

# Access to Information (Freedom of Information and Environmental Information Regulations) Policy

## 1. Introduction

**1.1** The Freedom of Information Act 2000 (the Act) gives citizens a general right of access to all types of information held by public authorities, including Calderdale Council. The Act has been introduced to further promote accountability in public authorities and introduce transparency to the decision-making process and makes it a requirement of public authorities to disclose the information requested within 20 working days of receiving a request, subject to certain exemptions in the legislation.

**1.2** The Environmental Information Regulations 2004 (the Regulations) repeal the Environmental Information Regulations 1992 and bring the UK into line with international requirements, as laid down in EC Directive 2003/4/EC on public access to environmental information, and also in the Aarhus Convention.

**1.3** The Act and the Regulations came into force on 1<sup>st</sup> January 2005 and from this date anyone, anywhere in the world is able to make a request for information to the Council. The Regulations also promote the pro-active release of as much environmental information as possible to enable increased public participation in environmental decision making.

**1.4** The Council already promotes a policy of openness when dealing with requests for information, and received the 1985 Freedom of Information Award as the local authority that had done most to advance freedom of information. The Council needs to ensure that the legislative requirements of the Freedom of Information Act 2000 and the

Environmental Information Regulations 2004 are implemented in a way that enhances both service quality and service delivery.

## 2. The Council's Vision for Access to Information

2.1 The Council's vision for Access to Information is as follows:

**“Enabling access to information will allow both the Council and local people to work together to shape a distinctive and better future for the area and its communities.**

**The Council will meet the requirements of the Freedom of Information Act 2000 and the Environmental Information Regulations 2004, which will provide much greater access to information by the public.**

**This will lead to a more informed and participative community who are engaged in the democratic process, and in turn will increase the public trust in the work of the authority.”**

2.2 The Council's vision for Access to Information is thus underpinned by the Council's commitment to its community leadership role and as such is an important component of the Council's corporate vision going forward.

### 3. The Council's Objectives for Access to Information

**3.1** The Council's vision for Access to Information will be achieved through a strategy that measures the implementation of the following strategic objectives:

- To maintain and adhere to the principles of openness as detailed in the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.
- To implement a robust and effective regime to deal with requests for access to information in a timely manner.
- To provide clear, accessible guidelines for the public regarding how to make requests for access to information.
- To have regard for equality and diversity issues in all areas of the access to information vision.
- To educate staff regarding their responsibilities in relation to access to information.
- To regularly review the Council's vision and implementation of access to information, to ensure compliance with legislation and to identify and expand on best practice.
- To implement and maintain a Publication Scheme with classes of information that the Council has made publicly available and to proactively disseminate environmental information to enable increased public participation in environmental decision making.
- To maintain a principle of openness with regards to contracts and tendering, ensuring that confidentiality agreements with third parties are used only in limited circumstances.

## 4. Implementing Vision and Objectives – Access to Information Strategy

**4.1** The Access to Information policy and objectives will be supported by a strategy that details the resources necessary to implement the legislation across the Council, and how these objectives will be achieved.

**4.2** The Council has established an Information Management Strategic Group with the remit to corporately govern compliance with the Data Protection Act 1998, the Freedom of Information Act 2000, the Environmental Information Regulations 2004, the Re-Use of Public Sector Information Regulations 2005 and records management.

**4.4** The Council will continue to evaluate the Access to Information policy alongside the Council's Records Management Policy with a view to the future production of an overarching Corporate Information Policy.

## 5. Conclusion

**5.1** This policy identifies the Council's vision for compliance with the Freedom of Information Act 2000, the Environmental Information Regulations 2004 and promoting the general principles of access to information.

**5.2** The benefits to the Council are tangible and with a strong corporate uptake of this legislation there will be a corresponding increase in both service quality and delivery. The only possible outcome from those is an increase in public trust.