

## Access to information concerning the environment - the Environmental Information Regulations 2004

### What are the Environmental Information Regulations?

The Regulations require that information be made available about the condition of the environment, any conditions that impact negatively upon it and the measures being taken to prevent this. They give any person the right to access environmental information from public and other authorities as specified in the Act.

### What is environmental information?

The definition is very broad and covers all information on the state of the environment, such as:

- Air, water, soil, land, flora and fauna (including human beings) diversity, genetically modified organisms
- Information on emissions and discharges, noise, energy, radiation, waste and other such substances
- Measures and activities such as policies, plans and agreements
- Reports, cost benefit and economic analyses
- The state of human health and safety, contamination of the food chain
- Cultural sites and built structures (as they may be affected by environmental factors)

### What information is available to me?

The Act gives you the right to access all recorded information about the environment that the IPCC holds. However, we may not be able to give you some of the information you have asked for if an exemption applies, for example when to disclose the information you have requested would have a detrimental effect on the environment or would concern national security. However, even if the information falls within one of the restricted categories, if it is in the public interest for the information to be disclosed we will disclose it.

### How do I access environmental information at IPCC?

In accordance with the Act, the IPCC already publishes environmental information on its web site. If you do not have access to the web site you can phone or write to the IPCC and we will let you know what is available.

Requests for environmental information should be made to:

Information Rights Team  
Independent Police Complaints Commission  
90 High Holborn  
London  
WC1V 6BH

Tel: 08453 002 002

Email: [foi@ipcc.gsi.gov.uk](mailto:foi@ipcc.gsi.gov.uk)

[www.ipcc.gov.uk](http://www.ipcc.gov.uk)

Requests can be made to us by any method – including face to face, by phone, in writing or via e mail and should be made to the contact details given below. To help us identify your request please mark your letter 'REQUEST FOR ENVIRONMENTAL INFORMATION'. Your request should always:

1. State your name and an address for correspondence
2. Describe the information requested

Please be as specific as you can about the information you would like as this will help us to respond promptly. Where possible include a contact telephone number and email address so that if the need arises, we can contact you quickly to discuss your request.

If you choose to make your request verbally you should bear in mind that a written record would be beneficial should your request result in a complaint to the Information Commissioner (see below). This would assist the Commissioner in determining whether the IPCC has complied with the Regulations.

### **Will there be a fee?**

Requests will normally be dealt with free of charge but we may charge if your request is particularly time consuming and expensive to deal with. You will then be issued with a fees notice which must be paid before we will comply with your request. You can apply to us for a review if you think that a fee charged is unreasonable (see below).

### **What you can expect from us**

- We will acknowledge your request in writing within 2 days of receipt
- We will respond to your request promptly and within the twenty working day deadline laid down in the Regulations
- We are allowed to extend this deadline if the information requested is complex and voluminous. In such cases the time limit can be extended by a further 20 days and we will notify you of any delay within 20 working days of your initial request
- In some instances, it may be necessary to consult other public authorities and/or third parties in order to reach a decision on whether the requested information can be released

- If you request that the information be provided to you in a specific form, for example you require that we allow you to inspect the record, or provide you with a summary, we will comply with your preference provided that it is reasonable to do so
- If we contact you in order to clarify your request we will always do what we can to help you describe the information in a way that enables us to identify or locate it
- When we decide against giving you all or some of the information, we will provide you with written reasons and explain how you can complain about the outcome of your request if you should wish to do so
- If we do not hold the information requested but we are aware that it is or may be available from another source we will let you know the details of that source wherever possible

### **What if you are unhappy with our response?**

You can request an independent internal review by the IPCC EIR Review Officer if the IPCC has refused information or states it does not hold the information requested, or if there is any other aspect of the Regulations you feel the IPCC has not complied with e.g. if we have failed to comply with the 20 day time limit or if you think that any fee charged is unreasonable.

Your request for a review should be made in writing and addressed to the 'EIR Review Officer' at the IPCC address given below. Please also mark your letter 'APPEAL AGAINST DECISION UNDER THE ENVIRONMENTAL INFORMATION REGULATIONS'. **You must apply for an internal review within 40 working days of receipt of the decision from us.**

The Review Officer will carry out an assessment of the way your request was handled and write to you with a reasoned decision. He or she will not have been involved in the processing of your request and has the authority to reverse or amend the previous outcome where necessary. The Regulations require that we complete our review within 40 working days of receipt.

Should you remain dissatisfied after this internal review, you can make a complaint to the Information Commissioner in respect of our handling of the request. The Commissioner will normally only consider your application if you have already exhausted our internal review procedure. The Commissioner will either confirm that we have complied with the Regulations or issue a decision notice against IPCC.

### **For Further Information**

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

Information line: 01625 545 575

E mail: [mail@ico.gsi.gov.uk](mailto:mail@ico.gsi.gov.uk)

Switchboard: 01625 545 700

Fax: 01625 524 510

[www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk)

The Information Commissioner oversees enforcement of the Data Protection Act, the Freedom of Information Act and the Environmental Information Regulations. The web site provides assistance to the public on how to exercise their rights under these Acts and has guidance for public authorities on implementing the legislation.