



Audit Commission's Access to Information Complaint and Appeal Procedure

The Freedom of Information Act, the Data Protection Act and the Environmental Information Regulations provide you with the right of access to information held by the Audit Commission. You have the right to complain about the response you have received regarding your request for information.

How to complain

- You must put your complaint in writing to us within 40 working days of receiving our response, please address complaints to:
The Compliance Manager
Audit Commission
Westward House
Lime Kiln Close
Stoke Gifford
Bristol, BS34 8SR
xxx@xxxxxxxxxxxxxxxxxxx.xxx.xx
- You may provide supporting evidence along with your complaint. Any information provided will be used to help assess your complaint. A full re-evaluation of the case will be undertaken, taking into account the matters you have raised.
- Complaints should be made no later than 40 working days after receipt of our response. Unless there are extenuating circumstances, complaints made more than 40 days after the response will not be considered. Complaints made outside this timescale, will be reviewed by the Compliance Manager for a decision on whether or not the complaint will be investigated

What can you complain about?

Freedom of Information and Environmental Information Regulations:

1. The way the request was handled

Within this you can complain about our:

- Failure to respond within 20 working days or explain why longer than 20 working days was required
- Failure to provide proper advice and assistance
- Failure to provide information in the requested format
- Failure to properly explain any reasons for refusing the request

This type of complaint will be investigated by a Regional or Audit FOI Assessor. If the complaint is specifically about a Regional or Audit FOI Assessor it will be investigated by the Compliance Manager/Complaints Manager.

2. The response received.

You can appeal against a decision to:

- Refuse access to information
- Withhold some of the information requested

This type of request will be investigated by the Compliance Manager. If the original decision has been made by the Compliance Manager, the Information Manager will conduct the investigation.

The Publication Scheme:

If you have any complaint about the publication scheme, for example, you have requested information from it and have not received what you were expecting, please put your complaint in writing to the above address.

Data Protection:

1. The way the request was handled

Failure to respond within 40 calendar days

2. The response received.

You can appeal against a decision to:

Refuse access to information

Withhold some of the information requested

You can also complain if you feel that a breach of the Data Protection Act 1998 has occurred.

All Data Protection and Publication Scheme complaints will be investigated by the Compliance Manager. If the Compliance Manager has been involved in the actions leading to the complaint, the Information Manager will conduct the investigation.

What can you expect?

- Your complaint will be considered free of charge.
- Your complaint should be acknowledged promptly and within 3 days of receipt of the complaint.
- You should be informed of the target date for determining the complaint.
- Where it is apparent that determination of the complaint will take longer than the target time (for example because of the complexity of the particular case), you should be informed and provided with an explanation of the reason for the delay.
- You should always be informed of the outcome of your complaint within 40 working days of receipt of the complaint.
- If an appeal against the decision to withhold information is upheld you will be provided with a statement of:
 - The failure to comply
 - The action that will be taken in order to comply
 - The period within which that action is to be taken.

| Possible Outcomes of Complaint | Possible Actions |
|---|---|
| Information should be disclosed which was previously withheld. | <i>The information in question will be disclosed as soon as practicable and you will be informed how soon this will be.</i> |
| Procedures have not been properly followed by the Audit Commission's staff. | <i>An apology will be provided. (Appropriate steps should be taken to prevent similar errors occurring in future).</i> |
| The initial decision to withhold information is upheld, or is otherwise in the Audit Commission's favour. | <i>You will be informed of the decision and told about your right to apply to the Information Commissioner.</i> |

What can you do if you are not satisfied with the response to your complaint?

If your complaint is not resolved to your complete satisfaction, you have the right of appeal to the Information Commissioner for a decision.

Please contact the Information Commissioner with your complaint by writing to:

The Information Commissioner

Wycliffe House

Wilmslow

Cheshire

SK9 5AF

Tel: 01625 545700 Email: xxxx@xxx.xxx.xxx.xx Website: www.informationcommissioner.gov.uk