

Office of the Police and Crime Commissioner

Freedom of Information and Environmental Information request internal review procedure

1.0 Background and purpose

1.1 Chapter 5 (Internal reviews) of the [Freedom of Information Code of Practice](#) states:

'It is best practice for public authorities to have a procedure in place for dealing with disputes about its handling of requests for information. This is commonly referred to as an 'internal review'. These disputes will usually be dealt with as a request for an "internal review" of the original decision.'

1.2 Under [Regulation 11 of the Environmental Information Regulations 2004 \(EIR\)](#), a requester is entitled to ask for an internal review if they consider that a public authority has failed to comply with a requirement of the EIR.

1.3 This procedure has been established to ensure that the Office of the Police and Crime Commissioner (OPCC) follows best practice in accordance with the Freedom of Information (FOI) Code of Practice and complies with the regulation 11 of the EIR.

2.0 Roles and responsibilities

2.1 Within the OPCC, FOI and EIR request responses will be coordinated and responded to by the Accountability and Standards team, with final executive oversight provided by the OPCC Chief Executive or Head of Performance and Scrutiny.

2.2 Internal reviews will be conducted by a member of the OPCC Executive who will act as the reviewing officer. The reviewing officer must be independent and not have been involved in the handling of the original FOI or EIR request.

3.0 Internal review procedure

3.1 Any person who is dissatisfied with the way that a FOI or EIR request has been dealt with may request an internal review via one of the following methods:

- Complete the OPCC's online contact form [Contact us - Your voice in policing](#)
- Write to the Office of the Police and Crime Commissioner, Andy Hocking House, Alderson Drive, Exeter, EX2 7RP
- Phone 01392 497700 (between 10am and 2pm, Monday to Friday.)

3.2 Reviewing officers will aim to review and respond to internal reviews within 20 working days of receipt of the internal review request. In exceptional circumstances (i.e. very complex requests or reviews which require a large amount of information to be considered) the review may take up to 40 working days to be concluded. The

requester will be informed of the date by which they should expect to receive a response to their internal review.

3.3 Using the internal review checklist (appendix A), the reviewing officer will consider the original information request, the original response and any exemptions or exceptions applied, to assess compliance with the FOI Act or EIR as appropriate.

3.4 Should the internal review require the advice of a legally trained person, such advice will be sought.

3.5 After having considered all the necessary information, the reviewing officer will decide to either uphold the original response, or to overrule the original response. The requester will be informed of the reviewing officer's decision, which if applicable, will include any additional information considered disclosable as a result of the internal review.

3.6 Where the reviewing officer's decision results in additional information being provided to the requester, or the use of revised exemptions or exceptions, the OPCC disclosure log will be updated to reflect this.

4.0 Complaints to the Information Commissioner's Office

If after the review has been carried out the requester remains dissatisfied with the outcome, they can make a complaint to the Information Commissioner's Office (ICO). This can be done via the ICO website [FOI and EIR complaints | ICO](#).

5.0 Monitoring and review

The internal review procedure will be reviewed every three years.

6.0 Associated policies

[Freedom of Information Act and Environmental Information Regulations Policy](#).

7.0 Document Control

Date: 28th September 2026

Version: Version 1

Summary of changes: New procedure document

Review date: 28th September 2026

Appendix A

Freedom of Information Act and EIR request internal review checklist

Review Considerations

- Were statutory timescales adhered?
- If timescale extensions were applied, was this done appropriately?
- Was the requester kept informed of any delays or timescale extensions?
- Were reasonable searches conducted to locate the requested information?
- Was the correct assessment of 'information held' for the purposes of the FOI Act or EIR made, and was this communicated sufficiently to the requester?
- If a refusal notice was issued, were the grounds for refusal (i.e. exemptions, exceptions, vexatious or repeated requests, cost of compliance) applied appropriately, and where relevant, were public interest and harm tests considered and evidenced?
- Where a refusal notice was issued, were the reasons for refusal clearly and accurately explained to the requester?