



# **Wrexham County Borough Council**

## **FREEDOM OF INFORMATION**

### **POLICY DOCUMENT**

**November 2004**

**Version 0.1**

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## **1. Introduction**

- 1.1 The Freedom of Information Act 2000 ("the Act") is fully in force from the 1 January 2005. The aim of the Act is to make public bodies more open and accountable, by creating a right for any person to request any information held by them (subject to exemptions).
- 1.2 As a public body, the Council is subject to the Act and is committed to complying with it. This policy document sets out the Council's aspirations in respect of the Act and the arrangements it has put in place to comply with it.

## **2. Responsibility for the Act**

- 2.1 The Council's Chief Leisure, Libraries and Culture Officer has overall responsibility for ensuring that the Council complies with the Act, although each Chief Officer is responsible for compliance with the Act in his/her department. There is a nominated Freedom of Information Officer in each Department of the Council. All staff are required to have an awareness of the Act, its requirements and the Council's arrangements for compliance with it.
- 2.2 The Archivist/Records Manager has day to day responsibility for co-ordinating Freedom of Information issues, including requests made under the Act and maintaining the Council's Publication Scheme.
- 2.3 The Chief Legal and Administration Officer provides legal advice to the Council on Freedom of Information issues.

## **3. The Council's Publication Scheme**

- 3.1 The Council's Publication Scheme lists the information which the Council routinely makes available, says where such information can be obtained from and whether there is a cost for providing such information.

3.2 The Publication Scheme has been approved by the Information Commissioner and the Council is obliged by the Act to keep it up-to-date and available to the public.

3.3 The Publication Scheme is available on the Council's website at [www.wrexham.gov.uk/foi/index.htm](http://www.wrexham.gov.uk/foi/index.htm). Hard copies are available from Council offices and Wrexham Library.

#### **4. Requests for Information**

4.1 From the 1 January 2005 any person may request any information held by the Council (subject to exemptions).

4.2 The Archivist/Records Manager will co-ordinate requests for information which is not available via the Publications Scheme. All requests must be in writing. The Council has produced an application form and a guidance/information leaflet to help applicants make applications and inform them how their application will be dealt with. The form is available from the Council's website, Council offices, or from the Archivist/Records Manager.

4.3 The Council will do its best to provide advice and assistance to all persons making requests under the Act. However, it is not obliged to deal with repeated or vexatious requests.

4.4 In most cases, the Council is obliged to deal with requests within 20 working days. Where the Council is considering the public interest test required by some exemptions, (paragraph 6), it is required to deal with such requests within a reasonable time. Where this is the case, and it is likely to take more than 20 working days to reach a decision, the Council will inform the applicant and provide an estimate of the date by which it expects to deal with the request.

## **5. Fees**

- 5.1 Most information will be provided free of charge. However, the Council may charge a fee if the cost of dealing with a request exceeds the figure set for such purposes by regulations. The amount of fees payable will be in accordance with such regulations.
- 5.2 The Council will not charge a fee if it decides not to disclose the information because it is exempt under the Act (paragraph 6).

## **6. Exemptions**

- 6.1 There are a number of exemptions in the Act which provide circumstances in which information may be withheld by the Council, eg information which is subject to the Data Protection Act. The Council is obliged to consider exemptions carefully and in some circumstances, must apply the public interest test, ie consider whether it is in the public interest to disclose or withhold information. If the Council withholds information because it believes it is exempt under the Act, the Council will tell the person who has requested the information why it believes the information is exempt.
- 6.2 The Council has established an Exemptions Panel, which consists of the Chief Leisure, Libraries and Culture Officer, the Chief Legal and Administration Officer and the Culture/Heritage Officer. The Exemptions Panel determines whether information is to be withheld or disclosed as a result of particular requests.

## **7. Other Policies/Procedures**

- 7.1 The Council will from time to time produce other policies and procedures relating to Freedom for Information issues, to supplement this overarching policy statement.

## 8. **Complaints**

8.1 Any complaints about the way in which the Council has dealt with a Freedom of Information matter will be dealt with under the Council's Corporate Complaints Procedure, which has three stages. Complaint forms are available from the Council's offices, via the Publication Scheme or from the Council's website.

8.2 In the first instance complainants should discuss their concerns with the Archivist/Records Manager (contact details below). If complainants are unhappy with the outcome of such discussions, then they may take the matter further by contacting the Leisure, Libraries and Culture Department Complaints Officer on 01978 297437 who will consider the complaint again. If the matter is still not resolved satisfactorily, then the Council's Scrutiny Support Manager will arrange for the matter to be investigated (contact 01978 292257).

8.3 The Council aims to deal with all complaints within 20 working days of receipt.

8.4 If applicants are dissatisfied with the outcome of the above procedure, they may complain directly to the Information Commissioner at:

Information Commissioner  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire SK9 5AF  
Tel 01625 545700  
[www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk)

The Information Commissioner will generally require that complainants pursue the matter through the Council's complaints procedure (as above) first, before he will make a decision on the matter.

8.5 Appeals against the decision of the Information Commissioner can be made to the Information Tribunal.

**9. Contacts**

Archivist/Records Manager  
Wrexham County Borough Council  
Wrexham Museum  
Regent Street  
Wrexham  
LL11 1RB

Tel 01978 317976

e-mail [foi.@wrexham.gov.uk](mailto:foi.@wrexham.gov.uk)