Freedom of Information
Guidance for submitting a Request for Access to Information

1: What is Freedom of Information?
The Freedom of Information Act 2000 (FOI) came into force on 30 November 2000. FOI gives you the right of access to information held by Deal Town Council (the Council) although the Council may refuse access to the information if that information falls within any of the exemptions under the FOI. The exemptions protect against the disclosure of information that would, for example, harm commercial interests, information provided in confidence, personal information and other important interests.

2: What can I ask for?
Your right to ask for information only relates to information held by the Council at the time you make your request. 'Information' may be in any form eg a paper document, computerised records, printouts, maps, plans, microfilm, microfiche, audio-visual material, etc. FOI provides a right to 'information' rather than to records or documents. Although you are not required to specify any particular document, you must describe the information you are requesting in as much detail as possible. The Council publishes a wide range of information. You may first wish to check the Council's Publication Scheme to find out whether the information you are requesting has already been published or if there are plans to do so. A copy of the Scheme is available on the Council's website.

3: Do I need to give a reason to see information?
No. You do not have to give a reason as to why you want to see any information. The Council must give you an explanation if you are not given what you ask for.

4: Can I ask for personal information about myself?
No. A request for personal information about yourself must be made under the UK General Data Protection Regulation / Data Protection Act 2018 and not FOI.

5: Can I ask for personal information about a third party?
Yes. Personal Information relating to a third party will be dealt with under FOI. However, before you are given access to personal information relating to a third party, you may be asked to provide proof of the third party's consent to the disclosure.

6: How do I make a request for information?
Requests/applications must be in legible form ie in writing and capable of being used for subsequent reference. Try to provide as much information as possible to enable the Council to identify and locate the information which you are seeking or requesting. Please address your request to:
The Deputy Town Clerk
Deal Town Council
High Street
Deal
Kent
CT14 6TR

7: How do I make a request for information if I am suffering from a disability, am ill or illiterate?
If you are unable to put your request in writing perhaps as a result of illiteracy, disability or illness, you may wish to ask another person or agency (such as the Citizens Advice Bureau) to help you or to make the request on your behalf. The Council has a legal duty to provide you with reasonable advice assistance. This may include:
1. Accepting an oral request where you are unable to read, print and/or write due to your disability;
2. Enabling you to inspect or have the information you are requesting explained to you;
3. Providing guidance in other languages;

4. Taking a note of your request over the telephone and then sending the note to you for confirmation;
5. Providing this leaflet in Braille or audio tape.
Requests for further assistance must be addressed to the Deputy Town Clerk at the address detailed in Note 6 above.

8: Are there limits to the information I can ask for?
Yes. Confidentiality is sometimes necessary to ensure the effectiveness of the Council's decision-making and to protect commercial interests, information provided in confidence, personal information and other important interests. For these reasons, some categories of Council information are not covered by the commitment to provide information. Nevertheless, it is the Council's aim to ensure that information should be made available unless it is clearly not in the public interest to do so. All requests for information will be considered on their merits.

9: How do I describe the information I am asking for?
If at all possible, describe the information as fully as you can to enable the Council to identify and locate it. If you are requesting personal information, please state precisely in whose name the information is held. You will not normally be given access to the personal information of another person unless you have obtained the written consent of that person (refer to Notes 4 and 5 above). Where you provide insufficient information to enable the Council to identify or locate the information you are asking for or where your request is ambiguous, the Council will as far as practicable provide you with assistance to enable you to describe more clearly the information you are requesting. The aim of this assistance will be to clarify the nature of the information sought and not to determine your aims or motivation for asking for the information. Where information is likely to be refused on cost grounds, the Council will give you an indication of what information could be provided within the costs ceiling (refer to Note 11 below).

10: What happens if the Council does not hold the information?
The Council may not hold the information you are asking for because the information may have been destroyed in accordance with the Council's data retention policies or the information may be held by another public body. In such cases, you will be told that the Council does not hold the information. Where the Council believes that the information is held by another public body and that it would be appropriate to transfer your request to that other body, you will be asked whether you have any objections to the Council making the transfer. The public body will be asked whether it consents to your application being transferred to it. Your application will only be transferred with your consent and with the consent of the other public body.

11: Can the council charge a fee?
In certain circumstances the Council can charge a fee. Charges may apply in respect of the search and retrieval of information in addition to charges relating to photocopying, postage, video, tape, disk and computer runs. Full details of charges levied by the Council are available from the Town Clerk at the address detailed in Note 6 above. Fees may be waived where the information you are seeking would be of particular assistance to your understanding of an issue of local importance.

12: How do I receive the information I have asked for?
You are entitled to say how you wish the information to be communicated to you. This may be by letter, in the form of a digest or summary of the information or by inspection of the information at the Council's Offices on a date and at a time to be mutually agreed between you and the Town Clerk

13: When must the Council provide me with the information I have asked for?
The Council will respond promptly to your request for information and in any event not later than on the 20th working day of the date of receipt of your application. If it is likely to take longer, the Council will let you know.

14: Can the Council refuse my request for information?
In certain circumstances the Council refuse your request for information. Vexatious and repeated requests and/or applications made with the aim of frustrating the operations of the Council may be refused. The Council may refuse to accede to a request for information where the Council estimates that the costs of complying with the request would exceed the costs ceiling set by the Council (refer to Note 11 above). The Council may also refuse to accede to a request for information where the information is considered to be exempted under FOI (refer to Note 8 above). You will be given an explanation of the reasons for refusing your request for information.

15: Can I appeal against the Council's decision to refuse my request for information?
Yes. If you are not satisfied with the decision ie your request has been refused or where you consider that your request has not been properly handled and the issue cannot be resolved in discussion with the Town Clerk you may ask for the decision to be reviewed via the Council's Complaints Procedure. Your request for an internal review must be submitted in writing within 4 weeks of the date of the decision to:

The Town Clerk
Deal Town Council
Town Hall
High Street
Deal
Kent CT14 6TR
Email: town.clerk@deal.gov.uk

If you are not satisfied with the decision on the appeal, or where the Council has failed to respond to you within the time specified or within the time agreed between you and the Council you may apply to the Information Commissioner for an independent review at the following address:

The Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF
Telephone: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number
Website: https://ico.org.uk/

16: Who do I contact for further information or assistance on Freedom of Information?
The Freedom of Information Act 2000 is available from any Government Publications Sales Office and from the Information Commissioner's Web site. https://ico.org.uk/
Monitoring of requests received by the Council is a necessary element of an established programme for recording and analysing the types of information requested and the Council's overall performance in handling requests. Wherever possible, the Council will keep information used for requests monitoring in an anonymised form so that it cannot be linked to any particular individual. All or part of the statistical information provided may be disclosed or supplied to relevant committees of the Council and to external organisations or bodies such as the Audit Commission/Information Commissioner for statistical information purposes. The data collected for monitoring purposes is aggregated, kept apart from general personal records and subject to strictly controlled procedures