

THE FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

REVIEW PROCEDURES

Introduction

The Freedom of Information (Scotland) Act 2002 (“the 2002 Act”) provides a statutory right of access to information held by Scottish public authorities. Renfrewshire Council is committed to freedom of information compliance. The 2002 Act entitles an applicant who is dissatisfied with the way in which the Council has dealt with a freedom of information request to require the Council to review its actions and decisions in relation to that request. This procedure is referred to in the Act as a “requirement for review”.

The Review Process

Should you wish a review to take place you must:-

Lodge a requirement for review within 40 working days after:

- the date of the Notice refusing your request;
- on receipt by you of a Fees Notice; or
- the expiry of the 20 working day time limit in which the Council is obliged to comply with your original request

The requirement for review must be in writing or in another permanent form. This means that it should be in a format which is capable of being used for subsequent reference e.g. a recording made on an audio or video tape.

The requirement for review must include your address for correspondence, a description of your original request and the reasons why you are dissatisfied. This should be addressed to the Managing Solicitor (Information Governance):

Allison Black
Managing Solicitor (Information Governance)
Department of Finance & Resources
Renfrewshire House, Floor 1, Cotton Street, Paisley PA1 1TT
Email: alison.black@renfrewshire.gcsx.gov.uk

The review will be fair and impartial and will be decided by the Managing Solicitor (Information Governance). In the absence of the Managing Solicitor (Information Governance), the review will be decided by the Head of Corporate Governance.

The Council will explain how it has reviewed the original decision and will provide a Statement of Reasons for its findings.

The Council may:

- Confirm the decision complained of, with or without such modifications as it thinks appropriate;
- Substitute the original decision with a different decision; or
- Reach a decision, where the complaint is that no decision on a freedom of information request was reached.

The Council is not obliged to comply with a request for review if:

- The requirement for review is vexatious; or
- The original request to which the requirement relates was vexatious or repeated.

You may withdraw your requirement for review at any time before the decision is made by written notice to the Managing Solicitor (Information Governance).

Right of Appeal

If you are unhappy with the outcome of the review, you have the right to appeal the Council's decision to:

The Scottish Information Commissioner
Kinburn Castle, Doubledykes Road, St Andrews, Fife KY16 9DS
Tel. No. 01334 464610
Fax No: 01334 464611
Email: enquiries@itspublicknowledge.info