

# Environmental Information Regulations 2004

## What is environmental information?

The Environmental Information Regulations (EIR) set out the definition of “environmental information”. It includes information recorded in any form on:

- the state of the elements of the environment, such as air, water, soil, land
- emissions and discharges, noise, energy, radiation, waste and other such substances
- measures and activities such as policies, plans, and agreements affecting or likely to affect the state of the elements of the environment
- reports, cost-benefit and economic analyses used in these policies, plans and agreements
- the state of human health and safety, contamination of the food chain and cultural sites and built structures (to the extent that they may be affected by the state of the elements of the environment)

If the information request related to any of the items listed above, it will fall under the Environmental Information Regulations.

## Duties of the University

The University is classed as a public authority. We therefore have two duties under EIR: provision of information on request and proactive release of information. We must:

- ensure environmental information is disseminated proactively, and that information is progressively made available electronically. This includes policies, plans and programmes relating to the environment; progress reports on the implementation of these and authorisations with a significant impact on the environment.
- review and improve the provision of environmental information to the public, so that information is easily accessible as well as make sure that certain categories and topics of information required by the EIR are clearly available
- help and advise anyone who asks for environmental information
- supply environmental information within 20 working days - if the information requested is complex or extensive, this can be extended to 40 working days
- have an internal complaints procedure
- only charge a reasonable amount to provide information, and publish a schedule of charges

## Exemptions

We may refuse to disclose information if we do not hold that information when requested, or it involves the disclosure of internal communications, or adversely affects international relations, national security or public safety or is “manifestly unreasonable”.



**Please pass on requests quickly! The 20 working day period starts when the request is received by a public authority, not when it reaches the “right” person**

### Further Information:

Karen Gallagher, Sustainability Manager  
[k.m.gallagher@exeter.ac.uk](mailto:k.m.gallagher@exeter.ac.uk), 01392 72 5604

[www.exeter.ac.uk/sustainability](http://www.exeter.ac.uk/sustainability)



## Identifying and recording an EIR request

- Any correspondence could include a request for information. If it is legibly written (this includes e-mail), gives the name of the applicant, an address for reply (which could be electronic), and includes a description of the information required, then it will fall within the scope of EIRs.
- Also note that the EIRs do not specify that requests must be in writing. This means that telephone requests on environmental matters will also be valid .
- **NOTE: the correspondent does not need to mention the Freedom of Information (FOI) or the EIRs.**

As a “rule of thumb”:

- If any information requested is held and needs to be actively considered then the request should be formally treated as a request for information. Request for brochures, leaflets, etc would not be included as they are classed as “business as usual”.
- If it seems likely that the requested information cannot be disclosed, it should be formally recorded as a request for information.

## What is the University doing

We have introduced the following measures to ensure compliance with the regulations:

- Publish and regularly update environmental information on the sustainability website including annual sustainability reports, policies and strategies
- Production of this guidance note
- Clearly identified individuals for responding to Environmental Information Requests
- Have a records management system (as part of BS8555 Environmental Management System) to ensure information can be quickly identified and retrieved
- The University's Charging Policy and Complaints Policy is published on the Accessing Information pages at <http://www.exeter.ac.uk/freedom/access/>

## What do staff need to do?

Ensuring that a public authority answers requests for information promptly is a shared responsibility:

- If you receive a request that is not for your area, pass it on. Please **DO THIS QUICKLY!** The 20 working day period starts when the request is received by a public authority, not when it reaches the “right” desk.
- Any request should be forwarded to the following:

Karen Gallagher  
Sustainability Manager  
[Sustainability@exeter.ac.uk](mailto:Sustainability@exeter.ac.uk)  
01392 725604

Caroline Dominey  
Records Manager  
[recordsmanagement@exeter.ac.uk](mailto:recordsmanagement@exeter.ac.uk)  
01392 723033

## What if we don't comply?

If a public authority repeatedly fails in its statutory duty, the Commissioner may issue a decision notice, an enforcement notice or a practice recommendation.

## Other Relevant Guides / Legislation

- Sustainability Website [www.exeter.ac.uk/sustainability](http://www.exeter.ac.uk/sustainability)
- University Accessing information site [www.exeter.ac.uk/freedom/access/](http://www.exeter.ac.uk/freedom/access/)
- Freedom of Information Act 2000
- Information Commissioner's Office [www.ico.gov.uk](http://www.ico.gov.uk)

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Guidance Source: Information Commissioner's Office