



## **Freedom of Information Act - FAQs.**

### **What is the purpose of the Freedom of Information Act?**

To give the public greater access to information about the workings of government and public bodies.

### **What rights does the Act create?**

The Freedom of Information Act 2000 gives two related rights:

- The right to be told whether the information exists, and
- The right to receive the information (subject to exemptions).

### **What obligations does the person requesting information have?**

The applicant must make the request in writing, must supply their name and an address for correspondence and must describe the information requested.

### **What obligation does the LSCP or other public body have?**

The LSCP must, within twenty working days of receipt of the request, either supply the information, inform the applicant that the information is exempt or is not held, or give the applicant a notice in writing that a fee is to be charged for supplying the information, whichever is appropriate.

### **What about requests that are vexatious or intended to disrupt daily operations?**

Public bodies are not obliged to reply to vexatious queries. Where a body has replied to a request and an identical or substantively similar request is subsequently received the body is not obliged to reply unless a reasonable interval has passed between applications.

### **Can a public body decline to release information if collating it would take an excessive amount of time?**

A public authority does not have to comply with a request for information if it estimates that the cost of complying would exceed the limit set by the regulations. Current draft regulations limit fees to a total of £450.00 of staff time (with charges currently set at £25.00 per hour this equates to 18 hours of work).

### **Is there any guidance on the format and accessibility of the information that is to be provided?**

If a request is made for information in a particular format the public body is obliged, so far as is reasonably practical, to provide the information in that format. Where it is decided that it is not reasonably practical the applicant should be notified of this and the reasons for the decision.

On occasions, if an applicant makes it clear that there are special circumstances that limit his/her mobility (e.g. health or access problems) this should be taken into account when dealing with the request. If information is normally made available for inspection then consideration should be given to providing a personal copy of the information. There is no legal obligation to do so, but the authority is obliged to take these circumstances into consideration.



Similarly, if it is clear from the application that the applicant would have difficulty understanding information in English it may be reasonable to provide a translation. However there is no duty placed on public bodies to translate information it holds into different languages. If an applicant is disabled and requests information in another format, such as Braille or an audio-tape, the public body should communicate information in that format provided it is reasonably practical to do so.

**Who ensures that Safety Camera Partnerships comply with the Act?**

The Office of the Information Commissioner is responsible for ensuring that all public authorities comply with the Act.

Public authorities who fail to comply with the Act or with any decision made by the Information Commissioner with regards to the provision of information may be dealt with by the High Court as if they were in contempt of Court.