

---

# UCL Environmental Information Policy

---

University College London

## Document Summary

<b>Document ID</b>	TBD
<b>Status</b>	Approved
<b>Information Classification</b>	Public
<b>Document Version</b>	Approved by the Information Risk Governance Group 10 April 2017

## 1. Introduction

The Environmental Information Regulations 2004 impose a duty on public authorities such as University College London to make available environmental information it holds:

1. Progressively by accessible electronic means (information collected after 1 January 2005); and
2. On request.

The Regulations apply to:

- Information in UCL's possession, whether produced or supplied by UCL or another person or body
- Information UCL holds on behalf of another person or body.

Anyone may make a request either orally or in writing, for recorded information held by or on behalf of UCL, and UCL must comply promptly and in any case within 20 working days. Unless subject to one of 13 exceptions described by the Regulations, the information must be provided.

The Regulations override any legislation that would otherwise prevent disclosure of information in accordance with the Regulations.

The Information Commissioner's Office is the independent regulatory authority for the Regulations, and the avenue of appeal for requests that have not been resolved to the applicant's satisfaction.

## 2. Scope

The purpose of this document is to define UCL's Environmental Information Policy:

- The duties imposed by the Regulations and how UCL intends to discharge those duties
- Responsibility for ensuring compliance
- Complaints and appeals.

The procedure for responding to requests is described in Handling Information Requests under the Environmental Information Regulations 2004.

## 3. Roles and responsibilities

UCL's Provost and Council have overall responsibility for compliance with the Regulations in UCL. Operational responsibility is delegated to the Freedom of Information Officer.

## 4. Code of Practice

UCL will comply with the Regulations, and handle requests in accordance with the Code of Practice issued by the Secretary of State for the Environment, Food and Rural Affairs under Regulation 16.

The purpose of the Code is to facilitate disclosure by setting out good administrative practice, and standards for the provision of advice to applicants. It also covers consultation with third parties to whom the information relates or those likely to be affected by a disclosure of information, the implications of confidentiality provisions in contracts, the transfer of requests to other public authorities and the mandatory provision of a complaints procedure.

## 5. Handling and tracking of requests

The Freedom of Information Officer is responsible for the processing and monitoring of Environmental Information requests.

The dedicated routes for requests are:

- The email address: **foi@ucl.ac.uk**
- By post to:

Freedom of Information Officer  
Legal Services  
University College London  
6th Floor, 1-19 Torrington Place  
London  
WC1E 7HB

All requests will be logged and tracked by the Records Office. This will aid identification of similar or manifestly unreasonable requests. Multiple requests for information on a particular subject will lead to consideration for its addition to the Publication Scheme during the annual review.

The 20 working day deadline may be extended for requests which are voluminous and complex.

Where there is reason to believe that some or all of the information requested is held by another public authority, UCL will contact the applicant and provide information about where to re-direct the request. In some cases, the request may be transferred directly to the other authority.

## 6. Exceptions and the public interest test

There are 13 exceptions from the right of access, four of which do not apply to information about emissions. All exceptions require a public interest test to be applied, to decide whether the public interest in withholding the information outweighs the public interest in disclosing it, except the one covering personal information. Public interest factors may however be considered in identifying whether there is a legitimate interest in disclosure under the Data Protection Act

Where an exception is deemed to apply to some or all of the information requested, the applicant will be notified in writing. The relevant exception will be cited and any information that is not exempt will be provided.

Since the Regulations require a presumption in favour of disclosure, in cases where there is equal weight between withholding information and disclosing it, the information will be disclosed.

If legal opinion is thought to be necessary, it will be sought by the Freedom of Information Officer.

## 7. Personal information

The Regulations do not apply to requests for the personal data of the applicant.

If the information requested includes personal information about a third party, the information will be provided, unless:

1. Disclosure would contravene any of the data protection principles. The key issues in this regard are fairness and lawfulness, and these will be considered fully before disclosure is made.
2. Disclosure would contravene Section 10 of the Data Protection Act (right to prevent processing likely to cause damage or distress).
3. The data subject would not be entitled to receive the data.
4. Disclosure would contravene UCL's notification to the Information Commissioner under Section 17 of the Data Protection Act.

## 8. Third party information

In accordance with the Code of Practice, where a request is made for information about a person other than the applicant or UCL (a third party), or disclosure may affect the interests of that third party, UCL will, where appropriate, consult the third party promptly in order to determine whether an exception applies, and to aid the decision on disclosure. However, the decision will be made entirely by UCL.

## 9. Charges

A reasonable charge may be made for making information available. The charge will not exceed the cost of producing the information. A fees notice will be issued, which must be paid within 60 working days. If the fee is not paid, UCL is released from its obligation to provide the information.

No charge will be made for information costing less than £35 to produce.

No charge will be made for access to public registers or lists of environmental information, or for physical inspection of information.

## 10. Complaints

Any written reply from the applicant expressing dissatisfaction with UCL's response to a request will be treated as a complaint, whether or not the applicant has expressly stated a wish to have the decision reviewed. This includes appeals against decisions to withhold information. The Vice-Provost, Operations is responsible for handling complaints. A response will be provided within 20 working days.

Complaints received more than two months after the initial decision will not be considered.

If dissatisfied with the outcome of the review, the applicant may seek a review by the Information Commissioner, who has powers to uphold or overturn the decision. UCL will abide by the decisions of the Information Commissioner's Office, unless it considers itself to have grounds for an appeal to the First-Tier Tribunal (Information Rights).

**Document Control Sheet**
**Revision History**

Date of this revision: 10.03.2017

Date of next revision: TBD

Revision date	Summary of Changes
10.03.2017	<b>1. Introduction</b> <i>Inserted "either orally or" in "...make a request <b>either orally or in writing,..</b>"</i>
	<b>5. Handling and tracking of requests</b> <i>Updated Address of "Freedom of Information Officer"</i> <i>Deleted "By fax to 020 7679 2009."</i>
	<b>6. Exceptions and the public interest test</b> <i>Added "except the one covering personal information. Public interest factors may however be considered in identifying whether there is a legitimate interest in disclosure under the Data Protection Act"</i>

**Approvals**

Endorsed by the Chair of the Information Strategy Committee	19-Mar-2012
Endorsed by the Security Working Group	20-Mar-2017
Endorsed by the Information Risk Management Group	30-Mar-2017
Approved by the Information Risk Governance Group	10-Apr-2017