

Access to Information - complaints procedure

Freedom of Information, Environmental Information and Data Protection Complaints Procedure

Section 17(7)(a) of the Freedom of Information Act 2000 requires the Council to produce information about how to complain if there is dissatisfaction with the Council's decision regarding an access to information request.

A complaints procedure for all access to information requests has been produced to ensure complaints are handled in a fair, consistent and timely manner and that people's rights are upheld.

Standard of Service

All complaints about the service we provide will be taken seriously and responded to appropriately. In all cases, when dealing with complaints we will do the following:

- Make it clear to the complainant what we intend to do about their complaint and what the timescales are.
- Ensure that the complainant's desired outcome is clearly defined.
- Deal with complaints fairly and consistently, and keep a record of complaints for audit and quality control purposes
- Ensure that the Monitoring Officer is kept informed of the complaints that are received

Stages in the Complaints Procedure

STAGE 1 – Making a Complaint

Making a complaint

In the first instance all complaints should be addressed to the Policy Officer (Access to Information) at the address given below. Complaints should include the request reference number, nature of the complaint, how the complainant expects the situation to be resolved and an address for communication purposes.

Contact Details

Policy Officer (Access to Information)
Kelham Hall
Newark
Nottingham
NG23 5QX

Telephone: 01636 655216
Email: freedom@nsdc.info

STAGE 2 – Informal Stage

A complaint made at this stage should be fairly straightforward to resolve. A complainant may wish to raise an issue or concern they have with the information they have received. They may have been expecting something in addition to what they have received or may be unsure of the timescales involved in sending the information and were expecting it to arrive sooner

In these cases the Policy Officer (Access to Information) is responsible for replying to the complainant. The complainant should expect a response within 10 working days.

The Policy Officer (Access to Information) will make the complainant aware of the next stage in the process and copy any correspondence regarding the complaint to the Head of Legal, Democratic Services and Human Resources. .

Complaints received regarding the refusal to disclose information requested because of the application of any exemptions will be directed to stage three of this procedure.

STAGE 3 - Formal Complaint and Internal Review

If the complainant remains dissatisfied with the outcome at Stage 1, they can ask for their complaint to go through an Internal Review.

The Policy Officer (Access to Information) will pass this to the Head of Legal, Democratic Services and Human Resources, who will not have had any involvement with the complaint until this point. The Head of Legal, Democratic Services and Human Resources will write to the complainant to advise them what steps are being taken to investigate the complaint.

The Head of Legal, Democratic Services and Human Resources will then write to the complainant advising them of the findings of the review as soon as possible, but in any event within 28 working days of the Stage 3 complaint being received. If it is anticipated that there is likely to be a delay in meeting this deadline, the complainant must be informed straight away. The review decision letter will advise the customer of their right to complain to the Information Commissioner if they are dissatisfied with the council's response.

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