

Freedom of Information and Environmental Information Exemptions

Freedom of Information (Fol) Act

The Fol Act enables people to request specific information held by public bodies, but there are a number of instances where information may not be disclosed (known as exemptions). The main exemptions that will apply to information held by Cotswold District Council are:

Qualified Exemptions

These are where information must be disclosed unless it can be argued that the public interest in withholding it is greater than the public interest in releasing it. This applies to:

- Information intended for future publication
- Investigations and proceedings conducted by us
- Law enforcement
- Health and safety
- Environmental information
- Legal professional privilege
- Commercial interests
- Where disclosure would be prejudicial to the effective conduct of the Council's affairs.

Absolute Exemptions

These are where the information will not be disclosed, including:

- Information accessible to applicant by other means.
- Court records, etc.
- Personal information.
- Information provided in confidence by a third party where disclosure would give rise to an actionable breach of confidence.

Environmental Information Regulations

Information can be withheld if it would adversely affect any of the matters below, though most of these are subject to a Public Interest Test to assess whether the public interest in withholding it is greater than the public interest in releasing it:

- International relations
- Defence and national security
- Public safety

- The course of justice, including court proceedings
- Intellectual property rights
- Legal confidentiality of any proceedings within a public authority
- Commercial confidentiality designed to protect legitimate economic interests
- Voluntarily supplied information from people who have not consented to its disclosure
- The environment to which the information relates

Other exceptions (some of which are also subject to a Public Interest Test) are:

- Requests that are manifestly unreasonable or too general
- Incomplete or unfinished information such as draft reports or other work in progress
- Internal communications from within the authority
- Personal data