

Farnhill Parish Council

Internal Review Procedure: Freedom of Information Act

1. Introduction

If a requester is unhappy with the way Farnhill Parish Council has handled their request for information, or disagrees with a decision to refuse information (including "vexatious" or "repeated" designations under Section 14), they have the right to request an Internal Review.

2. How to Request a Review

- **Timeline:** Requests for an internal review should be submitted within **40 working days** of the Council's initial response.
- **Submission:** Requests should be made in writing (email or letter) to the Parish Clerk.
- **Content:** The requester should state the case reference number and the reasons why they are dissatisfied (e.g., they believe an exemption was wrongly applied or the "vexatious" label is unjustified).

3. The Review Process

To ensure fairness and meet the Section 45 Code of Practice, the Council will follow these steps:

- **Acknowledgment:** The Clerk will acknowledge receipt of the review request within **5 working days**.
- **Independence:** The review will be conducted by someone who was not involved in the original decision.
 - *Note for Small Councils:* If the Clerk made the original decision, the Review should be conducted by a panel of three Councillors who were not involved in the initial refusal. If this is not possible, the Council may seek assistance from a neighboring Parish Clerk or the County Association of Local Councils (ALC).
- **Scope:** The reviewer will re-examine the original request, the information held, and the justification for the refusal (e.g., the "vexatious" criteria) entirely from scratch.

4. Timescales for Completion

- The Council aims to provide a final written response within **20 working days** of receipt of the review request.

- In complex cases (e.g., involving voluminous data or legal consultation), this may be extended to **40 working days**. The requester will be notified in writing if an extension is required.

5. The Decision

The Internal Review will result in one of three outcomes:

1. **Decision Upheld:** The original refusal is found to be correct.
2. **Decision Overturned:** The original refusal is reversed, and the information will be provided within 10 working days.
3. **Partial Disclosure:** Some information will be released while other parts remain exempt.

6. Further Recourse (The ICO)

If the requester remains dissatisfied after the Internal Review, the response must inform them of their right to apply directly to the **Information Commissioner's Office (ICO)** for a decision.

- **Address:** Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
- **Website:** www.ico.org.uk

Adoption of

This Internal Review Procedure was approved and adopted at the Meeting of the Council held on 11.02.2026 [Minutes Ref 254/26](#).....

Signed (Clerk) ... [J. Fieldhouse](#).....