

Durham County Council
Freedom of Information Act 2000 -
Request for information under
Internal Review procedure



Internal Review Reference Number:	IR20187206LJ of: FOI20186887LJ	Date: 030818
Date Received:	26 July 2018	

Requester: Lee Jefferson

Decision:

We have now had opportunity to conclude your request for internal review regarding request reference number FOI20186887LJ received by email from you on 26 July 2018.
Please see our response below.

The Council's powers and role:

Part V1 of the Section 45 Code of Practice places a duty on public authorities to implement a complaints process to ensure applicants can request an internal review if they are not content with the authority's response. This provides a first review stage for applicants. The internal review is an opportunity for the authority to review the request completely afresh, with fairness and impartiality and to inform the applicant promptly, in writing, of the outcome.

Further details on the Internal Review process can be found at the Information Commissioner's website:

<https://ico.org.uk/for-the-public/official-information/>

Your internal review request:

On 26 July 2018 you emailed us to state the following:

Thanks for your correspondence dated 26th July 2018. We still require the internal review though as stated on 4th July 2018. It is now 47 working days since the FoI request was acknowledged by the authority. If you don't intend on carrying out the internal review please let us know so we can pass it directly to the Information Commissioner.

Our response:

On 26 July 2018 we sent you a response to your Freedom of Information request, reference number FOI20186887LJ after which you wrote to us as above.

The procedure for Freedom of Information Internal Review requests is as follows:

When a response is sent to an applicant and they are dissatisfied with the

content of the information they have been provided with in their response, they can contact the council to request an internal review. The council must reconsider the request and establish if a) their decision is upheld, i.e. no more information can be provided or b) uphold the applicant's internal review request i.e. provide additional information. If the decision is the former and the applicant remains dissatisfied they have a further right of appeal to the Information Commissioner (contact details as provided below).

In the case of your email as above, we have reviewed the information we hold in respect of your request reference number FOI20186887LJ and confirm we cannot find any form of communication from you dated 4 July 2018 asking us to carry out an Internal Review. On 4 July 2018 we had not yet sent a response to your request for you to appeal against.

However our records do indicate that a further request for the same information was submitted to us from you and this request was dated 4 July 2018. This subsequent duplicate request was handled by us under request reference number: FOI20187088LJ and a response sent to this request on 26 July 2018 also.

In view of these findings unless you can provide us with further details of the communication you are referring to, we conclude that we have no record of receiving an internal review request from you dated 4 July 2018.

Your Review Rights:

I hope this information is of assistance. However, if you remain dissatisfied with our response provided herewith you have a further right of appeal to the Information Commissioner, contact details: Telephone: 01625 545 745 Email: casework@ico.org.uk

Julie Hodgson
Freedom of Information and Data Protection Officer
Information Management
Durham County Council