



# Barrowby Parish Council

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## Freedom of Information and Environmental Information Requests Policy and Procedure

### Document control

- **Owner:** Full Council
- **Responsible officer:** Clerk / Proper Officer
- **Adopted:** 11.05.2026 (Minute ref: 8e [26/008])
- **Version:** 2026.1
- **Review:** Annually or earlier if legislation/guidance changes
- **Next review due:** January-March 2027 at Full Council for formal adoption at Parish Council May 2027

### 1. Purpose

This policy sets out how Barrowby Parish Council will deal with requests for recorded information under:

- the **Freedom of Information Act 2000** ("FOIA"); and
- the **Environmental Information Regulations 2004** ("EIR").

It is intended to ensure that requests are handled lawfully, promptly, consistently and fairly.

### 2. Scope

This policy applies to:

- all councillors;
- all officers and employees of the Council; and
- all recorded information held by the Council, regardless of format, including paper records, emails, electronic documents, photographs, plans, audio recordings and handwritten notes.

This policy does not apply to:

- requests by individuals for their **own personal data**, which must be handled as subject access requests under data protection law; or
- routine service requests or general enquiries where information is provided in the ordinary course of business and no formal information-access regime needs to be engaged. The ICO notes that if the person is asking for environmental information, the request falls under EIR; other non-routine requests for held information generally fall under FOIA.

### 3. Policy statement

The Council supports openness and transparency and will:

- publish information proactively through its publication scheme wherever appropriate;
- respond to valid requests for information promptly and within the statutory timescales;
- assist applicants where reasonably possible;
- apply exemptions and exceptions only where lawful and justified; and
- keep appropriate records of requests and responses.

## 4. Remote working and Council address

Barrowby Parish Council does **not** operate a staffed public office. The Council is administered remotely, with councillors and officers working from home.

The Council's correspondence and document inspection address is:

### **Barrowby Reading Room**

**Church Street**

**Barrowby NG32 1BX**

This address is used for correspondence and for inspection of records by prior appointment where inspection is appropriate. It is not a continuously staffed public office.

## 5. How requests may be made

Requests may be received by letter, email, social media, or by any other channel through which the Council receives correspondence.

A request does not need to mention FOIA, EIR, or any legislation to be valid. Staff and councillors must consider the substance of the request, not the label attached to it.

Under FOIA, requests generally need to be in writing. Under EIR, requests for environmental information may be made **verbally or in writing**, including by telephone or through social media.

Where an EIR request is made verbally, the person receiving it must make a written record of:

- the date received;
- the requester's name and contact details, if provided;
- the information requested; and
- any clarification obtained.

## 6. What counts as environmental information

Requests should be considered under EIR where they relate to environmental information, including information about:

- land, buildings, landscape or the countryside;
- air, water, soil, flora, fauna or biodiversity;
- noise, energy, emissions, waste or pollution;
- planning, development, highways, drainage, flood risk or works affecting the environment; and
- measures, policies, reports or decisions affecting or likely to affect these matters.

If there is uncertainty, the Council will consider carefully whether EIR applies and seek advice where required. The ICO's guidance makes clear that environmental information requests are governed by EIR rather than FOIA.

## 7. Roles and responsibilities

### 7.1 Parish Clerk

The Parish Clerk is the Council's lead officer for handling FOI and EIR requests and will:

- receive, log and acknowledge requests;
- coordinate searches for information;
- seek clarification where needed;
- prepare draft responses;
- arrange any necessary redactions;
- issue responses and refusal notices; and
- maintain the request log and, where used, a disclosure log.

## 7.2 Councillors

Councillors who receive a request for information relating to Council business must forward it to the Clerk **as soon as possible**. This is especially important because requests can arrive by informal means and do not need to cite legislation to trigger duties.

Councillors must:

- not ignore or delay passing on a request;
- not alter, delete, conceal or destroy information relevant to a request; and
- cooperate promptly with any search for information.

The ICO stresses that information must not be altered, concealed, deleted or disposed of to prevent disclosure.

## 8. Logging and acknowledging requests

The Council will maintain a request log recording:

- reference number;
- date received;
- requester name and contact details;
- summary of request;
- whether handled under FOIA or EIR;
- deadline;
- outcome;
- date of response; and
- whether an internal review was requested.

The Clerk should normally acknowledge requests promptly and, where appropriate, confirm the statutory deadline. The ICO states that authorities should respond promptly, with 20 working days being the usual maximum time limit for FOIA requests.

## 9. Clarification and assistance

If a request is unclear, too broad, or does not reasonably identify the information sought, the Council may seek clarification.

The Council will provide reasonable advice and assistance to help applicants describe the information they want, particularly where:

- the request is broad or ambiguous;
- the applicant appears unsure what records are held; or
- a more focused request would help locate the information efficiently.

Where clarification is needed, the Council will explain this as clearly as possible.

## 10. Timescales

The Council will respond **promptly** and no later than the applicable statutory deadline.

Under FOIA, the normal maximum time for responding is **20 working days**, counting from the first working day after the request is received.

EIR requests must also be handled as soon as possible and normally within **20 working days**, subject to the limited circumstances allowed by the Regulations. ICO guidance also notes that request handling should be prompt and timely.

Internal deadlines may be set to ensure sufficient time for searches, consideration of any exemptions or exceptions, and preparation of the response. The ICO recommends setting internal deadlines and keeping request handling timely and transparent.

## 11. Searching for information

The Council will make reasonable and proportionate searches for information falling within the scope of a request.

Searches may include:

- paper files;
- minute books and agenda files;
- correspondence files;
- emails and attachments;
- electronic storage folders;
- venue records held by the Council; and
- archived records held by or on behalf of the Council.

Officers and councillors asked to search for information must do so promptly and accurately.

## **12. Form and format of disclosure**

Where information is disclosable, the Council will normally provide it electronically where reasonably practicable.

Where the applicant asks for a particular format, the Council will consider that request in accordance with the law. Under EIR, if the applicant asks for environmental information in a particular form or format, it should normally be provided that way unless a lawful reason applies for using another format or the information is already publicly available and accessible elsewhere.

Where records are only available in physical form, the Council may:

- provide copies;
- provide a transcript or extract where appropriate; or
- arrange inspection by prior appointment at the Reading Room or another agreed Council location.

## **13. Charges**

The Council aims to provide information electronically free of charge wherever possible.

Any charges will be made only where lawful and will be set out clearly in advance. The publication scheme guidance says charges should be stated up front and information should be made available online and free of charge where possible.

Any fee or disbursement will be dealt with in accordance with the Council's published schedule of charges and the relevant legislation.

## **14. Exemptions and exceptions**

The Council may refuse to disclose some or all requested information where:

- a valid FOIA exemption applies; or
- a valid EIR exception applies.

Examples may include personal data, legally privileged information, confidential commercial information, or other categories protected by law. Any refusal will be considered carefully and only applied where justified.

Where required, the Council will explain:

- what information is being withheld, so far as lawful;
- the exemption or exception relied upon; and
- why it applies.

## **15. Refusal notices**

If the Council refuses a request in whole or in part, it will issue a written refusal notice unless the law permits otherwise.

The refusal notice should normally include:

- the decision;
- the reason for refusal;

- the relevant exemption or exception;
- public interest considerations where applicable;
- details of how to request an internal review; and
- details of the right to complain to the Information Commissioner.

## **16. Information already available**

Where information is already publicly available, for example on the Council's website or through the publication scheme, the Council may direct the applicant to that source where lawful and appropriate. The publication scheme guidance confirms that where possible information should be made available online and requesters can be directed to the website. Where an applicant cannot reasonably access the information online, the Council will consider alternative means of access.

## **17. Internal review**

Anyone dissatisfied with the handling of their request may ask the Council for an internal review.

Requests for internal review should normally be made in writing and submitted within **40 working days** of the Council's response.

The internal review will normally be handled by a person or body not directly involved in the original decision, so far as practicable for a parish council. Depending on the issue, this may be:

- the Clerk, where the original response was prepared by another officer or routine administrative action is being reviewed;
- the Chair; or
- a committee or panel of councillors appointed for that purpose, excluding anyone directly involved in the original decision.

The Council will acknowledge the review request and normally aim to complete the internal review within **20 working days**, and in exceptional cases no later than **40 working days**. That reflects ICO guidance on internal review handling.

## **18. Complaints to the Information Commissioner**

If the applicant remains dissatisfied after the internal review, they may complain to the Information Commissioner's Office.

The Council will provide ICO contact details in internal review outcomes or refusal notices.

## **19. Record keeping and disclosure log**

The Council will keep appropriate records of:

- requests received;
- acknowledgements;
- clarification sought;
- searches carried out;
- responses issued;
- information disclosed;
- exemptions or exceptions applied; and
- internal reviews.

The Council may maintain a disclosure log where appropriate as a matter of good practice.

## **20. Relationship with other Council policies**

This policy should be read alongside the Council's:

- Publication Scheme and Guide to Information;

- Data Protection and Privacy documents;
- Records Retention / Records Management Policy;
- IT / Email / Information Security Policy;
- Complaints Procedure; and
- any relevant CCTV or document access procedures.

If there is any conflict between this policy and the legislation, the legislation will prevail.

## **21. Review**

This policy will be reviewed:

- annually;
- sooner if there is a change in legislation, ICO guidance, case law, or Council practice; or
- following any significant complaint, ICO decision, or identified issue in request handling.