



Sutton-at-Hone & Hawley Parish Council

Contact the Council: Parish Clerk - 07782 702994
clerk@suttonathoneandhawleyparishcouncil.gov.uk

or visit the council website:

www.suttonathoneandhawleyparishcouncil.gov.uk

Sutton-at-Hone & Hawley Parish Council's Freedom of Information Policy

1. Introduction

- Sutton-at-Hone & Hawley Parish Council ("the Council") is committed to openness, transparency, and accountability in the conduct of its functions. The Council aims to make information available proactively wherever possible, supporting public understanding of its policies, decisions, and operations.
- The Council has obligations under the **Freedom of Information Act 2000 (FOIA)**, including:
 - Maintaining and publishing a **Publication Scheme**; and
 - Responding to individual requests for recorded information.
- This Policy explains how the Council meets its duties under the FOIA and is published on the Council's website and kept up-to-date.

2. Scope

- The Council provides access to information through normal business processes and through statutory access regimes. This Policy applies specifically to access rights provided under the FOIA.
- Some information may be accessible under other legislation, such as the **UK GDPR** and the **Data Protection Act 2018**. Where a request is for personal data, the Council will treat it as a subject access request and apply the correct legislation.

3. Publication Scheme

- The Council maintains a **Publication Scheme** in accordance with Section 19 of the FOIA and the model scheme approved by the Information Commissioner's Office (ICO).
- The Council will publish information electronically on its website wherever possible. Where information is unavailable electronically, individuals may request it from the Parish Clerk.
- Some information may only be accessible by appointment at the Council's premises. The Council will offer appointments within a reasonable timeframe.
- The Publication Scheme sets out the information routinely available, how to access it, and any associated charges.

4. Information Not Included in the Publication Scheme

- The FOIA provides the public with a general right of access to recorded information that the Council holds but does not routinely publish.
- Anyone may request information -regardless of age, nationality, or residence -and the requester does **not** need to be a resident of Sutton-at-Hone & Hawley.

5. Making a Freedom of Information Request

- Requests made under the FOIA must be **in writing** (letter or email) and addressed to the Parish Clerk.
- A valid FOI request must include:
 - The requester's **name**
 - Contact details for correspondence
 - A clear description of the **recorded information** being requested
- The requester does **not** need to cite the FOIA or explain their reasons for making the request.

- Most requests will be free of charge. Where photocopying, printing, or postage costs apply, the Council will notify the requester before proceeding.

6. Exemptions

- The Council will confirm whether it holds the requested information and will provide it unless an exemption applies. Exemptions may include (but are not limited to):
 - Personal data
 - Commercially sensitive information
 - Information provided in confidence
 - Material likely to prejudice effective conduct of public affairs
- If the estimated cost of complying exceeds **£450**, the Council may refuse the request under the FOIA cost limit or may offer advice to help the requester narrow the scope.
- The Council may seek clarification where a request is unclear or too broad.
- Where information is withheld, the Council will issue a refusal notice explaining:
 - The exemption(s) applied
 - Why the exemption applies
 - The requester's right to request an internal review
 - The right to complain to the ICO

7. Vexatious and Repeated Requests (section 14 FOIA)

Under **Section 14 of the FOIA**, the Council is not required to comply with requests that are **vexatious** or **repeated**.

• 7.1 Vexatious Requests

A request may be considered vexatious if it:

- Imposes a **significant and disproportionate burden** on the Council
- Is designed to cause disruption, annoyance, or harassment
- Contains **abusive or aggressive language**
- Forms part of an obsessive or unreasonable pattern of correspondence
- Lacks any serious purpose or value
- Repeats issues that have already been comprehensively addressed

The Council will consider the **overall context**, including the requester's previous interactions, in line with ICO guidance on vexatious requests.

• 7.2 Repeat Requests

The Council may refuse a **repeat request** where:

- The information has already been provided; **and**
- There has been **no reasonable period** between the requests; **and**
- There is **no significant change in circumstances**.

Repeat requests may be refused under Section 14(2) FOIA.

• 7.3 Refusal on Section 14 Grounds

Where a request is refused under Section 14, the Council will:

- Issue a written refusal notice
- Explain the reason(s) for refusal
- Provide details of how to request an internal review
- Advise of the right to complain to the ICO

8. Data Protection and Freedom of Information.

- The FOIA provides access only to **recorded information**, not personal data about the requester.
- Requests for **personal information about the requester** will be treated as **Subject Access Requests** under the **UK GDPR and Data Protection Act 2018**, not under the FOIA.
- The Council will not release **personal data about third parties** unless disclosure is lawful, fair, and compliant with data protection legislation.



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- Where a request contains a mixture of personal and non-personal information, the Council will apply the appropriate legislation to each part.

9. Internal Review and Complaints

- Requesters who are dissatisfied with the Council's response may request an **internal review**. Reviews will normally be conducted by a member of the Council not involved in the original decision, where practicable.
- If still dissatisfied, the requester may complain to the **Information Commissioner's Office (ICO)**.