

Office of Public Sector Information (OPSI) Complaints Handling Procedure

Introduction

1. Under Regulation 18 of the Re-Use of Public Sector Information Regulations 2005 (the PSI Regulations), any re-user or potential re-user of public sector information may refer a complaint to OPSI if they feel a Public Sector Information Holder (PSIH) has breached any provision of the Regulations.
2. A complainant must first have exhausted the internal complaints procedure of the PSIH concerned, or the PSIH must have failed to deal with the complaint within a reasonable time. Complaints referred to OPSI must be submitted in writing in no more than 2000 words and, where possible, include the PSIH's response and any other relevant documents.
3. When a complaint that meets these requirements has been made to us, we will:
 - carry out an initial analysis of the issues to determine whether it is within the provisions of the Regulations.
 - set out the issues to be investigated (the scope) and agree these with all parties.
 - ask all parties to agree to abide by the complaints handling process
4. Once the scope of the complaint has been agreed, the investigation will commence. We may request further supporting documents from any party to the complaint and may request meetings with the complainant and/or the PSIH concerned. OPSI's recommendations are designed under this process to encourage resolution of the complaint and to bring the parties to the negotiating table. Once we have concluded our investigation, we will publish a report which may contain recommendations. OPSI will work with the PSIH concerned to deliver compliance within the timescales specified in the recommendations.
5. OPSI also operates a complaints procedure under the Information Fair Trader Scheme. The same complaints handling procedure shall apply.
6. This complaints handling procedure should be read alongside the [published OPSI complaints procedures](#).

Scope

7. ISSUES TO BE INVESTIGATED - TO BE AGREED WITH ALL PARTIES PRIOR TO INVESTIGATION

Responsibilities of the Parties

8. Once the scope has been agreed, a complainant may not raise subsidiary or new issues whilst a complaint is being addressed, except with the consent of the other parties.
9. OPSI will assign a lead investigator. This will provide a single point of contact and OPSI will inform all parties if this changes. All other parties to the complaint will provide a single point of contact and inform OPSI of any changes.
10. OPSI will produce an official note of all meetings held in relation to the complaints process and, subject to confidential matters being removed, will share these with all parties to the complaint.
11. Whilst it is recognised that all parties need to be kept up to date with developments, parties should not delay resolution of the issues by submitting further correspondence or evidence unless requested by OPSI and unless it is new and significant.
12. We expect reasonable, professional standards throughout and will draw the parties' attention to any that we feel are not appropriate. We reserve the right to halt the investigation in the event of persistently unreasonable or unprofessional conduct while we consider the position.
13. All parties should
 - enter the dispute resolution process prepared to listen and engage constructively;
 - conduct themselves professionally and with honesty and integrity;
 - treat with each other with respect at all times;
 - enter the meetings and all interactions with the parties in good faith, respecting the confidential nature of the process.