

Review Procedure for Information Requests

Scope

This procedure is intended to be used if a customer wishes to complain about the way the council has responded to a request for information made under the Freedom of Information Act or the Environmental Information Regulations, or to appeal a decision made under the Act/Regulations.

Only the Environmental Information Regulations 2004 legally require an authority to have a review procedure. The council has however also adopted the same review procedure for dealing with complaints about Freedom of Information responses.

Timescale

Requests for review should be received by the authority within 40 working days from the date of the council's response to the information request.

The review request should be in writing and sent to the Principal Information Officer, Governance Team, County Hall, Trowbridge BA14 8JN or foi@wiltshire.gov.uk . Please explain clearly the reasons for disagreeing with the council's decision, providing supporting evidence if available.

Unless there are exceptional circumstances, reviews should be completed as soon as possible, and in any event within 40 working days of the request for a review being received by the Governance Team.

Internal Review

The council will conduct a review of the decision made. This review should be fair and impartial so will be undertaken by an officer who was not involved in the original decision. The reviewing officer may however need to consult with the responding officer and the teams who provided the information initially.

The reviewing officer will then be able to make a decision about the validity of any exemptions applied, and whether the council has complied with its statutory duties.

The reviewing officer will write to let the applicant know of the outcome of the review giving a full explanation of the reasoning underlying their decision. If they decide that some or all of the information that has been requested should be released to the applicant, they will send that with their decision.

Information Commissioner

The Information Commissioner is an independent body responsible for the regulation of access to information legislation.

If you remain dissatisfied after the council has reviewed its decision you can complain to the Information Commissioner's Office at Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, 01625 545745 or www.ico.gov.uk . This is a free service.