

LONDON BOROUGH OF BROMLEY

Information Request Appeals Procedure

This note sets out the stages of appeal available to people applying for information from the London Borough of Bromley under the Freedom of Information Act, the Environmental Information Regulations or the Data Protection Act.

Decision made by the SAR/FOI Coordinator/Information Officer

In cases where the London Borough of Bromley feel unable to release information, the initial decision will be made by the FOI/SAR Coordinator or the Information Officer. The applicant can expect:

- A response in writing within twenty working days (FOI) or thirty calendar days (SAR)
- The reasons for the refusal with details of the relevant law, and, if applicable, the reasons for not supplying the information;
- Details of the appeals procedure.

Internal Review by the Council

If you are not satisfied with the reasons given by the FOI/SAR Coordinator or Information Officer for his/her decision, you may make a written appeal to the Council for an Internal Review to be carried out. Your request for a review should be submitted to the Council within twenty eight days of receiving the Council's reply to your request.

A panel of officers will review your request and consider whether the Council's response was in compliance with information laws. You should be informed of the outcome of the Internal Review within a further twenty working days.

External Appeal to the Information Commissioner's Office (ICO)

If you are not satisfied with the Council's decision, an appeal can be made to the Information Commissioner's Office. The Information Commissioner is an independent official appointed by the State to oversee the information laws. Further information can be found on the Information Commissioner's website at www.ico.org.uk/



Appeal to the Information Tribunal

If you are not satisfied with the ICO's decision on your case, you can appeal to the Information Tribunal. A notice of appeal must be served on the Tribunal within twenty eight days. Both the London Borough of Bromley and the applicant have the right of appeal against the Information Commissioner's decision.

The Chairman and Deputy Chairman of the Tribunal are legally qualified but there are also lay members. All Tribunal Members are appointed by the Lord Chancellor.

Judicial Review

All parties can appeal on points of law to the High Court. An appeal on a point of law would be on the grounds:

- That the Tribunal misunderstood the law;
- That there was no evidence to support a particular finding of fact made by the Tribunal; or
- That the decision was one that if the Tribunal had directed itself properly on the law, it could not have reached the conclusion it did.

Useful addresses

Information Officer

London Borough of Bromley
Civic Centre
Stockwell Close
Bromley BR1 3UH
Telephone: 020 8313 4025
isdfreedomofinformation@bromley.gov.uk

Information Commissioner's Office

Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF
Telephone: 0303 123 1113
casework@ico.org.uk