ANDOVER TOWN COUNCIL

Information Policy

1. Introduction

1.1 Andover Town Council (ATC) is committed to openness, transparency and accountability in accordance with its legal obligations.

1.2 This policy sets out how the Council manages and provides access to information.

1.3 It ensures compliance with:

- Freedom of Information Act 2000 (FOIA)
- Data Protection Act 2018 and UK GDPR
- Environmental Information Regulations 2004 (EIR)

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2. Purpose

2.1 The purpose of this policy is to:

- Provide a clear framework for handling information requests
- Promote public access to information
- Ensure compliance with statutory requirements
- Support transparency and good governance

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3. Scope

3.1 This policy applies to:

- All recorded information held by the Council
- All formats (paper, electronic, audio, etc.)
- Councillors, employees and contractors

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4. Principles

The Council will:

- Make information available unless there is a lawful reason not to
- Respond to requests promptly and fairly
- Provide advice and assistance to applicants

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- Balance openness with data protection obligations

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5. Publication Scheme

5.1 The Council adopts the ICO Model Publication Scheme.

5.2 Information will be routinely published in the following classes:

- Who we are and what we do
- What we spend and how we spend it
- What our priorities are and how we are doing
- How we make decisions
- Policies and procedures
- Lists and registers
- Services we provide

5.3 Information will be made available via:

- The Council website
- On request (where appropriate)

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6. Access to Information

6.1 Freedom of Information Requests (FOIA)

- Requests must be in writing (including email)
- The Council will respond within 20 working days
- The applicant's identity is not required

6.2 Environmental Information Regulations (EIR)

- This applies to environmental information
- Requests may be made verbally or in writing
- The Council will respond within 20 working days, or within 40 working days for complex cases

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6.3 Data Protection (Subject Access Requests)

- Applies to personal data about individuals
- The Council must respond to requests within one month
- Identity verification may be required

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7. Handling Requests

7.1 The Town Clerk is responsible for coordinating responses.

7.2 The Council will:

- Log all requests
- Acknowledge receipt of each request.
- Identify the relevant legislation: FOIA, EIR or UK GDPR.
- Respond within statutory deadlines

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8. Exemptions and Refusals

8.1 Requests may be refused where an exemption under the Freedom of Information Act 2000 applies, including:

- Personal data (subject to Data Protection legislation);
- Commercial confidentiality;
- Information subject to legal professional privilege;
- Requests where the cost of compliance exceeds the statutory appropriate limit.

8.2 For town and parish councils, the statutory appropriate limit is £450. This equates to 18 working hours of officer time, calculated at the rate of £25 per hour in accordance with the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004. Where the Council reasonably estimates that the cost of locating, retrieving and extracting the requested information would exceed this limit, the request may be refused.

8.3 Where a request is refused, the Council will:

- Explain the reason for the refusal;
- Cite the relevant exemption or provision of the Act;

- Provide information on the Council's internal review process and the right to complain to the Information Commissioner's Office (ICO).

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9. Advice and Assistance

9.1 The Council will:

- Help applicants frame their requests
- Provide guidance where requests are unclear
- Offer information in accessible formats where possible

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10. Vexatious or Repeated Requests

10.1 The Council may refuse:

- Vexatious requests
- Repeated requests that are identical or substantially similar

10.2 Decisions will be made in accordance with FOIA guidance.

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11. Third Party Information

11.1 Where information relates to third parties:

- The Council may consult those parties before disclosure
- The Council will consider confidentiality obligations

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12. Complaints

12.1 If an applicant is dissatisfied, they may request an internal review.

12.2 Internal reviews will be completed within 20 working days.

12.3 If still dissatisfied, applicants may refer the matter to the Information Commissioner's Office (ICO).

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13. Responsibilities

13.1 Full Council

- Approves and reviews this policy

13.2 Town Clerk

- Responsible for implementing this policy
- Acts as the Council's Data Protection contact for information requests
- Ensures compliance with statutory timescales

13.3 Members and Staff

- Must comply with this policy
- Ensure that information is handled appropriately

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14. Relationship with Other Policies

This policy should be read alongside:

- Data Protection Policy
- Privacy Notices
- Records Retention Policy
- Risk Management Policy

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15. Monitoring and Review

15.1 The Council will monitor:

- The number and type of requests
- Response times
- Complaints and outcomes

15.2 This policy will be reviewed every two years or sooner if required by legislation.

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16. Conclusion

16.1 The Council is committed to providing transparent access to information while protecting confidential and personal data.

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