

# Access to information

## Complaints procedure



HERTSMERE BOROUGH COUNCIL



## Customer feedback

We are committed to making information available to the public. We need you to tell us if we are not meeting your expectations in the information we provide to you, or if you are not happy with the way your request for information was dealt with under the Freedom of Information Act, Environmental Information Regulations, Data Protection and Re-Use of Public Sector Information Regulations laws.

## What is an Access to Information complaint?

An Access to Information complaint is when you tell us you are not happy about the information we have provided to you in response to a request for information, or the service you received in the processing of a request. For example if:

- we have failed to provide information listed in our Publication Scheme;
- you feel dissatisfied with the service provided in the processing of an information request;
- we have failed to meet the 20 working day time limit in complying with request under Environmental Information Regulations\*, Freedom of Information Act or Re-Use of Public Sector Information;
- we have failed to meet the 40 calendar day time limit in complying with a Data Protection Subject Access request;
- you did not receive all the information you requested;
- you feel that the exemptions have been wrongly applied; and
- you feel that you have been charged incorrectly.

You should not use the Access to Information complaints procedure for the following things:

- requests for services; and
- enquiries covered under Hertsmere Borough Council's customer feedback procedure (comments, compliments and complaints).

## Our promise to you

We are committed to putting you first and providing a quality customer service. This includes dealing with any Access to Information complaint you may have.

We will:

- deal with your complaint quickly and fairly;
- tell you what is happening with your complaint and do everything we can to help you;
- only reveal your identity to people who need to know it;
- explain our decision; and
- use your complaint to review and improve the way we provide services.

Your right to a council service will not be affected if you make a complaint.

*(\*can be extended to 40 working days in exceptional circumstances.)*

## How to make an Access to Information Complaint

You can complain:

- in person at the Civic Offices and the area offices in Bushey and Potters Bar;
- by phone;
- by letter; or
- by e-mail to [foi@hertsmere.gov.uk](mailto:foi@hertsmere.gov.uk)

You can find our address and phone numbers at the back of this leaflet.

### Stage 1

We will try to deal with your complaint informally. This means that you should telephone, e-mail or write to the Information Officer who dealt with your access to information request. The Information Officer will do their best to settle your complaint without you needing to do anything else. We will respond to your complaint in writing within 15 working days.

If we cannot sort out your complaint within 15 working days, we will write to you and let you know:

- when you can expect an answer from us; and
- the name of the person who is dealing with your complaint.

### Stage 2

If after stage one you are still not happy the next step is for you to make a formal complaint.

At this stage you should put your complaint in writing to the Access to Information Complaints Officer. You can do this by:

- writing a letter; or
- filling in an Access to Information complaints form, which is attached to this leaflet. You can also get forms from any of our offices, (the addresses are at the back of this leaflet,) or from our website [www.hertsmere.gov.uk](http://www.hertsmere.gov.uk)

Please ask a member of our customer services team if you need help to write your complaint or fill in the form.

We will then write to you within five working days to tell you who will be dealing with your complaint and to give you a reference number. This information will make it easier for you to contact the person dealing with your complaint if you need to.

The officer dealing with your complaint will:

- consider all the details;
- take any necessary action; and
- make sure you receive a written reply within another 15 working days.

If we cannot send you a written reply within 15 working days, we will write to you to:

- tell you why we need more time; and
- let you know when you will receive a written reply.

### **Stage 3**

If you have been through stages one and two and you are still not happy, or you feel that we have not provided all the information we should have in response to your request, we will carry out an internal review.

A senior officer who was not involved in the decision to release information or apply exemptions will carry out the review and will consider all the information related to the original request.

The Access to Information Complaints Officer will write to you to tell you when the internal review will be completed. We will aim to deal with simple cases within two to three weeks, while more difficult cases may take up to six weeks. If we are unable to meet our original deadline we will write to you to keep you fully informed of the progress that has been made and provide you with a new deadline.

In all cases we will write to tell you the outcome of the internal review. If the review finds that we should have released information to you that we did not, this will be sent to you as soon as possible. If the review finds that we were right not to release information to you we will explain our reasons for this.

### **Information Commissioner**

We hope that we can solve your problem, but if you have followed our complaints procedure and you are still not happy, you can contact the Information Commissioner if your request was for information under the Data Protection Act, Environmental Information Regulations or Freedom of Information Act only:

Information Commissioner's Office

Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Phone: 01625 545 700

Email: [mail@ico.gsi.gov.uk](mailto:mail@ico.gsi.gov.uk)

Website: [www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk)

If your complaint was regarding the re-use of information under the Re-Use of Public Sector Information Regulations, after Stage 3 of this complaints procedure and in accordance with Regulation 19 of these Regulations, you may refer the matter to the Office of Public Sector Information (OPSI). Complaints to OPSI must:

- be in writing,
- state the nature of the complaint,
- include a copy of the written determination under the internal complaints procedure
- be lodged with the OPSI before the end of 28 working days beginning with the date of receipt of the determination.

The OPSI will investigate the complaint and issue a decision within 30 working days. Complex cases may be subject to a payment of £500 (non-refundable). Both parties can appeal to the specially constituted panel of the Advisory Panel on Public Sector Information (APPSI). APPSI will investigate and reach a decision within 60 working days. Generally evidence will only be considered in written form.

You may write to the OPSI at:

London Office  
Admiralty Arch  
North Side  
The Mall  
London  
SW1A 2WH

Norwich Office  
St. Clements House  
2-16 Colegate  
Norwich  
NR3 1BQ



## Access to Information Complaints procedure

Title (Mr, Mrs, Ms, Miss): First name: .....

Surname: .....

Address and postcode: .....

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Daytime phone number: .....

Evening phone number: .....

Any other phone number: .....

E-mail address: .....

**Have you already told us about this complaint?** Yes  No

If 'Yes', please give the date and name of the person dealing with the matter.

Name: .....Date: .....

Please give us brief details of your complaint. ....

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**If appropriate, what do you think we should do to put things right?**

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**Your signature:** ..... **Date:** .....

We aim to give you a full reply within 15 working days. If this is not possible, we will still write to you within this time to let you know the reasons for the delay and tell you when you can expect a full reply from us.



**Data Protection** *Hertsmere Borough Council is registered under the Data Protection Act 1998 for the purpose of processing personal data in the performance of its legitimate business. Any information held by the council will be processed in compliance with the eight principles of the Act. "This authority is under duty to protect the public funds it administers, and to this end may use the information you have provided on this form within this authority for the collection of funds and the prevention and detection of fraud. It may also share this information with other bodies administering public funds solely for these purposes."*

## General information

### Hertsmere main office

Civic Offices  
Elstree Way  
Borehamwood  
Herts, WD6 1WA  
Phone: 020 8207 2277  
Email: [customer.services@hertsmere.gov.uk](mailto:customer.services@hertsmere.gov.uk)

#### Opening hours:

Monday to Thursday, 8.30am to 5.15pm  
Friday, 8.30am to 5pm

### Potters Bar area office

Wyllyotts Centre  
Wyllyotts Place  
Darkes Lane  
Potters Bar  
Herts, EN6 2HN  
Phone: 01707 652406

### Bushey area office

Bushey Centre  
High Street  
Bushey  
Herts, WD23 1TT  
Phone: 020 8386 4048

#### Area offices opening hours

Monday to Friday, 9.30am to 2pm

Website: [www.hertsmere.gov.uk](http://www.hertsmere.gov.uk)

Out-of-hours emergency phone number:  
0845 300 0021

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# Large print and languages

This document is available in large print, in Braille and on audio tape.

If you have difficulty understanding this document because English is not your first language, please contact our Corporate Communications team on 020 8207 7445 and we will do our best to help.

Please allow enough time for us to provide this document in the format you ask for.

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تهدف بلدية منطقة هارتسمير (Hertsmer Borough Council) إلى توفير المعلومات بصيغ بديلة إذا كان ذلك ممكناً.

إذا اردت أي وثيقة بلغة أو بصيغة أخرى يرجى الاتصال برقم الهاتف 020 8207 7445 أو إرسال بريد الكتروني [customer.services@hertsmer.gov.uk](mailto:customer.services@hertsmer.gov.uk) وسنبذل قصارى جهدنا لمساعدتك. يرجى منحنا وقتاً كافياً لترجمة أي وثيقة مطلوبة.

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**Hertsmer** 自治区政府旨在可能的情况下提供信息的其它格式版本。

如果你想得到以简体中文或其它格式制作的版本，请致电 020 8207 7445，或发送电邮至 [customer.services@hertsmer.gov.uk](mailto:customer.services@hertsmer.gov.uk)，我们将尽力提供帮助。请预留足够的时间，以便让我们完成有关文件的翻译。

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Rada miejska Hertsmer Borough Council zamierza dostarczać wszelkie informacje, tam gdzie jest to możliwe, w różnych formatach.

Jeżeli ktoś chciałby otrzymać dokument w innym języku lub formie proszony jest zatelefonować na numer 020 8207 7445 lub przesłać e-mail do [customer.services@hertsmer.gov.uk](mailto:customer.services@hertsmer.gov.uk) a my zrobimy wszystko by pomóc. Prosimy uwzględnić czas na przetłumaczenie każdego dokumentu.

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ਹਰਟਸਮੀਅਰ ਬੋਰੋ ਕੌਂਸਿਲ ਜਿੱਥੇ ਵੀ ਹੋ ਸਕੇ, ਜਾਣਕਾਰੀ ਹੋਰ ਰੂਪਾਂ ਵਿਚ ਦੇਣ ਦਾ ਯਤਨ ਕਰਦੀ ਹੈ।

ਜੇ ਤੁਹਾਨੂੰ ਕੋਈ ਦਸਤਾਵੇਜ਼ ਕਿਸੇ ਹੋਰ ਥੇਲੀ ਵਿਚ, ਜਾਂ ਕਿਸੇ ਹੋਰ ਰੂਪ ਵਿਚ ਚਾਹੀਦਾ ਹੈ, ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ ਨੰਬਰ 020 8207 7445 'ਤੇ ਫ਼ਨ ਕਰ, ਜਾਂ ਇਸ ਪਤ [customer.services@hertsmer.gov.uk](mailto:customer.services@hertsmer.gov.uk) 'ਤੇ ਈਮੇਲ ਭੇਜੋ। ਅਸੀਂ ਤੁਹਾਡੀ ਮਦਦ ਕਰਨ ਦੀ ਪੂਰੀ ਕੋਸ਼ਿਸ਼ ਕਰਾਂਗੇ। ਕਿਰਪਾ ਕਰਕੇ ਇਹ ਯਾਦ ਰੱਖੋ ਕਿ ਦਸਤਾਵੇਜ਼ ਦਾ ਤਰਜਮਾ ਹੋਣ ਨੂੰ ਕੁਝ ਸਮਾਂ ਲਗਦਾ ਹੈ।