DARLINGTON
Borough Council

Freedom of Information and Environmental Information Request Procedure

2026

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1 Introduction

The Freedom of Information Act 2000 (the Act) allows you to request recorded information from public authorities (public authorities are organisations such as local councils, the police and the NHS). These are Freedom of Information (FOI) requests.

The Environmental Information Regulations 2004 (the Regulations) allow you to request environmental information from public authorities and certain other organisations. These are Environmental Information Regulations (EIR) requests.

This procedure sets out how we will deal with FOI and EIR requests.

2 Complaints and Information Governance Team

The team processes all requests submitted under the Act and the Regulations. The team can provide information about this procedure in other formats and can help you make a request.

The team logs, acknowledges and assigns FOI and EIR requests to the relevant council service(s). The team prepares and issues the final response. Where the Information Governance Officer has not been involved in handling the request they will undertake any internal review. The Complaints and Information Governance Manager, who is usually not involved in the day-to-day processing of requests, also undertakes internal reviews.

The team is the central point of contact for the Information Commissioner's Office (the regulator of the Act and the Regulations).

You can contact the team by telephone, e-mail, in writing, by video call, in person or by any other reasonable means.

Telephone: (01325) 406777

E-mail: freedomofinformation@darlington.gov.uk

Online form:
https://selfserve.darlington.gov.uk/form/auto/foi_request

By post or in person: Complaints and Information Governance Team, Town Hall, Darlington, DL1 5QT

N.B. Please arrange an appointment prior to visiting so that we can ensure that someone is available to meet with you.

3 What this procedure covers

This procedure covers:

- Written requests for official and/or environmental information;
- Verbal requests for environmental information;
- Requests for copies of documents, such as minutes of meetings and reports;
- Requests for copies of electronic information, such as e-mails;
- Requests for datasets and other statistical data;
- Requests for copies of video or voice recordings;
- Requests for other people's personal data*;
- Complex/lengthy media enquiries*;
- Questionnaires; and
- Requests for information held by councillors*.

*We have provided more information on this type of request below.

3.1 Requests for other people's personal data

You can request access to information about other people; however, we may not always be allowed to provide it. We will look at every request individually and, whatever the outcome, we will let you know what we decide and, if we refuse the request, we will tell you how we reached our decision.

3.2 Media enquiries

We will not deal with routine media enquiries under this procedure. If your request is verbal and/or can be considered 'business as usual' it should be submitted directly to the Communications Unit on 01325 406058 or at communications@darlington.gov.uk

If your request is likely to be time-consuming we may ask you to submit it under this procedure. If this is the case we may not always be able to provide the information by your deadline. For further information on 'business as usual' requests see section 4.2.

3.3 Requests for information held by councillors

If the information you need is held by a councillor on behalf of the Council (e.g. if the information relates to decisions made by Cabinet or other committees) it is covered by the Act and/or the Regulations. However, correspondence between councillors or information held by a councillor for their own private, political or representative purposes is not.

4 What this procedure does not cover

This procedure does not cover:

- Verbal requests (unless you are submitting an EIR request, which can be submitted verbally);
- Requests for access to information about you*;
- Requests for officer's or councillors' opinions;
- Requests for officers' or councillors' knowledge, i.e. unrecorded information;
- Business as usual requests*;
- Routine media enquiries*; and
- Requests for information held by councillors.*

* We have provided more information on this type of request below.

4.1 Requests for information about you

We are unable to provide you with information about yourself under this procedure. This is because you can access your records under the Data Protection Act 1998. You can find out how to access your records in the Council's Subject Access Request Procedure or by contacting the Complaints and Information Governance Team.

4.2 Business as usual requests

As you can imagine, we receive hundreds of requests for information every day and it would not be possible to deal with them all under this procedure. As a result, we have set out some simple guidelines for staff so that they can decide whether to process requests as part of their normal duties or whether we need to deal with them under this procedure.

As a general rule, a member of staff will respond direct to you if:

- It will take us less than one hour to respond to your request;
- One service has all the information you need; and
- The information you want is something we would routinely disclose.

4.3 Routine media enquiries

We will not deal with routine media enquiries under this procedure. If your request is verbal and/or can be considered 'business as usual' it should be submitted directly to the Communications Unit on 01325 406056 or at communications@darlington.gov.uk

4.4 Requests for information held by councillors

This procedure does not cover correspondence between councillors or information held by a councillor for their own private, political or representative purposes.

5 Making a request

5.1 Can I submit a FOI or EIR request?

Yes. Anyone can make a request for information.

You may, however, find the information that you are looking for on the Council's website www.darlington.gov.uk. If you are looking for financial, contractual or workforce information, this is likely to be available on our open data page www.darlington.gov.uk/opendata.

5.2 What information can I ask for?

You can ask for any information that you think we might have as long as it is recorded, e.g. documents, e-mail or voice and video recordings. The Act and Regulations do not provide access to unrecorded information, such as officers' opinions. If you ask for access to unrecorded information, we will not accept your request under this procedure; however, we will forward it to the relevant officer or manager who may be able to provide a response.

If your request is for environmental information, we will deal with it under the Regulations. If your request is for any other type of information, we will deal with it under the Act.

You do not have to tell us which piece of legislation you are applying under; we will read your request and, when we acknowledge receipt, we will tell you which legislation it falls under.

If your request is for personal data, we will not deal with it under this procedure; we will deal with it under the Council's Subject Access Request Procedure.

5.3 How can I make a request?

Your FOI request must:

- Be made in writing (e.g. a letter, note or e-mail);
- Give your name and an address (or e-mail address) so that we can get in touch with you; and
- Describe the information that you would like.

You can make an EIR request in the same way, although you can also make a verbal request for environmental information and you do not have to give us your name.

Although the Council does use social media, for practical reasons we ask that you send your request directly to us using the contact details provided below at section 5.6 'How can I contact you?'

5.4 What if I am unable to make a request in writing?

If you are unable to make a request in writing, please contact the Complaints and Information Governance Team and we will make arrangements to help you make your request.

5.5 Do I have to use my real name?

The Act and the Regulations do not require us to accept requests from people who do not use their real name. In fact, if you need to make a complaint to the Information Commissioner's Office you will have to provide your real name.

However, in keeping with the spirit of both the Act and the Regulations we do not routinely check applicants' identities. We may ask for proof of identification if we have reason to believe that the person is making a vexatious or repeated request.

5.6 How can I contact you?

By post: Complaints and Information Governance Team
Darlington Borough Council
Town Hall
Darlington
DL1 5QT

By e-mail: freedomofinformation@darlington.gov.uk

Telephone: (01325) 406777

You can also visit the Complaints and Information Governance Team at the Town Hall, although we ask that you make an appointment so that we can make sure that someone is available to see you.

*Please note that you cannot submit a FOI request verbally. We would, however, be happy to provide advice on submitting a request. You can make an EIR request verbally.

5.7 Will I always get what I ask for?

There may be reasons why we cannot provide the information that you have asked for. These include:

- If we do not have the information that you need in a recorded format;
- If we estimate that the cost of providing you with the information will be more than £450;
- If we think your request is vexatious or repeated; or
- If the information you have requested is exempt under the Act or the Regulations.

If we tell you that we cannot provide the information you want, we will explain why. If you do not agree with our decision, you can ask us to reconsider our response. Please see section 7 'What if I'm not happy with the response to my request?'

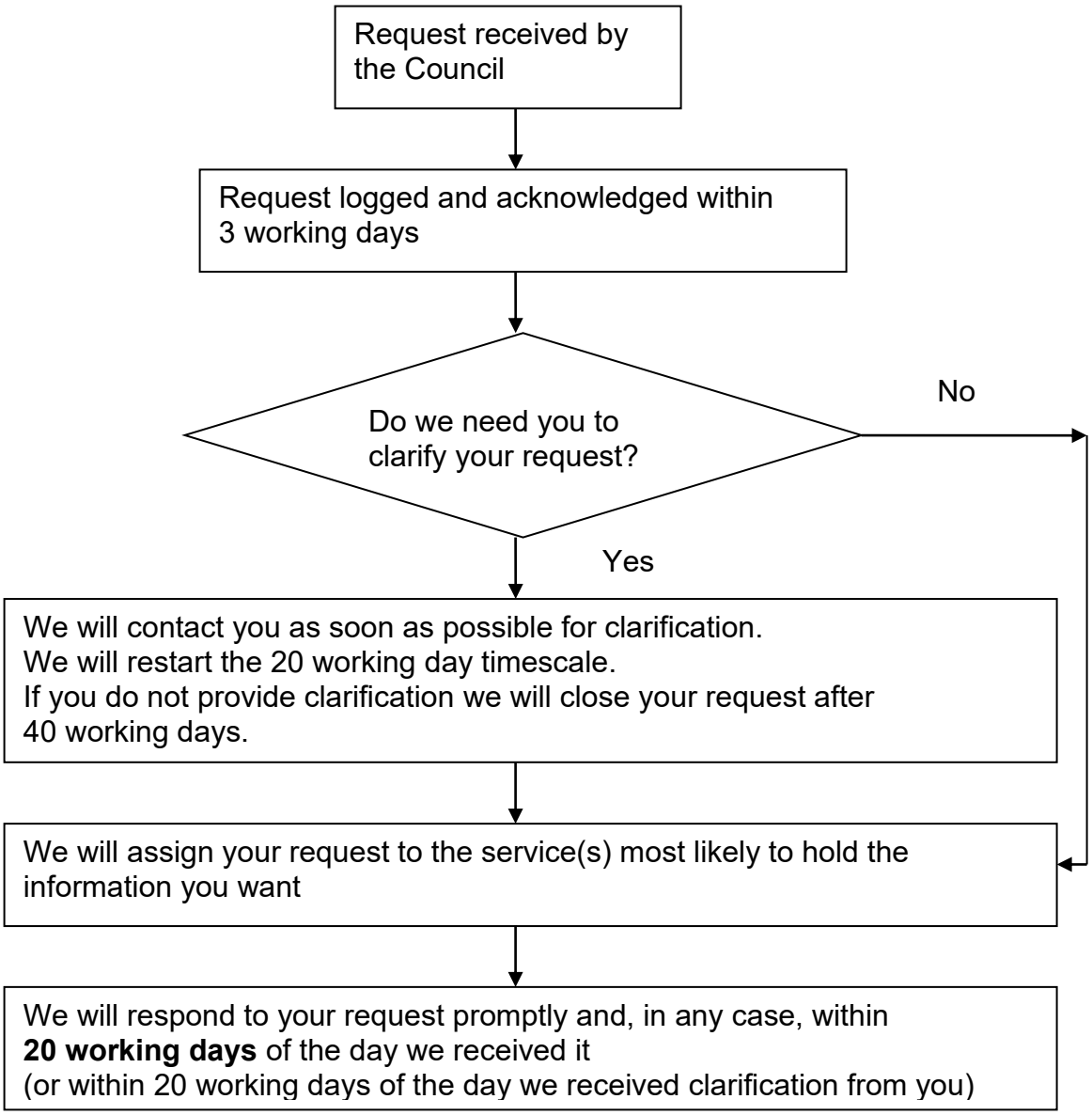
You can find more information about exemptions (FOI requests) and exceptions (EIR requests) from the Information Commissioner's Office:

Website: www.ico.org.uk

Telephone: 0303 123 1113

6 What will happen once I have made a request?

At a glance: what happens when I make a request?



We will send you an acknowledgement within three working days. In the acknowledgement letter, we will tell you whether we are dealing with your request under the Act or the Regulations and we will let you know when you can expect a reply (this will be 20 working days from the day we receive it).

If we need you to clarify your request, we will contact you as soon as possible. In this case, we will place your request on hold until we hear back from you. If you do not reply to us, we will contact you again to remind you that we need clarification. If we do not receive clarification from you within 40 working days we will close your request without responding. If you do provide us with clarification, the 20 working day timescale will restart from the day you provide it.

Once we are clear about the information you want, we will assign your request to the service(s) that is most likely to hold the information.

You will receive a response to your request as soon as possible and, in any case, within 20 working days of the date we received it (or within 20 working days of date we received clarification).

If you have submitted a request for environmental information that we think will involve a lot of work, we may need to extend the timescale by a further 20 working days. If this is the case, we will write to you before the original deadline to inform you that we need more time and to let you know when you can expect a response.

If you have submitted a FOI request we may need to extend the timescale if we are considering the public interest test. Again, if we need more time, we will write to you before the original deadline to let you know when you can expect a response.

The Act and Regulations contain specific timescales and we try very hard to respond to all requests on or before the deadlines, however, on rare occasions this may not be possible, for example, if the information is complex or if a staff member is ill. If this is the case, we will write to you before the deadline and explain why we are unable to meet the timescale, to tell you when you can expect a response and to apologise for the delay. We recognise that failing to provide you with a response by the deadline is in breach of the requirements of the Act and the Regulations, so we will make every effort to try and make sure that this does not happen.

We have to give you a response in writing. You can tell us which format you would prefer (for example, electronic or paper) and we will try to meet your request. In some circumstances, it might be too difficult or too expensive for us to give you the information in the format you specify; if this is the case, we will tell you why.

7 Datasets

If the information that you request is a 'dataset' as defined by the Protection of Freedoms Act 2012 we will, as far as reasonably practicable, provide it in an electronic format which is capable of re-use, for example, a Comma-Separated Value (CSV) format. Where you only request part of a dataset, while not obliged to, we may consider it easier or more helpful to you to provide the whole dataset.

8 Re-use of data

Information provided to you under the Act or the Regulations can be re-used in accordance with the terms of the Open Government Licence, which you can view at:

http://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/

9 Accessibility and equal opportunities

We are committed to making sure that everyone has equal access to all our services, including this procedure.
To help make sure this procedure is easily accessible we:

- use plain language;
- accept requests in writing, by e-mail, via our website and where needed we will offer support in putting requests in writing;
- provide information and responses in Braille, large print, audio, easy read format and other languages where needed; and
- provide translators (including sign language translators) where needed.

10 Internal reviews

10.1 What if I'm not happy with the response to my request?

If you are not happy with the response that we provide or the way we have handled your request, you can write to us and tell us why. Either the Information Governance Officer or the Complaints and Information Governance Manager will reconsider your request and decide whether the original response is in line with the requirements of the Act or the Regulations. This is an internal review. We will provide you with a response to your internal review within 20 working days.

If, after receiving the response to your internal review, you are still not happy, you can make a complaint to the Information Commissioner's Office (ICO). The ICO monitors how we deal with FOI and EIR requests and can ask us to justify our decisions. You can contact the ICO at:

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

Telephone: 0303 123 1113

Website: www.ico.org.uk

11 Management of information

11.1 Recording and reporting

We will record information about FOI and EIR requests to ensure that we are dealing with them in line with the Act, the Regulations and this procedure. We use the data we collect about requests to make regularly requested information available on our website. This helps us increase transparency and reduce the costs associated with responding to FOI and EIR requests.

11.2 Record-keeping and sharing data

We will keep an electronic file containing your request, e-mails between services, records of telephone calls about your request and, finally, the response letter.

We will scan any letters that you send in and save them in the electronic file. We will dispose of the original letter in the confidential waste.

We will scan any paper files that we use to respond to you and save them in the electronic file. If the file is an original we will send it back to the service once we are finished with it. If the file is a copy we will dispose of it in the confidential waste.

We will keep the electronic files for three years and then dispose of them. We will keep statistical information about requests for as long as we need so that we can identify trends.

If you submit a complaint to the ICO, we will share information with the investigator so that they can determine whether we have handled your request properly.

All personal data will be securely stored and will be processed in line with the Council's Data Protection Policy and the provisions of the General Data Protection Regulations (GDPR) and the Data Protection Act 2018. Further details are contained in our Privacy Notice.

12 Additional information

The Council's website:
www.darlington.gov.uk

The Council's open data page:
www.darlington.gov.uk/opendata

The Freedom of Information Act 2000:
http://www.legislation.gov.uk/ukpga/2000/36/contents

The Environmental Information Regulations 2004:
http://www.legislation.gov.uk/uksi/2004/3391/contents/made

The Data Protection Act 2018:
Data protection: The Data Protection Act - GOV.UK (www.gov.uk)

The Information Commissioner's Office website:
http://www.ico.org.uk/