



## **THORNABY TOWN COUNCIL** **Freedom of Information Policy**

### **People's Rights - Freedom of Information**

The Freedom of Information Act 2000 ('the Act') came into force on 1 January 2005. The right to access information held by public authorities can be exercised by anyone.

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

S. 1(1) of the Act gives applicants two related rights:

- To be told whether the information exists
- To receive the information

Any information held by the Council will be eligible for release subject however to a number of exemptions which may be applied to protect information which should properly be kept confidential. The council will take account of the Data Protection Act before releasing any personal information.

### **How do I make a request?**

- The request must be in writing (emails are acceptable)
- State clearly what information you want
- Include your name and address
- Indicate the way you would like to access the information or have it sent to you (for example by inspection at the Council's Office; as paper copy or via email).

The Council may take into account the cost of supplying the information in the form that you request. (The details of the charging regime are set out in the FOI and Data Protection (Appropriate Limit and Fees) Regulations 2004 (SI.3244).

It would be helpful if a request to the Council could be addressed to the Clerk of the Council,  
The Town Hall, Mandale Road, Thornaby on Tees, TS17 6AW

The Council may need to transfer your request to another public authority which holds the

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information you want or to consult other public authorities and/or third parties in order to reach a decision on whether the requested information can be released. If you wish to be notified before any transfer of request or consultation is made, please say this in your request.

If you have difficulty in identifying the information you require, the Council will be pleased to help you. In the first instance please address these queries in writing to the Clerk of the Council, The Town Hall, Mandale Road, Thornaby on Tees, TS17 6AW.

### **What happens when I make a request?**

#### **Option 1**

On receipt of a request for information, the clerk will then forward the request onto the council for them to consider and to respond but no later than the 20 working days following its receipt (S.10 of the Act). That response will either be the provision of the information or a refusal notice drawn up in accordance with the provisions of the legislation

**OR**

#### **Option 2**

On receipt of a request for information, and after the clerk has consulted with the Chairman, then a response will be sent but no later than the 20 working days following its receipt (S.10 of the Act). That response will either be the provision of the information or a refusal notice drawn up in accordance with the provisions of the legislation.

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

The Council may ask for further information which it may reasonably require in order to identify and locate the information requested.

### **What does it cost?**

If you are requesting information contained in the Council's publication scheme, the scheme will give details of whether (and how much) you will be charged for the information.

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If you are requesting information not contained within the publication scheme, a fees notice may be issued as laid down in regulations in which you have 3 months to pay. S.9(2) of the Act provides that if payment is not made within this time, the public authority does not have to answer the request.

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

A request for information may, for instance, be refused by the Council if it falls under one of the statutory exemptions or you refuse to pay the fee.

If your request is refused, the reply from the Council will explain why. If you are not satisfied with the decision you can ask for the decision to be reviewed. How you can do this will be explained in the letter you receive.

If, after a review, the Council still refuses your request, you may ask the Information Commissioner to review that decision.

The Information Commissioner can be contacted at:

The Information Commissioner,  
Wycliffe House,  
Walter Lane,  
Wilmslow,  
Cheshire SK9 5AF  
Tel: 01625 545700 or 08456 306060  
Website: [www.ico.gov.uk](http://www.ico.gov.uk)  
Email: via website enquiries

### **Comments, Commendations and Complaints**

Should you wish to contact us regarding your request, for example the way your request was handled or the response you have received, please contact the Council using the Council's Complaints Procedure and it will be dealt with in accordance with our procedure.

— Policy ends here —

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