

Briercliffe with Extwistle Parish Council

Freedom Of Information Policy



Adopted by: Briercliffe with Extwistle Parish Council – 6th August 2026

Minute Number – 26/27/094

Next Review: August 2029 / Every 3 years or earlier if required

1. Introduction

Briercliffe with Extwistle Parish Council ("the Council") is committed to ensuring that its services and operations are delivered effectively, fairly, and in accordance with relevant legislation and best practice.

This policy sets out the Council's approach to handling requests for information under the Freedom of Information Act 2000 (FOIA).

The policy supports transparency and openness, enabling individuals and organisations to access information held by the Council, subject to statutory exemptions.

No information will be released where disclosure would breach data protection legislation or compromise confidentiality.

2. Scope

This policy applies to all recorded information held by the Council, including paper records, electronic records, emails, photographs, and other forms of communication.

It covers any request for information made under the Freedom of Information Act 2000.

3. Legislative Framework

This policy has been developed in accordance with:

- Freedom of Information Act 2000
- Local Government Act 1972
- Data Protection Act 2018 and UK GDPR
- Equality Act 2010
- Guidance issued by the National Association of Local Councils (NALC)
- Information Commissioner's Office (ICO) guidance

4. Governance and Management

Council

- Overall responsibility for adoption and review of the policy

Parish Clerk

- Day-to-day implementation of the policy
- Handling and coordinating FOI requests
- Monitoring compliance

Councillors

- Adherence to the policy
- Reporting any concerns

5. Making an Information Request

Requests for information under the Freedom of Information Act must be made in writing. This includes:

- Email
- Letter
- Electronic submission via the Council website (where available)

The Council will provide advice and assistance to anyone wishing to make a request.

Requests should include:

- The requester's name
- Contact details
- A clear description of the information requested
- The preferred format for the response (e.g. email or paper copy)

Requests should be sent to:

Parish Clerk
Briercliffe Community Centre
Jubilee Street
Briercliffe
Burnley
BB10 2JD

Email: clerk@briercliffe-pc.gov.uk

5a. Informal Requests for Information

Wherever possible, the Council encourages members of the public to request information informally in the first instance.

The Council will comply with any reasonable and straightforward request for information unless there is a lawful reason not to do so.

Making an informal enquiry can often provide information more quickly and efficiently.

This does not affect an individual's statutory right to make a formal request under the Freedom of Information Act 2000 where they believe it appropriate to do so.

6. Council Response Times and Process

The Council will respond to FOI requests within 20 working days of receipt.

If additional time is required due to complexity or exemptions, the requester will be informed.

The response will:

- Confirm whether the information is held
- Provide the information (where appropriate), or
- Explain why it cannot be disclosed

7. Exemptions

Certain information may be except from disclosure under the Freedom of Information Act. These exceptions include but are not limited to:

- Personal data (under the Data Protection Act 2018)
- Information relating to law enforcement
- Commercially sensitive information
- Information affecting national security

When an exemption applies, the Council will explain the reason and cite the relevant legislative provision.

Without prejudice to the generality of the above, information relating to legal proceedings, settlement agreements, negotiations, or legal advice may be exempt from disclosure where disclosure would breach confidentiality, legal professional privilege, or commercial sensitivity.

Each request will be considered on its own merits, and the Council will seek legal advice where appropriate.

7a. Confidential and Exempt Minutes

Minutes and reports considered in confidential or closed session will not be disclosed where they relate to personal data, staffing matters, legal advice, or commercially sensitive information.

The duty of confidentiality may continue beyond the conclusion of a matter where disclosure would breach statutory obligations, contractual confidentiality, or legal privilege.

Requests for such information will be assessed on a case-by-case basis, taking into account the passage of time and the public interest, and legal advice will be sought where appropriate.

8. Charges for Information

In most cases information it will be provided free of charge.

However, the Council may charge for

- Photocopying and printing
- Postage
- Staff time where permitted by legislation

Any charges will be explained in advance, and the requester will be given the opportunity to proceed or withdraw their request.

9. Refusal of Request

The Council may refuse a request where:

- The request is unclear or too broad
- The information is already publicly available
- An exemption applies
- The request exceeds the cost limit set by legislation

Where a request is refused, the Council will provide:

- A clear explanation
- Advice on how the request may be refined (where possible)

10. Review and Appeal

If a requester is dissatisfied with the Council's response, they may request an internal review.

The review will consider whether:

- The request was handled correctly
- The appropriate exemptions were applied

If the requester remains dissatisfied, they may appeal to:

Information Commissioner's Office (ICO)
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Website: www.ico.org.uk

11. Confidentiality & Data Protection

The Council will handle all personal data in accordance with the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR).

Where a Freedom of Information request involves personal, confidential, or sensitive information, the Council will carefully consider the interaction between FOI legislation and data protection law.

In any case where uncertainty or conflict arises regarding confidentiality, disclosure, or exemption, the Council will seek and follow appropriate legal advice unless there are compelling reasons not to do so

12. Equality and Diversity

The Council is committed to equality and will not unlawfully discriminate under the Equality Act 2010.

13. Monitoring and Review

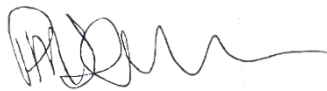
This policy will normally be reviewed every three years or earlier if required due to:

- Legislative changes
- Operational Requirements
- Updated national guidance

14. Adoption

This policy was adopted by Briercliffe with Extwistle Parish Council held on 6th August with a meeting Minute Ref **26/27/094**.

Chair Signature:

A handwritten signature in black ink, appearing to be 'P. Lishman', written over a faint rectangular stamp.

Date 6th August 2026