

# **OPCC FOI INTERNAL REVIEW PROCESS**

## Overview:-

The Freedom of Information act 2000, places a duty on public authorities under Part VI of s45 Code of Practice, to give you the public, the right to complain to us if you are not content with our response. This provides a first stage review for applicants. However, if you are still dissatisfied after this review has been undertaken, then you are within your rights to complain to the Information Commissioner's Office (ICO). (<https://ico.org.uk>)

## Timing:-

If you wish to exercise your right to an internal review we recommend that you do this as soon as possible and within two months of receiving your final response.

On receipt of a complaint, written acknowledgement of receipt will be provided to you, the applicant, with an indication of when a response may be expected. The Act does not stipulate a time limit for reviews, however; it should take no longer than 20 working days in most cases, or 40 in exceptional circumstances.

## Internal Review:-

Internal reviews should not be overly bureaucratic and are intended to be a fair and impartial means of reviewing the original request process. This should be undertaken by someone who did not deal with the request (where possible) and preferably senior to the original decision maker.

This person should make a fresh decision based on all the available evidence.

The process will examine if all relevant information had been located and recovered correctly? If so, could further information be disclosed to the applicant? Were the exemptions applied correctly?

## Outcome:-

You will be informed fully, in writing, with an explanation of how conclusions have been drawn. The reviewer will either uphold the original decision, provide additional explanation of the exemption/exception applied or release further information, if it is considered appropriate to do so.

However, if you remain dissatisfied with the handling of your request or complaint, you have a right to appeal to the Information Commissioner at:

The Information Commissioner's Office,  
Wycliffe House,  
Water Lane,  
Wilmslow,  
Cheshire, SK9 5AF.  
Telephone: 08456 306060 or 01625 545745  
Website: [www.ico.gov.uk](http://www.ico.gov.uk)