

# Information Governance

## Re-Use of Public Sector Information

### Complaints Procedure



**Falkirk Council**

#### **Introduction**

This procedure has been adapted from the review process under the Freedom of Information (Scotland) Act 2002 (FOISA) and is for use in relation to the Re-use of Public Sector Information Regulations 2015 (the Regulations). The Regulations give a right to complain in relation to the Council's actions under the Regulations but do not provide timescales beyond reference to a reasonable time. The Council will follow the timescales of FOISA. These timescales are not statutory and may be extended where it is reasonable to do so.

#### **Complaints/Reviews**

If you are dissatisfied with the way in which the Council has dealt with your request, or if you consider that the Council has failed to comply with any requirement of the Regulations, you may ask the Council to review its actions and/or decisions. You may also request a review if you have not received a response to your original request for re-use within 20 working days of receipt of that request by the Council.

A request for review should be submitted in writing to the Chief Governance Officer, Municipal Buildings, Falkirk, FK1 5RS.

Your request for a review should:

- (i) be made within 40 working days of receipt of the decision or within 40 working days of the expiry of the period of 20 working days for dealing with your request for re-use where the Council fails to make a decision;
- (ii) specify your name and address for correspondence;
- (iii) specify the request for re-use to which the review relates; and
- (iv) specify the reason for your dissatisfaction.

Your case will ordinarily be reviewed within 20 working days. We will notify you in writing of our review decision and give reasons for that decision.

#### **Application to Information Commissioner**

Should you be dissatisfied with the review decision, or not receive the review decision within the 20 working days, you may refer the complaint to the Information Commissioner:

Information Commissioner's Office  
Wycliffe House Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Telephone: 0303 123 1113

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