

GUIDANCE NOTE FOR APPLICANTS

The Freedom of Information Act 2000

The Freedom of Information Act 2000 aims to make public bodies more open and accountable by creating a right for any person to request information held by the Council.

From 1st January 2005, you have a right to obtain information held by the Council for its purposes as a local authority, except for certain circumstances when the Council may withhold information (see below).

A lot of Council information is already made available to the public, and this is listed in the Council's Publication Scheme. This document specifies where information can be obtained from and whether there is a fee payable for it. The Publication Scheme is available from Council offices, or from its website at www.wrexham.gov.uk.

How to Make a Request for Information

If the information you require is not available through the Publication Scheme, you can request it from the Council.

You must put your request in writing, and include:

- your name,
- your address, and
- a description of the information you require.

You should send your request to:

Archivist/Records Manager
Wrexham County Borough Council
Leisure Libraries & Culture Department
Wrexham Museum
Regent Street
Wrexham LL11 1RB

Tel: 01978 317976.

You may also email your request to foi@wrexham.gov.uk.

How we will deal with your Request

When we receive your request, we will check it to make sure that you have provided your name and address and have clearly described the information that you require. We may need to contact you for further information if your request is not clear. We will then send you an acknowledgement and tell you when we expect to be able to deal with your request.

We will make a search of our records to establish whether the Council holds the information you have requested. If the Council does not hold the information, we may suggest other authorities who may hold the information, or if you agree, we may transfer your request to the authority who does hold the information you require.

If the Council does hold the information you have requested, we will make it available to you, either by providing copies of it, a digest of it, or by inviting you in to the Council's offices to inspect it. We will try as far as possible to comply with your preference on how the information is made available to you.

Time Limit for Dealing with your Request

In most cases, the Council is obliged to deal with your request within 20 working days of receiving it. If we cannot deal with it within that timescale, we will let you know and provide an estimate of when we expect to be able to deal with it.

Fees for Dealing with your Request

Most information will be provided free of charge. However, if a fee is payable, we will let you know as soon as possible.

The Council will not charge a fee if it decides not to provide you with the information because it is 'exempt' under the Act (see below).

Circumstances in which the Council may refuse your Request

Some categories of information are treated as 'exempt' under the Freedom of Information Act. This means that the Act does not allow access to such information and the Council may refuse to disclose information which falls into these categories. The following are examples of exempt information:

- Information that is available to you through other means eg from the Council's Publication Scheme;
- Personal information relating to a living individual;
- Information which may, if disclosed, prejudice commercial interests.

There are 23 categories of exempt information in the Act. In some cases, the Council may only refuse to disclose information if it is in the public interest to do so. A panel of senior Council officers will decide whether information is exempt or not.

If the Council is of the view that the information you have requested is exempt and should not be disclosed, you will be sent a Refusal Notice. This will explain why the Council believes the information is exempt.

The Council is also not obliged to deal with requests:

- Which are vexatious or repeated;
- Which will result in a cost to the Council which exceeds a statutory limit;
- Where you have not responded to a request from the Council for assistance in identifying the information you require.

Personal Information

If you request personal information held by the Council which relates to yourself, it will automatically be dealt with under the Data Protection Act 1998, rather than the Freedom of Information Act 2000. The Data Protection Act already provides a right for individuals to obtain access to information held about themselves by organisations. A separate application form is also available from the Archivist/Records Manager for these purposes.

The time limit for dealing with a request under the Data Protection Act is 40 days.

Information relating to Third Parties

If you request information which relates to third parties, the Council may need to consult that third party to see if they have any objection to the information being disclosed to you.

If you wish to be notified before such consultation takes place, please advise the Archivist/Records Manager in writing as part of your request,

or if you have already made your request, without delay, since consultation will take place early on in the 20 working day period. However, please bear in mind that in some circumstances the Council is under a duty to consult third parties and will be obliged to do so in order to be able to properly deal with your request. It is also possible that some third party information may be exempt (see above).

Advice and Assistance

The Council will do its best to provide you with advice and assistance in making a request under the Freedom of Information Act. If you require assistance, please contact the Archivist/Records Manager who will try and assist you.

General information regarding your rights under the Freedom of Information Act are also available from the Information Commissioner's office. Contact details appear at the bottom of this leaflet.

Complaints

If you are unhappy with the way in which the Council has dealt with a Freedom of Information matter, you may complain to the Council using its 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 at www.wrexham.gov.uk/top_navigation/complaints/introduction.htm

You should firstly discuss your concerns with the Archivist/Records Manager. If you are still unhappy following those discussions you may take the matter further by contacting the Leisure, Libraries and Culture Departmental Complaints Officer on 01978 297437 who will consider the complaint. Finally, if the matter is still not resolved to your satisfaction, then the Council's Scrutiny Support Manager will arrange for the matter to be investigated (01978 292257).

If you are unhappy with the outcome of your complaint using the above procedure, you may complain directly to the Information Commissioner. The Information Commissioner will generally require you to pursue the matter through the Council's complaints procedure, as above, before he will consider the matter.

Contacts

Archivist/Records Manager
Wrexham County Borough Council
Leisure Libraries & Culture Department
Wrexham Museum
Regent Street
Wrexham
LL11 1RB

Tel: 01978 317976

Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 01625 545700

www.informationcommissioner.gov.uk

Alternative Format

If you require this Guidance note in an alternative format, please contact the Archivist/Records Manager, whose contact details are given above.