



STOTFOLD TOWN COUNCIL

FREEDOM OF INFORMATION PROCEDURE

VERSION: 2.0

Stotfold Town Council is committed to complying with the provisions of the Freedom of Information Act 2000 (FOIA), the Environmental Information Regulations 2004 (EIR) and related legislation.

This legislation enables anyone, anywhere in the world, to request any recorded information held by, or on behalf of, Stotfold Town Council. Information will be provided if it is held, unless one or more of the exemptions (or, under the EIR, exceptions) listed in the legislation applies. Information which is exempt does not have to be provided.

This procedure explains how the Council handles requests for information, who is responsible for each step, and what applicants can expect.

Scope

This procedure applies to all recorded information held by the Town Council or by someone else on behalf of the Town Council. This includes information held by contractors, advisers or other bodies on the Council's behalf. It also includes emails, messages and documents about Council business held on the personal devices or private email accounts of Members and staff. It does not apply to information which the Town Council only holds on behalf of another person or organisation, or information held by Members in a private or political capacity.

Requests from individuals for their own personal data are not handled under this procedure. They are subject access requests and are dealt with under the Council's Subject Access Request Procedure.

Responsibilities

All employees and Members are responsible for ensuring that any request for information they receive is passed to the Town Clerk without delay and is dealt with in line with the requirements of the FOIA and in compliance with this procedure. The Council's Town Clerk is the Council's designated officer for the purposes of the FOIA under the Scheme of Delegation, and manages and coordinates all requests for information. In the Town Clerk's absence, the Deputy Clerk undertakes this role.

Members must not respond to a request for information on the Council's behalf. When asked by the Town Clerk, Members and staff must search for and provide any information they hold that falls within a request. It is a criminal offence under section 77 of the FOIA to alter, deface, block, erase, destroy or conceal information with the intention of preventing its disclosure.

Any requests for information should be sent directly to:

**The Town Clerk
Stotfold Town Council
Greenacre Centre
Stotfold
SG5 4HG**

Tel: **01462 730 064**

Email: townclerk@stotfoldtowncouncil.gov.uk

Where an applicant indicates that they would like the requested information in a particular form for example paper, electronic or inspection at Council offices, we will comply with their preference where reasonably practicable, taking into account all the particular circumstances, including cost.

Dealing with requests

The Town Council will provide advice and assistance to help people make requests under the FOIA and the EIR. The Town Council aims to respond to all requests promptly and in any event, within the statutory response period of 20 working days following receipt of a valid request. If the Council needs clarification to identify the information requested, the 20 working days start when the clarification is received. Where a qualified exemption applies and the Council needs more time to consider the public interest, it may extend the time limit by a reasonable period. The Council will tell the applicant within the original 20 working days and will not normally extend by more than a further 20 working days.

Requests for environmental information are handled under the EIR. Environmental information includes information about land, landscape, water, air, trees and biodiversity, and about measures that affect them, such as planning, open space management and tree works. EIR requests can be made verbally as well as in writing. The Council will respond within 20 working days, extended to 40 working days where the request is both complex and voluminous.

The Town Council aims to publish as much information as it can, both proactively and in response to requests under the FOIA; however exemptions will be applied where appropriate to ensure that information which is not suitable for publication is protected.

Written requests for information received by the Town Council via post, email, social media or other means will be treated as requests under the FOIA in cases where the information is not already publicly available or routinely disclosed on request. There is no need for requests to indicate they are made under the FOIA; however applicants making requests must provide their real name and an address for correspondence (email or postal). If a request is unclear, we will ask for clarification as soon as we can to enable us to proceed with considering the request. Where the information is already reasonably accessible, for example on the Council's website, the Council will direct the applicant to it.

The Town Council reserves the right to refuse requests where the cost of providing the information would exceed the statutory cost limit set by the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004. This limit is currently £450, which

equates to 18 hours' work at a statutory rate of £25 per hour. Where we estimate that complying with a request will take more than 18 hours of officer time, we will try to assist applicants to make refined requests which are more manageable. The cost limit does not apply to EIR requests. The Council may instead refuse an EIR request that is manifestly unreasonable.

Where the Council refuses a request in whole or in part, it will issue a refusal notice. The notice will state the exemption or exception relied on, the reasons for the decision, and the applicant's right to an internal review and to complain to the Information Commission.

Vexatious and repeated requests

The Council may refuse a request that is vexatious or repeated under section 14 of the FOIA, or a manifestly unreasonable request under the EIR. This decision relates to the request, not the person making it. The Town Clerk will record the reasons for any such decision. The Council's Vexatious Complaints Policy applies to complaints and does not by itself determine whether a request for information is vexatious.

Relationship with data protection legislation

The Town Council is under a legal duty to protect personal data as required by the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018, as amended by the Data (Use and Access) Act 2025. The Town Council will carefully consider its responsibilities under data protection legislation and section 40 of the FOIA before disclosing personal data about living individuals, including current and former Officers, Members, and users of its services. This will be done in line with the Council's Information and Data Protection Policy.

Requests for CCTV footage are handled under the Council's CCTV Code of Practice. Footage showing an identifiable person is personal data. A request from that person for their own images is a subject access request.

The Town Council's Publication Scheme

The Town Council has adopted a Publication Scheme based on the Information Commissioner's model publication scheme and will maintain the scheme to ensure that the information it refers to is up-to-date. The Governance & Resources Committee reviews the scheme annually.

All of the information referred to in the Publication Scheme is readily available to the public, either via the Town Council's website, in hard copy on request or by inspection at Town Council offices. Some information contained within the Scheme is only available on payment of a fee; all fees and charges are listed in the Town Council's Schedule of Charges within the Publication Scheme.

Standing Order 24 requires the Council to publish information in line with its Publication Scheme and the Local Government (Transparency Requirements) (England) Regulations 2015.

Charges

Any charges for information contained within the publication scheme are detailed within the Guide to Information and/or the Council's Schedule of Charges.

Any other type of information will be provided electronically and free of charge where possible; however there may be circumstances where we need to charge for information e.g. if it is only available in paper form and there is a large amount of copying involved. If there will be a charge for disbursements e.g. photocopying or postage in order to provide the information, we will issue a fees notice as soon as possible to see if the applicant wishes to proceed. The time limit for responding is paused until the fee is paid. If the fee is not paid within three months, the Council is not required to provide the information; however such charges will usually be waived if they amount to less than £10.

Charges under these circumstances will be calculated at a rate of 10p per sheet of A4 for photocopying; postage will be calculated using Royal Mail's postage rates at the time the request is dealt with. Any other similar charges which may arise e.g. larger paper sizes will be reasonable and be calculated on the basis of the actual cost to the Council of providing the information to applicants.

Complaints about requests for information

Anyone who has made a request for information to the Town Council under the FOIA or the EIR is entitled to request an internal review if they are unhappy with the way their request has been handled. Any internal review will consider whether or not the request was handled appropriately and in line with the requirements of the FOIA or the EIR. Applicants wishing to ask for an internal review ~~must~~ should do so within 40 working days of the date of the Town Council's response to their request. The review will be carried out by an Officer who was not involved in the original decision. Where the Town Clerk made the original decision, the Deputy Clerk will carry out the review.

The Town Council aims to respond to internal reviews within **20 working days of receipt**. Exceptionally, and in line with the Code of Practice issued under section 45 of the FOIA, a review may take up to 40 working days. EIR reviews will be completed within 40 working days, as the EIR require.

Anyone who is unhappy with the outcome of an internal review is entitled to complain to the Information at:

Website: [Information Commissioner's Office \(ICO\)](#)

Telephone: 0303 123 1113

Complaints about the Council's service more generally are handled under the Council's Complaints Policy.

Records and monitoring

The Town Clerk will keep a log of all requests, recording the date received, the date of response, the outcome and any exemptions or exceptions applied. The Town Clerk will report the number of requests received and performance against the statutory time limits to the Governance & Resources Committee annually. Records of requests will be kept in line with the Council's Document Retention and Management Policy.

Training

The Town Clerk will ensure that staff and Members know how to recognise a request for information and pass it on promptly. This forms part of induction and is delivered in line with the Council's Training and Development Policy.

Review

The Governance & Resources Committee will review this procedure every two years, or sooner if legislation or guidance changes.

Related policies and documents

Council documents: Publication Scheme; Information and Data Protection Policy; Subject Access Request Procedure; Privacy Notice; Data Breach Policy; Document Retention and Management Policy; CCTV Code of Practice; Complaints Policy; Vexatious Complaints Policy; Customer Care Policy; Training and Development Policy; Standing Orders (Standing Orders 14, 18 and 24); Scheme of Delegation (Section 5.1).

Legislation and guidance: Freedom of Information Act 2000; Environmental Information Regulations 2004; Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004; Freedom of Information Code of Practice (section 45, 2018); UK GDPR; Data Protection Act 2018; Data (Use and Access) Act 2025; Local Government (Transparency Requirements) (England) Regulations 2015.

Version History

Version No	Date Approved/ Reviewed	Author/ Owner	Summary of Changes	Responsible Committee	Review Date
1.0	October 2024	Town Clerk	Adopted	Governance & Resources	October 2026
2.0	September 2026	Town Clerk	Full review. Environmental Information Regulations 2004 added. Data protection references updated to UK GDPR, Data Protection Act 2018 and Data (Use and Access) Act 2025. Time limits, fees notices, refusal notices and vexatious requests clarified. Information Commission name updated. Internal review arrangements, records, training, review and related documents added..	Governance & Resources	September 2028