

Information Requests Internal Review Policy

1.0 Purpose

This policy sets out how disputes relating to information requests are handled. This includes a review into how we handled the request as well as the outcome of the request and information provided.

2.0 Scope

This policy covers requests made under the Freedom of Information Act (FOIA) and the Environmental Information Regulations (EIR) and data subject rights under UK-GDPR. The policy reflects the obligations of the Authority under [Regulation 11 of the EIR](#), and best practice as set out in [FOI Section 45 Code of Practice](#), issued by The Cabinet Office and the [ICO's guidance](#) on data subjects rights under the UK GDPR.

3.0 Introduction

Whilst the Council will make every effort to ensure that information requests are answered promptly and professionally, there may be instances in which applicants are not satisfied.

In these cases, applicants have the right to request an internal review of the response that they have received which includes being able to complain about the handling of their request. i.e. the time in which your response was provided and the information you were provided with about your response

Complaints that relate to Council business will be handled in line with the Council's Complaints procedures. A link to the Complaints process is given in the appendix.

4.0 Internal Review

An internal review allows the applicant to challenge either the outcome or the handling of their information request or both.

A request for an internal review may involve a:

- request for a review of a decision to withhold information
- complaint about the handling of a request for information
- complaint about the Council's publication scheme

4.1 The right to an internal review

Applicants will be notified of their right to request an internal review in the response to their initial request. This notification will include

- Details of the council's review procedure, and
- How to request a review.

4.3 Requesting an Internal Review

Applicants should make a request for an internal review in writing.

An internal review request should be made within 40 working days of the date of the Council's response. The Council is not obliged to accept a request for a review after this date.

Applicants can provide the reasons why they disagree with the Council's response or are dissatisfied with its handling of their request. Applicants may provide supporting evidence if applicable, and any representations provided will be considered as part of the review.

Review requests can be sent to the Information Governance team at infogov@3csharedservices.org, or at the Council's postal address.

4.4 What to Expect

- Requests for internal reviews will be acknowledged promptly and within 5 working days of receipt.
- Requests for reviews will be responded to within 20 working days. When we acknowledge your request for a review, we will give you an expected response date.
- In exceptional circumstances (for example, if the request is complex, requires the reviewing of a high volume of relevant information or third parties need to be consulted) it may be necessary to extend the deadline for response by a further 20 working days. In such cases the applicant will be informed and given an explanation for the delay. The review process will not exceed a total of 40 working days.
- The Council will contact the applicant if they require further clarification before they can carry out the review. The 20 working day period for responding to the review will not start until the request has been clarified.

- The review will be dealt with in a fair and impartial manner. The internal review will be undertaken by someone independent of the original decision.
- The reviewer will be knowledgeable/experienced in the appropriate legislation.
- The review will consider the handling of the request in line with the Council's procedures. The review will also consider decisions made in the processing of the original request. This will include decisions relating to the public interest for qualified exemptions (FOI) or exceptions under EIR.
- The review will pay particular attention to any concerns raised by the applicant.
- The review could result in the council upholding its original position or applying different or additional exemptions in its response.
- The requester will be informed, in writing, of the outcome of the review, giving a full explanation.
- If the outcome of the review is to disclose material that had previously been withheld then this will be provided to the applicant at the time of the response. If the Council is unable to comply with this it will inform the applicant when this information will be disclosed to them and any reason for delay.
- The Council will make the requester aware of their right to complain to the ICO if they remain dissatisfied with the outcome of the review.
- The Council will keep a record of all reviews and decisions made. This information will be kept in accordance with the Council's retention schedule

Appendix

Council Complaints procedures

- [Cambridge City Council](#)
- [Huntingdonshire District Council](#)
- [South Cambridgeshire District Council](#)