



# Middlesbrough

moving forward



## Middlesbrough Council Freedom of Information Act 2000



# **Freedom of Information Act 2000**

**From the 1st January 2005 the Freedom of Information Act comes into force and anyone can request information from the Council under the Act, regardless of age, nationality or location.**

## **What information will be available?**

Any information held by the Council, which is eligible for release subject to a number of exemptions that may be applied.

The Council also publishes a publication scheme, which sets out what kinds of information the Council will make available, how we will do it and how you can access it.

The publication scheme is not just a list of documents that the Council already publishes. Rather than specifying individual documents, it describes 'classes' or 'kinds' of information (such as minutes, reports etc.). It may also prescribe a charge for providing the information, particularly if the Council already charged for providing that information before the introduction of the Freedom of Information Act.

## **What information will be exempt?**

Requests for certain information will be exempt from the requirements of the Freedom of Information Act

The main categories of exemptions that apply to information that the Council holds are:

- ◆ Information that is intended for future publication
- ◆ Information that could effect national security
- ◆ Information relating to law enforcement
- ◆ Information that concerns commercial interests, or is commercially sensitive
- ◆ Information that contains personal data, or relates to court records



## How do I make a request?

The Act requires that all requests:

- ◆ Are in writing (this includes emails)
- ◆ State clearly what information is required
- ◆ State the name of the applicant, and an address for correspondence
- ◆ Indicate the way you would like to access the information and in which format, i.e. via personal inspection, paper copy or email etc.

You can use the attached form to apply for information and return it to: Freedom of Information Officer, PO Box 503, Town Hall, Middlesbrough TS1 9FX.

Alternatively you can hand it in to any Council office  
Or email [foi@middlesbrough.gov.uk](mailto:foi@middlesbrough.gov.uk)

## What happens when I make a request?

When the Council receives a request for information, we must respond as soon as possible, and not later than 20 working days after receiving your request.

The Council will consider your request, and reply.

The reply should confirm whether or not the Council holds the information, and either provide the information you requested, or explain why it has not been provided, quoting which exemption in the Act applies.

## What happens if the Council doesn't understand my request?

Under the Freedom of Information Act, the Council has a duty to advise and assist requesters. If the Council doesn't understand your request, we will contact you to clarify what it is that you want.



## **What does it cost?**

There may be a charge for responding to your request/s. However if the Council wishes to charge a fee it must inform the applicant in writing.

The 20 working day rule for responding to requests is put on hold until the fee is paid. If the fee is not paid within 3 months it is assumed that the applicant no longer wants the information.

The Council already has fixed charges for certain information that is listed in the Council's Publication Scheme. The Council will continue to charge for these documents as at present.

## **How can I use the information I receive?**

The Freedom of Information Act does not place restrictions on how the information supplied under it may be used. However, provision of information under the Act does not transfer copyright in relation to any information supplied.

## **What happens if my request is refused?**

A request for information may only be refused by the Council if it falls under one of the exemptions.

If your request is refused, the reply letter from the Council must explain which exemption it is applying, and give you details of how to apply for an internal review of their decision to refuse.

If, after an internal review, the Council still refuses your request, you may ask the Information Commissioner to review that decision. The Information Commissioner is independent, and is accountable direct to Parliament.

## **Other useful sites for further information on Freedom of Information**

<http://www.informationcommissioner.gov.uk/>

<http://www.dca.gov.uk/foi/bkgrndact.htm>

