

FREEDOM OF INFORMATION: OFSTED COMPLAINTS PROCEDURE

This procedure covers any complaint about the way Ofsted fulfils its duties under the Freedom of Information Act 2000. In particular, as required by the Act, it covers:

- a. complaints about Ofsted's compliance with its publication scheme);*
- b. complaints about Ofsted's handling of a request for information under the Act.*

1. Introduction:

Ofsted's policy on accessing information explains how it will deal with requests under the Freedom of Information Act from January 2005.

We hope that most of the requests we handle will be dealt with to the satisfaction of the applicant and that the explanations for our decisions will be clear. However, we recognise that there will be cases where individuals are dissatisfied with the way their request has been handled, or otherwise with the outcome of the consideration of their request. We will investigate any complaints rigorously and make every effort to resolve them as soon as possible.

2. Resolving complaints informally

In the first instance, you are encouraged to raise any concerns about the way your request for information is being dealt with informally with the member of staff dealing with it. Staff will try to resolve the matter quickly, taking advice from managers or from Ofsted's Information Officer where necessary.

3. Formal Complaints

Where it has not been possible to resolve the matter informally, you may decide to lodge a formal complaint. If you are unhappy with the handling of your request, you may request an internal review by writing to:

Deputy Director of Corporate Services,
Ofsted,
Alexandra House,
33 Kingsway
London
WC2B 6SE

The complaint should state clearly the areas of concern. Ofsted will acknowledge receipt of the complaint within 2 working days of receipt.

Any written reply (including electronically) from an applicant which expresses dissatisfaction with Ofsted's response to a valid request for information, or any written communication expressing the view that Ofsted is not complying with its publication scheme, will also be treated as a formal complaint under these procedures.

4. How your complaint will be dealt with

The Director of Corporate Services will arrange for the complaint to be investigated.

In the case of a complaint about **compliance with our publication scheme**, he will say whether or not he agrees that we have failed to comply, provide an explanation of any non compliance and indicate what steps Ofsted intends to take to put the matter right.

In the case of a complaint about Ofsted's **handling of a request for information**, he will arrange for an internal review to be conducted, by a person not party to the original decision, of the way the request has been handled and of any decision to refuse disclosure. He will then inform you of the outcome in writing. If the outcome of the internal review is that information should be disclosed that has previously been withheld, this will be provided as soon as practicable.

The response to your complaint will be sent to you within 20 working days wherever possible. However, the response time will vary depending on the individual circumstances. Where consideration takes longer than 20 days, we will keep you informed of progress and the reasons for any delay.

Your complaint will be dealt with in confidence. Those who complain have a right to expect confidentiality as do those who are the subject of a complaint.

We will consider and respond to complaints in a reasonable and even-handed manner.

5. What to do if you are not satisfied

If you remain dissatisfied with the outcome of our internal review you have a right under section 50 of the Freedom of Information Act to apply to the Information Commissioner for a decision as to whether your request for information has been dealt with in accordance with the requirements of the Act. The Commissioner also has discretion to investigate a complaint about compliance with our publication scheme. If you wish to make such an application you should write to:

FOI Compliance Team (complaints)
Information Commissioner's Office
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire SK9 5AF