



# NEW COLLEGE OXFORD

## New College - Oxford Freedom of Information Internal Review Procedure





## **Procedure for the processing of internal appeals relating to requests for information made under the Freedom of Information Act 2000.**

1. This procedure fulfils the recommendation of Freedom of Information Code of Practice which states that Public Authorities should have a procedure in place for dealing with complaints both in relation to its handling of requests for information and in relation to the authority's publication scheme.
2. When communicating any decision made to refuse a request, the College will inform requesters how to request an internal review as required under section 17 (7) of the Act and of their right to complain to the Information Commissioner under section 50 if they are still dissatisfied following the outcome of the internal review.
3. The College will deal with complaints informally if possible (for example when a document is mistakenly not sent) but if complaints cannot be resolved easily, swiftly and satisfactorily on an informal basis, this procedure is to be used.
4. Any written request for an internal review which is received within 40 working days from the date of the College's response will be dealt with by this procedure. Requesters may request an internal review if, for example:
  - their original request was not dealt with within the 20 working days timescale;
  - the request for information was refused in whole or in part; or
  - they otherwise did not receive all of the information that had been requested.
5. In all cases, requests for internal reviews will be acknowledged within ten working days: the requester will be informed that an internal review will be conducted and that it is the intention of the College to complete the internal review within twenty working days.
6. Where it is apparent that the internal review will take longer than 20 working days, the requester will be informed and the reason for the delay will be explained. The time taken to conduct interval reviews should not exceed 40 working days.
7. Where the internal review concerns a request for information under the general rights of access, it will normally be undertaken by someone senior to the person who took the original decision.
  - Any of the following may undertake the review if they were not part of the original decision the Warden, the Bursar, or other member of Governing Body;
8. The only exception to this will be where the \*section 36 exemption covering information whose disclosure may prejudice the effective conduct of public affairs has been used. This is because the Warden, as the College's qualified person, is the only person who may agree to this exemption being engaged. In such cases the Warden in consultation with a member of Governing Body will also conduct the internal review.  
[\\*https://ico.org.uk/media/for-organisations/documents/1175/section\\_36\\_prejudice\\_to\\_effective\\_conduct\\_of\\_public\\_affairs.pdf](https://ico.org.uk/media/for-organisations/documents/1175/section_36_prejudice_to_effective_conduct_of_public_affairs.pdf)
9. The reviewer will undertake a full re-evaluation of the case, considering the matters raised in the complaint. They will be provided with all the information and records relating to the original



request and will undertake an impartial, thorough, and swift review of handling issues and of decisions taken, including decisions taken about where the public interest lies in respect of exempt information. They will make a fresh decision taken on a reconsideration of all the factors relevant to the issue and pay particular attention to concerns raised by the applicant.

10. Records will be kept of all internal reviews and of their outcome.
11. The requester will always be informed of the outcome of the internal review. If the outcome is that the College has not complied with the requirements of the Act, the response to the requester should state this, the action decided to be taken to comply and the period within which that action is to be taken.
12. Where the outcome of the internal review is a decision that information which was previously withheld should be disclosed, the information in question should be disclosed as soon as possible and, in any event, within twenty working days of the decision to do so.
13. Irrespective of the outcome, the requester will always be informed of his or her right to apply to the Information Commissioner's Office and be given details of how to contact it.
14. Where the outcome of an internal review is that existing procedures have not been properly followed, the requester will receive an apology and appropriate steps will be taken to prevent similar errors occurring in future.