



## Freedom of Information Act 2000

### Your right to information from Leeds City Council

#### What is Freedom of Information?

The Freedom of Information Act means you or any other person can make a written request for information, and we have to say whether we've got that information. If we have, we have to give you a copy, or a summary, or let you come and inspect it, as you prefer.

This won't affect your other legal rights to get information from the council. For example, you still have rights to get information about what decisions we're taking, and about our accounts, and about environmental matters.

#### Who can make these requests?

Any individual, legal partnership or company can make a request, whether they're from Leeds or elsewhere.

#### How do I make one of these requests?

You have to make a request in writing (by post, e-mail or fax), and you must give your name, and an address for us to write to. A request has

got to describe the information you want. Where it's necessary to help us identify and find the information, we can ask you for more details. We've got to advise and help people who've made a request, or who want to make one.

For example, if you're not sure how to do this, or have trouble with writing, we could take a note over the phone, and then send it to you so you can check it and then send it back to us as a request.

#### How long have we got to answer these requests?

Generally, we've got to be prompt, and not take more than 20 working days.

#### Will I have to pay?

We can charge you for copying and posting, and if we think it will cost us more than £450 to answer your request, we can either decide not to answer your request, or we might still answer it if you are willing to pay some of our costs. There are detailed rules about this. If we think there will be a charge, we will tell you about this before we deal with your request.

#### Does the council always have to give the information requested?

No, not always. You can ask for any information, whether it's in a file or on a computer, and whether we've got it, or someone else (such as a contractor or service provider) has got it on our behalf. However, the Act says we don't have to give you information in some circumstances. This is usually where giving you information might harm someone else. Examples of these (called exemptions) are

- Information we or someone else has to give to the public, free or otherwise, under other legal rules – for example, information about our decisions, or information available through our Publication Scheme (which is also on our website)
- Information in court documents, or documents for an inquiry or arbitration
- Personal information about you (you can get this anyway under the data protection rules)
- Personal information about someone else, if that would break the data protection rules
- Information which is confidential legally
- Information which we can't disclose because of other legal rules

There are other exemptions that are subject to a "public interest test". Examples of these are

- Information that we or someone else is going to publish in the future, where it would be reasonable for us not to disclose it until then.
- Information where its disclosure would be likely to prejudice our, or someone else's, commercial interests, or the economic interests of Leeds
- Information where its disclosure would be likely to prejudice crime prevention or detection, catching or prosecuting offenders, or tax collection
- Information where its disclosure would be likely to endanger someone's physical or mental health, or safety
- Information held for certain investigations and proceedings

#### What does the "public interest test" mean?

This means we have to decide what's best in the public interest. There is always some level of public interest in giving the information. We can't

say these exemptions apply, unless the public interest in not giving the information outweighs the public interest in giving it.

### **Can you complain if we don't give you the information you want?**

Yes. If we refuse a request we've got to say why, and we've got to tell you about our compliments and complaints procedure (also on our website). We've also got to tell you that once you've gone through this procedure, you can go to the Information Commissioner to decide whether we should give you the information or not.

### **Who should I send my request to?**

If you want some day-to-day information about our services, you can just contact us in any of the usual ways. If you want to ask for anything more general or unusual, please put it in writing, with your name and address, and send it to [cs.freedom.of.information@leeds.gov.uk](mailto:cs.freedom.of.information@leeds.gov.uk), or post it to A76/Freedom of Information, Legal, Licensing & Registration, Property & Finance section, Civic Hall, Leeds, LS1 1UR. Your request will be logged onto a database, and then sent to the FOI practitioner for the right service. These people have been specially trained, and will know how to handle your request.

### **What happens if we don't give you the information you want?**

If you send your request to us and the FOI practitioner says you can't have the information, you can ask for your request to be dealt with through the compliments and complaints procedure. This means the director or a chief officer will review your request and, in some

cases, consult with the Executive Member for that service.

If the director or chief officer decides not to let you have the information, then usually you can ask the Information Commissioner to decide whether the council has dealt with your request properly. The Commissioner can tell the council to agree to a request in some cases. The commissioner's details are as follows

Information Commissioner's Office,  
Wycliffe House,  
Water Lane,  
Wilmslow,  
Cheshire,  
SK9 5AF

Telephone: 01625 545700

Fax: 01625 524510

Online complaint form by e-mail :  
[http://www.ico.gov.uk/complaints/freedom\\_of\\_information.aspx](http://www.ico.gov.uk/complaints/freedom_of_information.aspx)

Website: [www.ico.gov.uk](http://www.ico.gov.uk)

This publication is produced by Legal Licensing & Registration and can be made available in Braille, large print, on audio tape or CD Rom. (Updated 9/04/09)