

THE INSTITUTE OF CANCER RESEARCH : ROYAL CANCER HOSPITAL

PROCEDURE

COMPLAINTS PROCEDURE FOR ACCESS RIGHTS UNDER THE FREEDOM OF INFORMATION ACT 2000

Introduction

Persons who may make a complaint

1. Members of the general public, staff, students, members of the Board of Trustees or any Institute committee may make a complaint under this Procedure.

Scope and purpose of the Procedure

2. This procedure is designed to assist The Institute in acting upon, and where appropriate investigating, a complaint in respect of the following:
 - The Publication Scheme not properly being complied with;
 - A request for information under the general right of access not properly being handled.

The Procedure

Step 1: Making a complaint

3. Any concern or complaint should be addressed in writing in the first instance to the Information Manager who shall endeavour to resolve the matter satisfactorily on an informal basis.
4. Investigations shall be conducted as speedily as possible, having regard to the nature and complexity of the complaint. The aim shall be to conclude the investigation within 20 working days.

Step 2: Internal Review

5. If, after the investigation of the complaint, the complainant remains dissatisfied then they may ask for the matter to be internally reviewed. The aim shall be to complete the review within 20 working days.
6. The Corporate Management Group has appointed the Secretary of The Institute to decide what action (if any) should be taken, and whether the matter is to be further investigated (and if so by whom). In reaching a decision, the Secretary shall take such advice as he considers necessary.
7. Where the Secretary was party to the original informal investigation and decision, the internal review shall be undertaken by an Executive Member of the Corporate Management Group who was not party to the original informal investigation and decision.
8. The complainant shall be informed of the action taken following the internal review. A written record shall be kept of all complaints and their outcomes.
9. Where the outcome of the complaint is that information should be disclosed which was previously withheld, the information in question shall be disclosed as soon as practicable.

10. Where the outcome of a complaint is that the procedures have not been properly followed, then an apology shall be made and appropriate steps shall be taken to prevent similar errors occurring again.

Step 3: Information Commissioner

11. Where the Secretary decides to dismiss a complaint and not to take any further action, the complainant shall be advised of their right to write to the Information Commissioner if they remain dissatisfied.

Step 4: Annual Report

12. The Corporate Management Group will receive an annual report from the Secretary on the complaints received and action taken.

Notes:

1. If the complaint concerns a request for information under the general right of access, the complainant may apply to the Commissioner for a decision on whether The Institute has properly complied with the statutory provisions. If the complaint concerns the Publication Scheme, the complainant cannot apply for a decision, but the Commissioner may investigate the matter at his discretion.
2. Other related Institute procedures in existence are:
 - Data Protection Policy

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Secretariat Reviewed 11.3.2009 FOIA Complaint Procedure.V01.01