

Information Governance

Re-Use of Public Sector Information

Complaints Procedure

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 Information Governance Manger, John Gray Centre, Haddington, EH41 3DX.

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 decisions;
- 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 be reviewed within 20 working days. We will notify you in writing of our review decision and give reasons for that decision.

Application to the 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