

Access to information

Complaints and appeals procedure



If you would like a copy of this in larger print
please contact:

The Corporate Information
Governance Manager, Solihull Council,
P O Box 18, Council House,
Solihull, B91 9QS
☎ 0121 704 6251
Email: xxxxxxxx@xxxxxxxxx.xxx.uk

Access to information: complaints and appeals procedure

At Solihull Council we are committed to putting the needs of our customers first. We aim to deliver high quality services and get things right first time. However, from time to time, you may be unhappy with how we have dealt with your requests for information and want to tell us about it.

We have a complaints procedure in place to deal with issues about Council services. However, we also have a stand-alone complaints process to deal with complaints in relation to your rights to access information.

This applies to all requests for information made under the Freedom of Information Act, Environmental Information Regulations or Data Protection Act.

This leaflet tells you about our appeals and complaints procedure in relation to all three pieces of legislation.

Equal opportunities

You have a right to be treated with respect, dignity and fairness in all your contacts with us, regardless of your race, gender, disability, age, culture, religion, status or sexuality.

What are FOI, EIR and DPA

The Freedom of Information Act 2000 (FOI) gives people a general right of access to information held by or on behalf of public authorities.

The Environmental Information Regulations 2004 (EIR) give similar rights of access but specifically to information relating to, or affecting, the environment.

The Data Protection Act 1998 (DPA) sets out a series of principles which we must keep to when we use your personal information. It also gives you certain rights, including the right to see what personal information we hold about you.

What is an appeal?

If you have asked for information and have been refused some or all of it you should have been told why. If you disagree with our reasoning and the decision not to release the information, then you may appeal against the decision.

What is a complaint?

A complaint is when you tell us, either verbally or in writing, that you are dissatisfied with the service we have provided in relation to your request for information. For instance, you may feel we have failed to:

- Respond to your request within statutory timescales.
- Properly explain why we have refused your request.
- Provide you with help.
- Follow the Council's agreed procedure.

Who should I complain to?

In the first instance, please contact either by post, email or telephone:

The Corporate Information Governance Manager,

Solihull Metropolitan Borough Council,

PO Box 18 , Council House,

Solihull, B91 9QS.

☎ 0121 704 6251

Email: xxxxxxxx@xxxxxxxx.xxx.uk

If you want to speak with someone else, you may contact:

The Senior Complaints Officer,

Solihull Metropolitan Borough Council,

PO Box 18 , Council House, Solihull, B91 9QS.

☎ 0121 704 6761

Email: xxxxxxxx@xxxxxxxx.xxx.uk

What information do we need from you?

To help us deal with your complaint promptly please provide, in writing, the following.

- Your Name.
- The address that you want us to send correspondence to: postal address, or email address and a daytime telephone number for any queries.
- Details of your complaint and/or of your appeal: tell us what the complaint relates to and/or why you disagree with our decision not to release information to you.
- How you would like us to put matters right: describe what action you would like us to take in relation to your complaint/appeal and what outcome you are looking for.

How we will use your information

We will share the information you provide with relevant staff so we can investigate the matter. We will also use the information for statistical and monitoring purposes. Sometimes we may be required to share the information with outside agencies and regulators.



Appeals and complaints procedure

The procedure has 3 stages. Here is an explanation of what happens at each stage:

Stage 1- Informal

When we receive your complaint or appeal, the Corporate Information Governance Manager will contact you. We will try to solve the problem as quickly and informally as possible. We will try to complete Stage 1 within 10 working days. If you remain dissatisfied, the matter will be escalated to Stage 2.

Stage 2 - Formal

We will ask a manager to investigate the matter. They will have no previous involvement with your request for information, and also be independent of the service area which holds the information you requested.

They may need to contact you to gather further information and will interview relevant staff members involved in the matter. Once their investigations are completed, the manager will write a report outlining their findings and recommendations in relation to your complaint/appeal.

The Head of Service responsible for the service area to which your complaint/appeal relates will consider the findings of the report and any recommendations made. They will then write to you explaining the actions they intend to take as a result.

We will try to complete Stage 2 within 20 working days. If you remain dissatisfied, you can ask for the matter to be escalated to Stage 3.

Stage 3 - Review Panel (Final Stage)

Your complaint or appeal will be heard by a review panel. This will be made up of two senior managers and a member of our legal team. There may also be other members of staff, depending on the nature of your complaint or appeal.

The panel will independently review and scrutinise the findings from stages 1 and 2 and reach a final decision. We will invite you to the panel so that you can explain your reasons for complaining or appealing, although you may prefer to provide something in writing instead.

We will try to complete the Stage 3 review within 20 working days.

This is the final stage in the FOI, EIR and DPA Complaints and Appeals process. If you still remain dissatisfied, you have the right to complain to the Information Commissioner. You should do this as soon as possible and certainly within two months of the review panel's decision.

The Information Commissioner can be contacted at:
Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF
☎ 01625 545 700
Website: <http://www.informationcommissioner.gov.uk/>