

# Information Governance

## Right to Complain



**Falkirk Council**

### Introduction

This leaflet is designed to be issued with any notice the Council may send in relation to a request for information made under the Freedom of Information (Scotland) Act 2002 or the Environmental Information (Scotland) Regulations 2004 [EIRs]. It sets out your rights of recourse should you be dissatisfied with the way the Council has dealt with your request (including inaction) or the extent of the information you have or have not received.

### Complaints/Reviews

If you are dissatisfied with the way in which the Council has dealt with your request you may ask the Council to review its actions and/or decisions. A request for review should be submitted in writing to the Service who responded to your initial request for information.

Your requirement for a review must:

- (i) be made within 40 working days of receipt of the notice;
- (ii) specify your name and address for correspondence;
- (iii) specify the request for information to which the review relates; and
- (iv) specify the reason for your dissatisfaction.

Your case will be reviewed within 20 working days.

You may also require a review if you have not received a response to your original request within the normal 20 working days of receipt of that request by the Council (40 days if extended by the Council under the EIRs). Your complaint in that case must be made within 40 working days of the last date you should have received the response.

### Appeal to the Commissioner

Should you be dissatisfied with the review decision or not receive the review decision within the 20 working days you may appeal to the Scottish Information Commissioner using the application form which you can find here - <https://www.foi.scot/appeal> - or you can contact the Commissioner directly at:

The Scottish Information Commissioner  
Kilburn Castle, Doubledykes Road  
St Andrews, Fife KY16 9DS  
Tel: 01334 464610  
Fax: 01334 464611  
Email: [enquiries@foi.scot](mailto:enquiries@foi.scot)

Your appeal must:

- (i) be made within six months of the review decision or the expiry of the 20 working days within which a review decision should have been made;
- (ii) specify your name and address for correspondence;
- (iii) specify the request for information to which the review relates; and
- (iv) specify the reason for your dissatisfaction.