



Wiltshire Fire & Rescue Service

Wiltshire and Swindon Fire Authority

Policy Statement (DRAFT) Environmental Information Regulations 2004



Your Safety: Our Priority

Wiltshire and Swindon Fire Authority

Policy Statement

Environmental Information Regulations 2004

Wiltshire and Swindon Fire Authority is committed to maintaining full compliance with the Environmental Information Regulations 2004 (EIR) and is ultimately responsible for determining and establishing the policies that apply to information held by Wiltshire Fire & Rescue Service (Wiltshire FRS), and for the instigation of procedures and guidance for the administration of requests for that information in compliance with the provisions of the Regulations.

The EIR came into force in January 2005 and gives people the opportunity to request for the release of environmental information held by public authorities. The regulations cover, for example, information on air, water, soil, land emissions, policies and plans; the state of human health and safety; contamination of the food chain; and cultural sites and buildings.

Implementation of this policy ensures that Wiltshire and Swindon Fire Authority is sensitive to citizens' needs and expectations, listens to their informed views and reacts quickly to meeting changing demands and wishes.

Wiltshire FRS will ensure that contractors and bodies working under service level agreements and partnership agreements are made aware of their EIR responsibilities to Wiltshire FRS and that they have in place sufficient and effective means to ensure that they can competently carry out their responsibilities.

This policy will be reviewed annually by the Data Controller to ensure that it remains up to date, effective and takes account of emerging good practice. Where new legal directions come into force, the policy will be reviewed in line with the commencement date of that legislation.

The requirements of the Environmental Information Regulations 2004

The Environmental Information Regulations 2004 require all public authorities to:

make their environmental information available increasingly through electronic means;

organise their environmental information with a view to its systematic dissemination to the public;

proactively publish required information, as detailed in Article 7 (2) of the European Directive (2003/4/EC);

use their publication scheme as a way of complying in part with their responsibilities to disseminate their environmental information proactively;

to assist disclosure of information under the EIR, by setting out good administrative practice for handling requests for information.

Aims of the policy

To protect the interests of applicants by clearly setting the standards for the provision of advice and assistance they can expect, including procedures under which an applicant may complain about or challenge decisions taken under the EIR;

To ensure that the interests of third parties who may be affected by any decision to disclose information are considered, by setting out standards for consultation;

To ensure that the Authority considers the implications for its information disclosure responsibilities when considering proposed confidentiality provisions in contracts and acceptance of information in confidence from a third party.

Roles and Responsibilities

Wiltshire and Swindon Fire Authority has devolved responsibility for the implementation of the EIR to Wiltshire FRS.

The Management Board is responsible for ensuring that information held and processed fully complies with the policies and procedures set by the Authority, including information processed by contractors, partners or other bodies working under service level agreements.

The Management Board

The Management Board is responsible for ensuring that staff under their direction and control are aware of the policies, procedures and guidance laid down by the Authority and for checking that those staff understand and appropriately apply policies, procedures and guidance in carrying out their day to day work.

The Corporate Information Manager

The Corporate Information Manager is responsible for administering all requests for information made to Wiltshire FRS. The Corporate Information Manager will also provide a point of contact for all members of staff in Wiltshire FRS who require advice on EIR matters. The Corporate Information Manager will, where possible, provide advice directly to staff on EIR matters or otherwise refer to a competent person to obtain such advice.

All staff are to be responsible for processing information in accordance with the EIRs and the policies, procedures and guidance that are laid down by Wiltshire FRS.

The Data Controller

Specific responsibility for compliance with the EIR lies with the Deputy Chief Fire Officer who is the Data Controller. The Data Controller will ensure that everyone fulfilling a role for or on behalf of the Authority

understands that they are legally and contractually responsible for following good data protection practice whilst managing and handling personal information and has easy access to relevant Guidance;

is appropriately trained to manage and handle information;

is appropriately supervised to manage and handle information;

The Data Controller will ensure that

Guidance is readily available to anybody wanting to make enquiries about the information held by the Authority;

enquiries about the information held by the authority are promptly and courteously dealt with;

methods and protocols for handling information are clearly described in a readily accessible form;

an annual review and audit is carried out of the way information is managed;

methods of handling information are regularly assessed and evaluated and appropriate action taken;

an annual assessment of compliance with the Freedom EIR takes place;

Monitoring, review and evaluation

Wiltshire FRS will maintain and publish a register of all requests made for information under the EIRs and the action taken on each application. The register will identify whether the same or similar information has previously been requested and provided, or refused and the reasons for refusal. This will ensure consistency in dealing with similar requests and identify repeated, duplicate or vexatious requests.

Wiltshire FRS will also identify recurring requests for the same or similar information not already published and to consider whether such information should be routinely published on the website or in another medium. Performance in dealing with such requests will be monitored by the Corporate Information Manager and reported to the Management Board.

Wiltshire FRS will put in place procedures for systematically reviewing its arrangements for administering and managing requests for information. These procedures will include systems for auditing compliance with the regulations by Wiltshire FRS and those who hold data on Wiltshire FRS' behalf.

Wiltshire FRS will maintain a register of all complaints received about its EIR arrangements and will ensure that any learning points that arise from such complaints are used to improve related policies, procedures and guidance.

Issue Control: Policy Statement Environmental Information Regulations 2004		
Owner:	Data Controller (Deputy Chief Fire Officer)	
Author:	Director Corporate Planning	
Review	This policy will be reviewed annually. Next review date June 2011.	
Equality Impact Assessment		Hyperlink
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Version 1.0	11 June 2010	Linked to policy approved by the Fire Authority March 2003
Version 1.1	16 July 2010	Amended and approved by Standards Committee on 15 June 2010. To be approved by Combined Fire Authority in September 2010.