

Freedom of Information Act 2000

Complaints Procedure

Freedom of Information Complaints Procedure

Introduction

1. Since 1 January 2005, the Freedom of Information Act (FOI) 2000, gives members of the public a general right of access to information held by public authorities. All requests must be in writing and answered within 20 working days, either providing the information or detailing the relevant exemptions as to why information is being withheld.
2. The complaints procedure may be used, within two months of receiving the final response, by any person who considers that their request for information under the general right of access has not been properly handled, or who are otherwise dissatisfied with the outcome of the consideration of their request.

Definition of a complaint

3. A complaint may be defined as an expression of dissatisfaction from a member of the public regarding the treatment they have received if, for example;
 - their application was not dealt with within the 20 working days timescale
 - they did not receive all of the information requested
 - they feel that exemptions have been wrongly applied
 - they feel a fee has been wrongly charged.

Complaints regarding the handling of FOI requests

4. Complaints regarding the handling of the request or about the service offered by the FOI lead should be made in writing to the Assistant Director of Governance at the:

John Radcliffe Hospital
Level 3
Headley Way
Headington
Oxford OX3 9DU

5. The Assistant Director of Governance will investigate the complaint.
6. All written complaints should receive an acknowledgement within two working days with a full explanation within 20 working days.

Complaints regarding the outcome of the request

7. Applicants who are dissatisfied with the outcome of their request for information e.g. inappropriate use of exemption, fees notice applied etc., should write to the Assistant Director of Governance at the:

John Radcliffe Hospital
Level3, Academic Street
Headley Way
Headington
Oxford OX3 9DU

8. The Assistant Director of Governance will investigate the process, which led to the decision under review.
9. The complaint will be acknowledged within two working days with a full explanation in writing within 20 working days. If it is not possible to give a full explanation within 20 working days, the complainant will be contacted and advised regularly of what is happening.
10. If a decision to withhold information is made under Section 36 of the Act (prejudice to the effective conduct of public affairs) that decision will have been taken by the Chief Executive with advice from the Director of Planning And Information, who has overall responsibility for FOI as delegated by the Chief Executive. In these circumstances where there is no-one of sufficient seniority to review the decision, it is not possible to offer an internal review but should be referred directly to the Information Commissioner.

Information Commissioner

11. If the complainant remains dissatisfied following the local resolution procedures, as mentioned above in steps 4 - 9, they will be informed of their right to refer the complaint to the Information Commissioner.
12. Responsibility for enforcing the Freedom of Information rests with the Information Commissioner who is an independent public official responsible directly to Parliament.

Information Commissioner

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone: 01625 545745
Fax: 01625 524510
E-mail: mail@ico.gsi.gov.uk

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