

Policy

Freedom of Information

Purpose

The Freedom of Information Act (FOI) 2000 and Environmental Information Regulations (EIR) 2004 came into force on 1 January 2005. These Acts give the public a general right of access to information.

This policy sets out how the Greater Lincolnshire Combined County Authority meets our obligations under the FOI Act 2000 and the EIR 2004.

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Scope

This policy applies to:

- All recorded information including official documents, drafts, emails, notes, and audio and video recordings.
- Information held by us or on our behalf.

Training and awareness

We will provide training to all staff to ensure they maintain a good awareness of Freedom of information.

Principles

People have a right to know about our activities, unless there is a good reason for them not to.

An applicant (requester) is not required to provide a reason for requesting information. We, however, must justify when refusing a request.

We will treat all requests for information equally. However, there may be some exceptions for vexatious requests and personal data.

We will treat all requesters equally regardless of who they are.

Publication Scheme

We will aim to publish:

- Information on our website proactively via a publication scheme
- Responses to previous FOI requests

Requests for information

Any written request for information will be regarded as a request for recorded information unless:

- The information can be dealt with as a normal customer enquiry. The request will then be dealt with under the usual customer service procedures.
- It is a request for personal data relating to the individual requesting the information. Such requests are dealt with under data protection legislation.
- If the request is for environmental information, we will consider it under the Environmental Information Regulations 2004.

We will only accept requests in writing, for example, via:

- online form
- letter
- email
- fax
- social media

We will:

- respond to a request for information within 20 working days of receipt
- clarify ambiguous requests with the requester

We will not:

- refuse a request for information because the recorded information is out of date, incomplete or inaccurate.
- make any changes or deletions to records because of a request.

Refusing a request

We will consider refusing a request for information if:

- it would cost too much or take too much staff time to deal with the request
- the request is vexatious
- the request repeats a previous request from the same person
- the request meets an exemption under the Act.

We may also refuse to confirm or deny whether we hold information where the Act allows.

We may seek legal advice where appropriate before refusing a request.

We will ensure that our grounds for refusal are robust and justification will be required should the refusal be challenged.

A written refusal notice shall be issued to the requester if we:

- refuse to say whether we hold information at all
- confirm that information is held but refuse to release it

Charges and complaints

We do not initially charge you for making an FOI request.

We may charge an appropriate fee for complying with some requests for information.

We will supply a detailed breakdown and explanation of charges to the requester.

Staff should seek advice from the customer information service if a fee is being considered.

Complaints and review process

We will carry out a review of a request whenever the requester expresses dissatisfaction with the outcome.

The review shall not be limited to the first decision. We will provide a new decision based on all available evidence that is relevant to the date of the request.

The review shall be carried out by:

- someone who did not deal with the original request, and
- a more senior member of staff (where possible)

We will conduct a review within 20 working days. In exceptional circumstances, this time limit shall be extended to 40 working days.

Further Information

For further information please contact:

customerinformationservice@lincolnshire.gov.uk

or write to

GLCCA Freedom of Information,
Customer Relations Team,
Lincolnshire County Council,
County Offices,
Newland,
Lincoln,
LN1 1YL

Further advice and information is available from the Information Commissioner's Office at www.ico.org.uk.