



FREEDOM OF INFORMATION ACT POLICY

Lead Manager:	Governance and Risk Manager
Responsible Senior Manager:	Corporate Director
Approved By:	SMT
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1. PURPOSE OF POLICY

1.1 As a Council owned company Shropshire Towns and Rural Housing (STAR) has an obligation to comply with the requirements of the Freedom of Information Act 2000 (FOIA), other legislation and guidance relating to access to, and the provision of, information on STAR and its operations. This document aims to assist staff in meeting their statutory and other obligations which cover the issue of Freedom of Information and is a guide to the public on STAR obligations under the Act. This document should be read in conjunction with the Data Protection Policy.

2. ROLE OF MANAGERS

2.1 It is recognised that it is the important to raise awareness of the rights of the public under the Freedom of Information Act and of ensuring that both the public and staff are aware of this procedure.

2.2 It is the responsibility of Managers to ensure compliance with the FOI Act and that appropriate access is given to information when requested.

2.3 To enable this to happen managers should ensure that staff are provided with adequate and appropriate training and guidance. They should monitor application of guidance, and revise guidance and training as appropriate.

3. POLICY STATEMENTS

3.1 TIMSCALE AND PUBLIC INEREST

3.1.1 STAR will make information available (by responding to any requests made within 20 working days) unless there is an operational or 'public interest' reason for not doing so, or there is an absolute exemption under the Act.

3.1.2 STAR will make information as widely available as possible via its Publication Scheme and include clear information on where the publications can be obtained, or website links direct to the publications.

3.1.3 Requests can be answered by providing information or directing enquirers to where the information can be found.

3.1.4 The public interest test will apply to qualified exemptions under the Act. The test is whether on balance, it is in the public interest to disclose the information. A record of the decision and supporting reasons will be kept on file.

3.2 INFORMATION WHICH IS ABSOLUTELY OR PARTIALLY EXEMPT

3.2.1 STAR will not classify information as exempt unless there are clear reasons under the Act for doing so. Where documents contain exempt information, the rest of the document will be available under the Act unless other exemptions apply.

- 3.2.2 Where qualified exemptions to access apply, STAR will inform the applicant, in writing and within 20 working days of such an exemption. STAR will apply the public interest test and inform the applicant in writing and as soon as possible, whether the information can be made available in its entirety or in a summarised or edited format.
- 3.2.3 STAR is unable to make information available where an absolute exemption applies and will notify the applicant to this effect within 20 working days.

3.3 FEES AND CHARGES

- 3.3.1 Any fees charged will be calculated appropriately and consistently. The charges made by STAR will be for reasonable administrative costs only.

3.4 ACCESSIBILITY

- 3.4.1 STAR undertakes to make information available in other formats if requested, where this will make information more accessible. STAR will provide advice and assistance to any applicant to enable them to access the information they require, in so far as the cost of doing so is defined as reasonable under the Act.

3.5 RIGHTS OF REVIEW AND APPEAL

- 3.5.1 If access to information is not possible because of an exemption, the applicant has a right to challenge the decision locally.
- 3.5.2 This will initially be dealt with by the Corporate Director who has not previously been involved with the request or the Managing Director if the Corporate Director was involved in responding to the request.
- 3.5.3 If the complaint is not resolved, the applicant will have the right to appeal to the Information Commissioner for an independent review.

3.6 PUBLICATION SCHEME

- 3.6.1 As an organisation wholly owned by a public authority, STAR is required by the Freedom of Information Act to produce a Publication Scheme which lists the classes of information which are readily and regularly made available. STAR will adopt a Model Publication Scheme as specified by the Information Commissioner's Office.
- 3.6.2 The Publication Scheme is available for reference on the STAR website.

4. KEY ISSUES FOR POLICY IMPLEMENTATION

4.1 BOARD MEMBERS OF STAR

4.1.1 Freedom of Information legislation applies to all Board Members of STAR conducting business on behalf of STAR.

4.2 FAILURE TO COMPLY WITH LEGISLATION AND THIS POLICY

4.2.1 It is an offence under the FOIA to alter, deface, block, erase, destroy or conceal any information held by the public authority, with the intention of preventing disclosure to all, or any part, of the information to which the applicant is entitled.

4.3 PROCESS FOR HANDLING REQUESTS

4.3.1 All FOI requests should be logged with the Governance and Risk Manager who will confirm which Manager will ensure that the data request is handled appropriately.

4.3.2 Any requests where there is advice and support needed as to whether to release information should be discussed with our legal support service.

4.3.4 Once the request has been considered the response should be sent to the Governance and Risk Manager who will send the response.

5. EQUALITY AND DIVERSITY

5.1 STAR is committed to applying this policy fairly and consistently to all customers. Discrimination, whether direct or indirect, on the grounds of race, religion, age, gender, marital status, sexual orientation, disability or any other protected characteristic outlined in our Equality and Diversity Policy will not be tolerated.

5.2 In implementing this policy, STAR will act with sensitivity to the diverse needs of individuals and communities.

5.3 Where appropriate, STAR will take positive action to help reduce discrimination and harassment within local communities.

5.4 This policy, along with any related publications, is available in alternative formats upon request to ensure accessibility for all.

6. MONITOR AND REVIEW

6.1 This policy will be formally reviewed at least every two years.

6.2 This policy will also be reviewed where:

- There has been a significant change in the work activity or process.
- Information has evolved or new legislation or guidance is introduced.

7. VERSION CONTROL

Renewal Date	Version	Approved By	Comments
05 2025	1.6	SMT	Updates to grammar, wording and legislation
04 2022	1.5	SMT	-

APPENDICES

7.1 Appendix 1: Fees and Charges

Charges payable for FOI requests are only for the release of non-exempted information.

Charges are for reasonable administrative costs only:

- Photocopying at 10p per sheet.
- The cost of any postage.

7.2 Appendix 2: Publication Scheme

What is a publication scheme?

A publication scheme is a description of the kinds of information that a public authority should make routinely available and the ways it makes information available.

Public authorities must adopt a publication scheme approved by the Information Commissioner's Office (ICO). To make sure that there is consistency in the release of information, the ICO has developed a model publication scheme that any public authority can use. The publication scheme commits an authority to make information available as part of its normal business activities.

STAR has adopted the model scheme. This is our legal commitment to routinely make available the kinds of information which the ICO requires us to.

We are making the majority of information available free and through our website. Where we are unable to do so we have provided contact details that people can use to access the information, for example who to contact to arrange for information to be sent out to you or where to come and view the information.

The model scheme

The model scheme classifies information at a high level and broadly states the way public bodies can provide information and what they can charge for.

The model specifies seven classes of information. To maximise the routine release of information the categories have been set at a high level. Most information that a public authority holds falls into the seven classes.

These are the seven classes of information we must make available.

1. *Who we are and what we do*

Organisational information, structures, locations and contacts, constitutional and legal governance.

2. *What we spend and how we spend it*

Financial information about projected and actual income and expenditure, procurement, contracts and financial audit.

3. *What our priorities are and how we are doing*

Strategies and performance information, plans, assessments, inspections and reviews.

4. *How we make decisions*

Policies, proposal and decisions, decision-making processes, internal criteria and procedures, consultations.

5. *Our policies and procedures*

Current written protocols, policies and procedures for delivering our services and responsibilities.

6. *Lists and registers*

Information held in registers required by law and other lists and registers relating to the functions of the authority.

7. *The services we offer*

Advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered.

Requesting information from the publication scheme

If you cannot find the information that you think should be made routinely available on the website, or details of how you can obtain the information, please contact us and explain what information you are seeking. The contact details are the same as for making Freedom of Information requests.

More information about our publication scheme

The Information Commissioners Model Publication Scheme has been adopted by STAR. See Information Commissioners website for details.