

## Freedom of Information Appeals Process (Internal Review)

### Introduction

This guide outlines the appeal process to follow if you are dissatisfied with the way your request for information under the Freedom of Information Act has been handled by Surrey and Sussex Healthcare NHS Trust.

We take our Freedom of Information Act responsibilities very seriously and would welcome the opportunity to resolve issues locally. While it will usually be quicker if we can resolve issues together you will still have the right to appeal directly to the Information Commissioner if you remain dissatisfied with our response following your appeal.

### Who can appeal?

Anyone who has requested information from the Trust in writing can appeal. If you have requested information and you are not satisfied with the way we have dealt with your request or you believe that the Trust is not complying with its Publication Scheme, you can use the appeals process to have the matter reviewed.

If someone who requested information would like to appeal but cannot do so themselves, you can appeal on their behalf, but it will help us if you make it clear that you are doing so.

### What can I appeal about?

You can appeal about the range, amount and format of information we have sent following a request. You can also appeal about the way a request was handled – for example, the time it took to respond, or the way letters were worded.

### How do I appeal?

If you are not satisfied with the way your request for information has been handled, please write to us, setting out the reasons why you are unhappy with the response you received. It will help us to locate your request quickly if you include the four-digit reference number that is shown on our original response to you. You can send your request by post or email:

By post:                Freedom of Information – Information Access Appeal  
Surrey & Sussex Healthcare NHS Trust  
Trust Headquarters  
East Surrey Hospital  
Canada Avenue  
Redhill  
Surrey  
RH1 5RH

By Email:             Emails should be clearly marked 'Information access appeal' and sent  
to: [foi@sash.nhs.uk](mailto:foi@sash.nhs.uk).

## **What happens to my appeal?**

Our FOI Officer will ask a senior manager to undertake a formal review of your request and the area(s) of concern you raised. An Executive Director will review their findings and you will receive a formal reply, explaining our decision, within 20 working days of receipt of your appeal.

In exceptional circumstances, if we are unable to complete the review within this timescale, we will get in touch with you to explain why and give you a revised date by which you will receive the response.

The outcome of the review will be either:

- 1 If we believe our original response was correct, we will explain why we consider this is so and inform you of your options (see “What if I’m still not satisfied”).
- 2 If it becomes evident that the Trust has not complied with the Freedom of Information Act, or has failed to provide a high quality of service, we will apologise, make the necessary correction and explain what we will do to ensure this doesn’t happen again. If, for example, we failed to confirm whether we held certain information, or applied an exemption incorrectly, we will put this right and where appropriate, provide you with the information requested.

## **What if I’m still not satisfied?**

If you are still not happy with the way we have dealt with your original request and appeal, you can contact the Information Commissioner’s Office (ICO), who may investigate the matter on your behalf. The ICO’s contact details are:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Telephone: 0303 123 1113

Website: <http://ico.org.uk/>

The ICO will decide whether they will investigate your concerns and contact you to provide information on how they may be able to assist you. We will cooperate fully with their investigation by providing any information they request, fully and in a timely manner to assist in the swift resolution of your concerns.

Please be aware that the ICO will not normally investigate your concerns unless you have first asked us to review our original response – as outlined in this guide.