

4.0 Retrieving Information

Following receipt of the request a "Request to Service Area For Information" form will be issued to the relevant department. This will detail the information required and the prescribed timescale. The service area will then be required to obtain the information and ensure that no exempt information is included (e.g. 3rd party references). The information then needs to be quality assured by a team manager before being authorised for release by the Head of Service or somebody designated by them. The Head of Service is responsible for any information which their service releases. The service area then liaises with the requestor to arrange viewing or collection of the data, each step must be recorded on the Request to Service Area for Information" form. The information along with the Request to Service Area for Information form should then be forwarded to the Information Governance / FOI officer complete the request on the logging system and release the information

5.0 Performance

The Council aims to respond to 95% of all FOI requests within the 20 working day deadline.

6.0 Exemptions

There are a number of exemptions to the Freedom of Information Act. The Information Commissioners Office website offers guidance on the application of exemptions. If a service area thinks an information request maybe wholly or partly exempt from the FOI Act the Head of service should raise the issue with the Information governance / Freedom of Information officer. The final decision as to whether the information covered by a request is exempt resides with the Senior Information Risk Owner (SIRO).