Kirton in Lindsey Town Council

Policy 35c: Internal procedure for dealing with FOI and EIR requests

Reviewed and Adopted November 2026 (v.20261) *[FC 2611E/04]*

Next Review May 2027

Internal procedure for dealing with FOI and EIR requests

This is Kirton in Lindsey Town Council's internal general request and review procedures for dealing with requests that are covered by the Freedom of Information (FOI) Act 2000 and the Environmental Information Regulations (EIR) 2004.

On receipt of an FOI or EIR request Kirton in Lindsey Town Council will:

- Send you an acknowledgment with 5 working days.
- Within the statutory timeframe aim to provide you with the information and where this is not possible you will be advised that this deadline will not be met and given the reasons why.
- If you are not satisfied with the information or the decision made against your request for information you are entitled to have a review of the Town Council's decision.
- You can initiate a review by writing directly to the Town Council. On receiving a request for a review the Town Council will acknowledge your request within 5 working days. The Council will explain what will happen and who will be appointed to conduct the review.

Our Review Procedures for FOI and EIR

FOI Review

The point of the review is to provide a fair and thorough re-assessment of handling issues and of decisions taken pursuant to the Act. It enables the Council to take a fresh look at all the factors relevant to the issue, including factors which concern the balance of the public interest. The Town Council can substitute a new decision which may be different from the first decision.

The Council will endeavour to complete the review within 20 working days in accordance with the FOI Good Practice Guidance No 5. and the result will be provided to you in writing.

EIR Review

Reviews conducted under EIR must be carried out in accordance with Regulation 11 provided that the application for a review is made in writing and within 40 days after the date upon which it appears to the requester that the Authority has failed to comply with the EIR. The review must be carried out and the result communicated to the requester within 40 working days.

Outcome following the Review

If you are not satisfied with the outcome of a review you can appeal the decision by writing to the Information Commissioner at Wycliffe House, Water Lane, Wilmslow, SK9 5AF; telephone enquiries: 0303 123 1113 or use their live chat service.

Once a complaint is received, the Commissioner will commence an investigation to establish whether the Town Council has handled the request in accordance with the requirements of the

legislation. Where appropriate this will include consideration of whether the Town Council was justified in the application of exemptions.

Many complaints referred to the Commissioner are closed informally. Those which are not closed in this manner may proceed to a Decision Notice. A Decision Notice will detail the findings of the Commissioner's investigation and state whether or not the Town Council was correct to withhold the information. Subject to appropriate redaction of personal data, Decision Notices will be published on the Information Commissioner's Office's website.

The Town Council or the complainant can appeal a Decision Notice to the information Tribunal.

Reuse

A request under the Freedom of Information Act 2000 and the EIR is for access to information. This means that any information supplied is to be used for non-commercial research or private study purposes. The information may also be used for any other purpose allowed by a limitation or exception in copyright law. However, any other type of reuse, for example, by publishing the information in analogue or digital form, including on the Internet, will require the permission of the Town Council as the copyright owner. Therefore, reproducing or reusing the material within a response, except as given above, without the express consent of Kirton in Lindsey Town Council, may be an infringement of copyright. A request for permission to reproduce or reuse the material in the response should be addressed to:

Kirton in Lindsey Town Council
Town Council Office,
Diamond Jubilee Town Hall,
High Street,
Kirton in Lindsey,
North Lincolnshire,
DN21 4LZ.
Email: enquiries@kirtoninlindseytowncouncil.gov.uk