

Freedom of Information - Complaints Procedure

Commitment

- 1 The University is committed to meeting its obligations under the Freedom of Information Act 2000 (FoIA), regarding both the maintenance of a publication scheme and answering requests for information. We are a large and complex organisation and we recognise that problems and errors may arise from time to time and that those seeking information may be dissatisfied with the response they receive. The University is equally committed to investigating complaints promptly and thoroughly, and to rectifying any mistakes.

Scope

- 2 Any concern relating to the way the University is meeting its obligations under the FoIA may be raised under this complaints procedure. Possible examples include:
 - If you are unable to obtain information included within the University's publication scheme
 - If the University does not respond to a written request for information within 20 working days without a lawful justification
 - If the University provides the wrong or insufficient information
 - If you disagree with the decision that the information requested cannot be released because it falls under one of the permitted exemptions.

Timing of a Complaint

- 3 It is in everyone's interests that complaints are dealt with as quickly as possible. Issues should be raised as they arise: delays make it difficult to investigate properly. **The University will not normally consider a complaint, whether formal or informal, when it is raised for the first time more than 40 working days from the date the University has issued an initial response to a request.**

Informal Process

- 4 We would like to resolve your concerns informally wherever possible. Please do contact us if you have queries or concerns about the handling of your request or about the response. You may raise your concern with the Information Governance Team (see the contact details in paragraph 11 below), in writing, by email or by telephone. The informal process is intended to resolve queries such as:
 - clarification of the response/ information provided
 - missing items
 - queries about how the data was collected or collated
 - help in understanding the exemptions used

Formal Procedure/Internal Review

- 5 If you have been unable to resolve your concern informally or you consider that your complaint requires a formal response, you may make a formal complaint by:
 - Putting this in writing,
 - Including a statement that it is a formal complaint relating to FoIA,
 - Quoting the unique reference number for your request (this can be found at the top of our response in the format FOI/YYYY/XXX),
 - Making it clear what you are complaining about, why you think the University has been at fault and what you want the University to do about it.
- 6 Formal complaints will be considered by the Head of Information Governance and Data Protection Officer or the University Secretary (or nominee). The person considering the complaint will not have been involved in your request. The address for sending formal complaints to is in paragraph 11 below.
7. You will receive an acknowledgement of receipt of the complaint by the University within three working days of the complaint being received. The timetable and process for dealing with the complaint will be determined by the person considering the complaint. These will be sufficient to ensure that a reasoned judgement is possible while recognising the desirability of a speedy outcome. Normally it should be possible to come to a decision within 20 working days of the complaint being received. If and when it becomes apparent that reaching a conclusion will take longer than 20 working days, the University will inform you and explain the reason for the delay.
- 8 Once a decision has been reached, the Head of Information Governance and Data Protection Officer or the University Secretary (or nominee) will communicate the outcome of the complaint in writing. If the complaint is upheld this will include an indication of how the University is going to remedy the issue. If the complaint is rejected, this will include the reason for the decision.

Information Commissioner's Office (ICO)

- 9 The Information Commissioner's Office (ICO) is an independent body which oversees the operation of the FoIA. If you are dissatisfied with the outcome of a formal complaint to the University regarding FoIA you may complain to the ICO which has various powers of investigation and enforcement. The ICO is very unlikely to investigate a complaint unless it has first been through the University's formal complaint procedure. Contact details for the Information Commissioner's Office are provided below in paragraph 12.

Records and Review

- 10 The University will keep records of all formal complaints and their outcomes and will use such information to inform reviews of its publication scheme and of processes for responding to individual requests. The details of those making complaints will be confidential to those staff involved in the consideration and investigation of a complaint and to those staff involved in maintaining the records of complaints.

Contacts

- 11 If you are unsure who to contact in relation to an informal complaint please contact in the first instance:

Information Governance Team
Governance, Legal and Sector Regulation
Sheffield Hallam University
City Campus
Sheffield
S1 1WB

Email: foi@shu.ac.uk
Telephone: 0114 225 5555

Please submit formal complaints to:

Head of Information Governance and Data Protection Officer
Governance, Legal and Sector Regulation
Sheffield Hallam University
City Campus
Sheffield
S1 1WB

Email: dpo@shu.ac.uk
Telephone: 0114 225 3361

Contact and information details for the Information Commissioner's Office

FOI Compliance Team (complaints)
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Telephone: 0303 123 1113 or 01625 545 745
Email: casework@ico.gsi.gov.uk
Website: <https://ico.org.uk/>

Issued by	Governance, Legal and Sector Regulation
Version	V3.2 August 2020
Enquiries to	Information Governance Team foi@shu.ac.uk