



Freedom of Information Act / Environmental Information Regulations

Status	LIVE
Document Version	Version 3.02
Author	Information Governance Officer
SLB Sponsor	Area Commander - Prevention
Directorate/ Department	Prevention
Date Approved	26/05/2025
Review frequency	2 Years
Next Review	26/05/2027

Version History		
Version	Date	Description
01.00	06/2011	Live
02.00	01/2016	Revised and published
03.00	05/2018	Revised and published
3.01	23/05/2023	Reviewed and published
3.02	05/2025	Reviewed and published

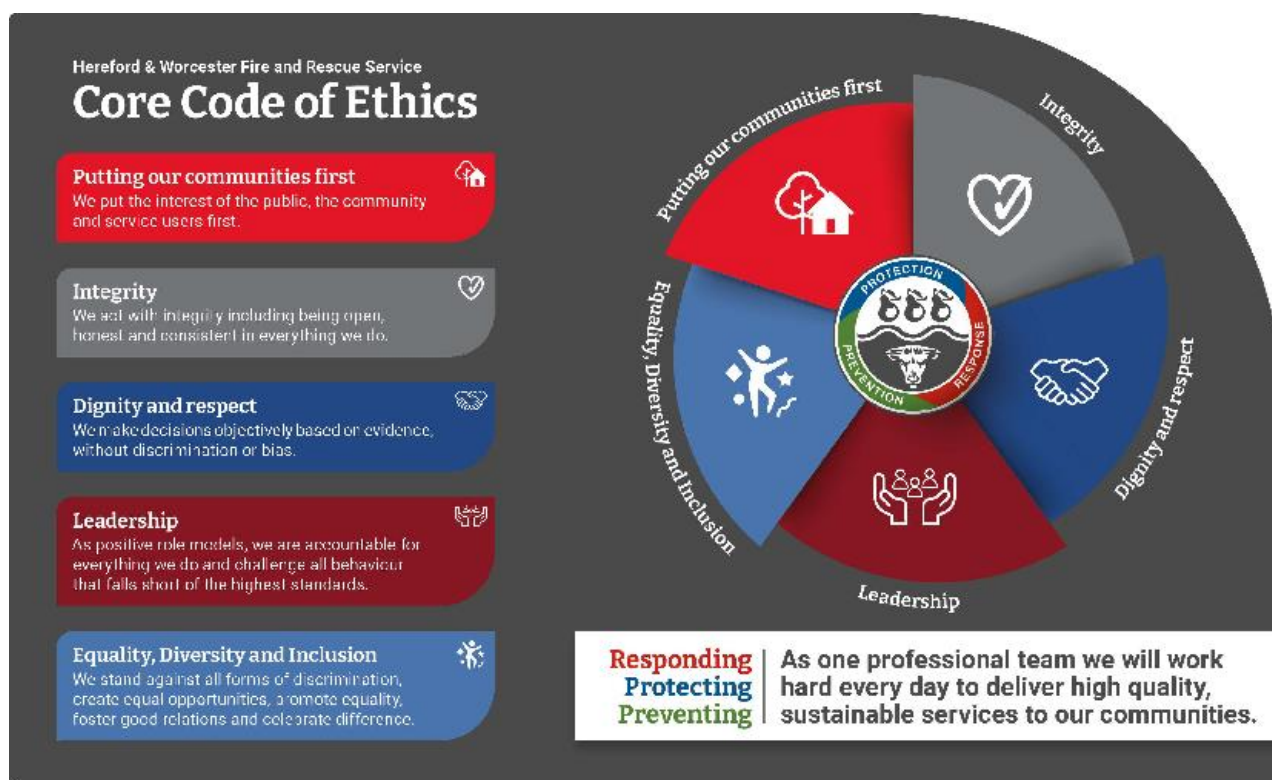
Executive Summary

This policy will ensure that Hereford & Worcester Fire and Rescue Service (The Service) is compliant with both the [Freedom of Information Act \(FOIA\) 2000](#) and the [Environmental Information Regulations \(EIR\) 2004](#).

It applies to all Service employees and will identify roles and responsibilities.

Core Code of Ethics

The [Core Code of Ethics for Fire and Rescue Services](#) sets out five ethical principles, which provide a basis for promoting good behaviour and challenging inappropriate behaviour. The Service is committed to the ethical principles and professional behaviours contained in the Core Code of Ethics, which sets expectations on governance, behaviour and integrity in the Fire Sector. The principles of the Code are reflected in this policy as well.



Safeguarding Policy Statement:

Safeguarding is everyone's responsibility, and Hereford & Worcester Fire and Rescue Service (HWFRS) are committed to safeguarding children, young people and adults from abuse and neglect. The Service strives to promote the safety, dignity and wellbeing of staff and people in the community.

Safeguarding practices within HWFRS align to the Safeguarding Fire Standard which aims to ensure that Service support and promote the safeguarding of those within the community, employees and volunteers. [Safeguarding - Fire Standards Board](#)

All HWFRS staff will adhere to the Service's Adult Safeguarding Policy and Children and Young People Safeguarding Policy and associated Guidances.

[SPIs \(sharepoint.com\)](#)

Alternative Formats

If you require this document in another format please contact the Human Resources and Development Department.

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Freedom of Information Act / Environmental Information Regulations

1. Introduction

[The Freedom of Information Act \(FOIA\) 2000](#) was introduced to allow any individual the right to access recorded information held by public sector organisations regardless of format, i.e. hard copy documents, electronic media, CD or video recordings.

Equally, the [Environmental Information Regulations \(EIR\) 2004](#) specifically provides access to environmental information.

1.1. Overview

FOIA and EIR are intended to:

- encourage public debate on everyday issues
- promote accountability and transparency in decisionmaking and the spending of public money
- bring to light information affecting public safety
- contribute to the administration of justice and law enforcement
- increase public participation in environmental decisionmaking
- keep the public informed of any danger to public health & safety or to the environment.

Personal information is not regulated under FOIA or EIR but by the [Data Protection Act \(DPA\) 2018](#) and the [UK General Data Protection Regulation](#). Data Protection is considered separately at [Data Protection](#).

2. Governance Arrangements

The [Information Commissioner's Office](#) (ICO) is the regulatory authority set up to uphold information rights. The ICO enforces and oversees FOIA and EIR, along with the DPA, [Privacy and Electronic Communications Regulations](#) (PECR) 2003 and [INSPIRE Regulations 2009](#). Closed Circuit Television (CCTV) is regulated by the [Biometrics and Surveillance Camera Commissioner](#).

Within the Service, Information Governance is managed by the Group Commander of Prevention, with the Assistant Chief Fire Officer as the Service's Senior Information Risk Owner (SIRO). The Head of Legal Services is the official Qualified Person as per the FOIA and the Information Governance Officer (IGO) is responsible for processing information requests and for providing advice and assistance on any Information Governance issues.

The Service is a member of the [National Fire Chiefs Council](#)'s Information Management Forum that liaises on Information Governance issues affecting all Fire and Rescue Services.

3. Requirements of FOIA and EIR

3.1. FOIA and EIR Requests

Anyone can make an FOIA or EIR request. The FOIA applications must be in writing and provide a valid name, which includes Company or Authority names and a contact email or postal address.

EIR enquiries can be written or verbal; however a valid name and return address are required, as with FOIA requests.

The applicant does not have to specifically state that they are making a request under FOIA or EIR or state why the information is required.

Full details on how individuals can submit a request are available on the Service's website: [Freedom of Information](#). However, the FOIA applies to all written requests for information regardless of who within the Service receives them.

Unless a request for information is of a routine nature and can be answered as part of 'business as usual' (see below), all other requests must be forwarded as soon as they are received to informationrequests@hwfire.org.uk. There they will be processed by Information Governance, who will respond to the requester directly.

Under FOIA, any information produced / held by the Service or held by contractors or third parties on behalf of the Service is included.

The Service has a statutory duty to respond to FOIA and EIR requests within 20 working days; however the deadline for EIR requests may be extended to 40 working days if the enquiry is particularly extensive.

3.2. Requests for Personal Information

Information about living, identifiable individuals is personal information and as such, requests for it should usually not be treated as FOIA or EIR requests, but as a Subject Access Request under the UK GDPR and the Data Protection Act 2018. All applications for personal data received by HWFRS should be processed in-line with the Service's [Data Protection Policy](#) and forwarded to informationrequests@hwfire.org.uk (Information Governance) immediately upon receipt.

3.3. Business as Usual Requests

Where the information requested has already been produced i.e. statistics in the Community Risk Management Plan or Fire Safety advice leaflet, then these requests are considered as “Business as Usual” and do not need to be logged / processed as FOIAs / EIRs. Such routine enquiries must be responded to by Departments in a timely fashion and advice sought from the Information Governance Officer if required.

3.4. Exemptions/Exceptions

Individuals may apply for any information under FOIA and EIR but the Service is not always obliged to release the requested data. There may be valid reasons why the information is to be withheld; for example where providing information could threaten the Service’s security or prejudice legal proceedings. Full details are available on the ICO’s website at the following links:

- [FOIA - Exemptions](#)
- [EIR - Exceptions](#)

In some instances there is a valid public interest in releasing the information and this will override an exemption / exception. For example to promote transparency in public spending i.e. a Government expenses scandal. All requests will be considered on a case by case basis and any valid exemptions / exceptions will be applied by [Information Governance](#) before disclosure.

3.5. Charging

All FOIA requests are free, whereas a reasonable fee may be charged for EIR requests.

However, if it is estimated that an FOIA request will cost more than £450 or exceed 18 hours of work, it can be refused on grounds of cost. In such cases the applicant must be provided with an estimate of how much it would be to complete (Fees Notice). Details can be found at [Cost Recovery Including Special Services](#).

3.6. Miscellaneous Information Requests, Incident Reports & Fire Investigation Reports

Miscellaneous Information Requests (MIRs) are requests for Incident Reports and other information that do not qualify as SARs, FOIs or EIR Requests. Such requests must be in writing and submitted to Information Governance for processing.

Fire Investigation Reports are available from the [Fire Investigation Officers](#) and will usually not be provided to the public.

MIRs are free of charge.

In line with the FOIA's [Publication Scheme](#) requirement (see section 3.8), Major Incident Reports will be published on the Service's website after any necessary incident investigation has been completed. Major Incidents are defined by the [Joint Emergency Services Interoperability Programme](#) as "An event or situation requiring a response under one or more of the emergency services' major incident plans". A major incident may be declared by a single blue light service or jointly.

3.7. Complaints / Internal Reviews

If an applicant considers that they have not received the information they are entitled to or has a query on how their request was managed, they can submit a concern or complaint. The complaint process for FOIs is an Internal Review. The Review should be a fresh decision based on the evidence available at the time of the initial request, not a review of the decision itself. It should be undertaken by a more senior member of staff. Any concerns / complaints will be acknowledged within 3 working days and replied to within 10 working days once the review has been conducted. Details on how to submit either a concern or complaint are available on the Service's website: [Comments and Complaints](#). Further information can be found at [Managing Complaints and Concerns](#).

If an applicant is still not satisfied with the outcome then they can appeal directly to the Information Commissioner at Wycliffe House, Water Lane, Wilmslow, SK9 5AF, Tel: 0303 123 1113 (alternatively 01625 545745) or E-mail: casework@ico.org.uk.

3.8. Publication Scheme

Under FOIA, Public Authorities are required to produce a [Publication Scheme](#), as set out by the ICO, which clearly and proactively illustrates what information is routinely made available.

By actively providing more information, it is expected that the number of FOIA / EIR requests received will reduce.

3.9. Transparency

In addition to the Publication Scheme, information on how Local Authorities make decisions, spend money and deliver services must be proactively made available under the [Local Government Transparency Code](#). The Code sets out the minimum data that local authorities should make available, the publication frequency and required format.

The Transparency Code and Publication Scheme work in partnership to promote democratic accountability, to make it easier for local communities to contribute to decision making processes and to participate in public service development.

4. Guidance

Staff requiring assistance or advice should contact either the Information Governance Officer or the Head of Legal Services.

Guidance is also available from the [ICO](#).

5. Further Information

Legislation

- [Data Protection Act 2018](#)
- [Environmental Information Regulations 2004](#)
- [Freedom of Information Act 2000](#)
- [UK General Data Protection Regulation](#)
- [INSPIRE Directive](#)
- [Local Government Transparency Code 2015](#)
- [Privacy and Electronic Communications \(EC Directive\) Regulations 2003](#)

Service Policies/Instructions

- [Cost Recovery](#)
- [Data Protection](#)
- [Information Security Policy Framework](#)
- [Managing Complaints and Concerns](#)
- [Publication Scheme](#)



People Impact Assessment (PIA)

Policy / Project / Function:	Freedom Of Information Act / Environmental Information Regulations		Date of Assessment:		12/05/2025 02/06/2023	
Analysis Rating: please tick 1 box ✓ <i>(The analysis rating is identified after the analysis has been completed - See Completion Notes).</i>	RED	AMBER	GREEN	✓	Proportionate means achieving a legitimate aim/can be objectively justified.	Action Plan included?
Please list methods used to analyse impact on people (e.g. consultations forums, meetings, data collection)	Performance Report Quarter Q3 2024 to 2025 Office for National Statistics Census for Worcestershire 2021 Office for National Statistics Census for Herefordshire 2021					
Please list any other policies that are related to or referred to as part of this analysis	Overarching Information Governance Policy Overarching Information Sharing Protocol Data Protection Impact Assessment Data Protection Policy Records Management Policy					
Please list the groups of people potentially affected by this proposal. (e.g. applicants, employees, customers, service users, members of the public)	All Employees, Workers, Contractors, Applicants, Service Users, Members of the public					
What are the aims and intended effects of this proposal (project, policy, function, service)?						
To provide clarification on the steps to be undertaken if an individual wishes to make a Freedom of Information Request or other related information request to the Service.						
Is any Equality Data available relating to the use or implementation of this proposal (policy, project, or function, service?) Please Tick ✓ (See Completion notes)						
YES: ✓			NO:			
List any Consultations e.g. with employees, service users, Rep Bodies or members of the public that has taken place in the development or implementation of this proposal (project, policy, function)?						
All policies undergo a comprehensive internal consultation process.						

People Impact Assessment (PIA)

Appendix 1

What impact will the implementation of this proposal have on people who share characteristics protected by <i>The Equality Act 2010</i> ? Please Tick ✓ (See Completion notes)				
Protected Characteristic:	Neutral Impact:	Positive Impact:	Negative Impact:	Evidence of impact and if applicable, justification if determining proportionate means of achieving legitimate aims exists
Sex (Men and Women)	X			Neither a positive nor negative impact has been identified for this protected characteristic
Race (All Racial Groups)	X			Neither a positive nor negative impact has been identified for this protected characteristic
Disability (Mental, Physical, and Carers of Disabled people)	X			Neither a positive nor negative impact has been identified for this protected characteristic
Religion or Belief	X			Neither a positive nor negative impact has been identified for this protected characteristic
Sexual Orientation (Lesbian, Gay, Bisexual and Straight)	X			Neither a positive nor negative impact has been identified for this protected characteristic
Pregnancy and Maternity	X			Neither a positive nor negative impact has been identified for this protected characteristic
Marital Status (Married and Civil Partnerships)	X			Neither a positive nor negative impact has been identified for this protected characteristic
Gender Reassignment (Includes non-binary)	X			Neither a positive nor negative impact has been identified for this protected characteristic
Age (People of all ages)	X			Neither a positive nor negative impact has been identified for this protected characteristic

What impact will the implementation of this proposal have on people who are impacted by and / or local factors that sit outside the Equality Act 2010 (non-legislative). Examples include social economic factors (i.e. poverty and or isolation), caring responsibility, unemployment, homelessness, urbanisation, rurality, health inequalities, any other disadvantage. ✓ (See Completion notes)

Identified impact non-legislative factor	Neutral Impact:	Positive Impact:	Negative Impact:	Evidence of impact and if applicable, justification if determining proportionate means of achieving legitimate aims exists

Initial People Impact Analysis completed by: (Name & Dept/Stn): ... Lorraine Adams – Legal Services . **WHEN PIA REVIEWED -** Reviewed by: ...Alex Wooding... Review Date: 12/05/2025

Please see 'Notes for PIA Authors' below

Action Plan Owner:	Commencement date:	Sign off date:	
As a result of performing this analysis, what actions are proposed to remove or reduce any negative impact of adverse outcomes identified on people (employees, applicants, customers, members of the public etc) who share characteristics protected by <i>The Equality Act 2010</i> or are non-legislative characteristics?			
Action Planning			
Identified Impact Protected Characteristic or local non-legislative factor	Recommended Actions	Responsible Lead	Completion Date for Any Actions Listed
Overall	To ensure the policy is clear on the handling of a Freedom of Information Request	Information Governance Officer	In line with policy review

Notes for PIA Authors:

- People Impact Assessments should be reviewed whenever a policy/project/function is reviewed.
- If there are (1) only minor alterations to a policy/project/function, (2) the existing PIA has already been quality assured, and (3) the author feels the minor changes don't affect the findings detailed in the PIA, there is no need for it to be quality assured once again. The PIA should have a new date on Page 1 showing when it was last reviewed.

Document quality assured by & Date: ... K L Berry, EDI Officer – 07/06/23...
(Quality assured by appropriate person, eg EDI Officer, Inclusion & OD Manager)

Completion Notes:	
Analysis Ratings:	<p>The analysis rating is located at the top of the document so that if you have several impact assessments you will be able to determine priority impact status. To assure the assessment determines the rating, the rating should not be determined before the assessment has been completed.</p> <p>Red: As a result of performing this assessment, it is evident a risk of discrimination exists (direct, indirect, unintentional, or otherwise) to one or more of the nine groups of people who share Protected Characteristics (and / or local non-legislative factors). In this instance, it is recommended that the use of the activity or policy be suspended until further work or analysis is performed.</p> <p>If it is considered this risk of discrimination (is objectively justified, and/or the use of this proposal (policy, activity, function) is a proportionate means of achieving a legitimate aim; this should be indicated and further professional advice taken.</p> <p>Amber: As a result of performing this assessment, it is evident a risk of discrimination (as described above) exists and this risk may be removed or reduced by implementing the actions detailed within the <i>Action Planning</i> section of this document.</p> <p>Green: As a result of performing this assessment, no adverse effects on people who share Protected Characteristics and/or local non-legislative factors are identified - no further actions are recommended at this stage. (However, there may still be actions listed in the <i>Action Planning</i> section, reinforcing positive outcomes).</p>
Equality Data:	<p>Equality data is internal or external information that may indicate how the activity or policy being analysed can affect different groups of people who share the nine Protected Characteristics and / or local non-legislative factors. Examples of Equality Data include: (this list is not definitive)</p> <ol style="list-style-type: none"> 1: Application success rates by Equality Groups 2: Complaints by Equality Groups 3: Service usage and withdrawal of services by Equality Groups 4: Grievances or decisions upheld and dismissed by Equality Groups
Legal Status:	<p>This document is designed to assist organisations in “<i>Identifying and eliminating unlawful Discrimination, Harassment and Victimisation</i>” as required by The Equality Act Public Sector Duty 2011.</p> <p>The NFCC/FRSs may be keen to extend “due regard” to local/non-legislative factors such as social economic factors (i.e. poverty and or isolation), caring responsibility, unemployment, homelessness, urbanisation, rurality, health inequalities any other disadvantage. ✓ (See Completion notes). What impact will the implementation of this proposal have on people for which there is no legal requirement? (consider each local non-legislative factor separately).</p> <p>Doing this analysis may also identify opportunities to <i>foster good relations</i> and <i>advance opportunity</i> between those who share Protected Characteristics and / or local non-legislative factors and those that do not.</p> <p><i>An EqIA is not legally binding and should not be used as a substitute for legal or other professional advice.</i></p>
Objective and/or Proportionate	<p>Certain discrimination may be capable of being defensible if the determining reason is:</p> <ol style="list-style-type: none"> (i) <i>objectively justified</i> (ii) <i>a proportionate means of achieving a legitimate aim</i> of the organisation <p>For <i>objective justification</i>, the determining reason must be a real, objective consideration, and not in itself discriminatory. To be ‘<i>proportionate</i>’ there must be no alternative measures available that would meet the aim without too much difficulty that would avoid such a discriminatory effect. Where (i) and/or (ii) is identified it is recommended that professional (legal) advice is sought prior to completing an People Impact Assessment.</p>

Organisational Impact Assessment

1. Preliminary Questions:			
Policy, Project or Activity:	Freedom of Information Act / Environmental Information Regulations	Author:	Information Governance Officer
Department:	Prevention	Title:	Information Governance Officer
New /existing?	Existing	Date:	12/05/2025
2. Information on the Policy, Project or Activity:			
How does the Policy, Project or Activity fit in with our core purpose and strategies?	<p>This policy will ensure that Hereford & Worcester Fire and Rescue Service (The Service) is compliant with both the Freedom of Information Act (FOIA) 2000 and the Environmental Information Regulations (EIR) 2004.</p> <p>It applies to all Service employees and will identify roles and responsibilities.</p>		
3. Are there any implications for the following? If yes, please provide brief description:			
Operational	Yes. Freedom of Information Requests are valid when submitted to any employee of the Service.		
Legal	Yes. Freedom of Information Requests are valid when submitted to any employee of the Service.		
Human Resources	Yes. Freedom of Information Requests are valid when submitted to any employee of the Service.		
Training and Development	Yes. Freedom of Information Requests are valid when submitted to any employee of the Service.		
ICT	Yes. Freedom of Information Requests are valid when submitted to any employee of the Service.		
FRA	Yes. Freedom of Information Requests are valid when submitted to any employee of the Service.		
Resource	Yes. Freedom of Information Requests are valid when submitted to any employee of the Service.		
Service Delivery	Yes. Freedom of Information Requests are valid when submitted to any employee of the Service.		
Consultation with Rep Bodies	Yes. Freedom of Information Requests are valid when submitted to any employee of the Service.		
Corporate Communications	Yes. Freedom of Information Requests are valid when submitted to any employee of the Service.		

Health and Safety	Yes. Freedom of Information Requests are valid when submitted to any employee of the Service.
Sustainability	Yes. Freedom of Information Requests are valid when submitted to any employee of the Service.
Partnership Working	Yes. Freedom of Information Requests are valid when submitted to any employee of the Service.
Other Implications/ Considerations?	Information Governance are responsible for processing and fulfilling Freedom of Information Requests.

4. What are the risks in carrying out / delivering the activity described?

Consider: financial, reputational, environmental, health and safety, information management etc.

N.B. Please make your SLB member aware of any significant risks for elevation to their Risk Register.

No.	Risk	Risk			Potential control measures	Residual Risk			Outstanding exposures
		Likelihood	Impact	Risk Score		Likelihood	Impact	Risk Score	
1	Information Management	3	4	12	Adhering to SPI and Legislation	1	2	2	Human Error
2	Reputational	3	4	12	Adhering to SPI and Legislation	1	2	2	Human Error

Please use the matrix below to assess likelihood and impact:

IMPACT	Severe (5)	5	10	15	20	25
	Major (4)	4	8	12	16	20
	Moderate (3)	3	6	9	12	15
	Minor (2)	2	4	6	8	10
	Minimal (1)	1	2	3	4	5
		Low (1)	Low/ Medium (2)	Medium (3)	Medium/ High (4)	High (5)
	LIKELIHOOD					

5. Data Protection

A Data Protection Impact Assessment (DPIA) will assist in identifying and managing any project privacy implications and risks; for example, when making significant changes to existing practice, when developing a new project or when changing suppliers or processors.

The Screening Questions below are intended to help identify whether a DPIA is required. Answering 'Yes' to any of these questions indicates that a DPIA is necessary.

Screening Questions	Yes/No
Will the policy, project or activity involve the collection of new information about individuals?	No
Will the policy, project or activity compel individuals to provide information about them?	No
Will information about individuals be disclosed to organisations or people who have not previously had routine access to the information?	No
Are you using information about individuals for a purpose it is not currently used for, or in a way it is not currently used?	No
Does the policy, project or activity involve you using new technology that might be perceived as being privacy intrusive? For example, recording images, biometrics or facial recognition.	No
Will the policy, project or activity result in your making decisions or taking action against individuals in ways that can have a significant impact on them?	No
Is the information about individuals of a kind particularly likely to raise privacy concerns or expectations? For example, health records, criminal records or other information that people would consider to be private.	No
Will the policy, project or activity require you to contact individuals in ways that they may find intrusive?	No

You will find a DPIA template and guidance notes on the Information Governance SharePoint page. Follow the link and click on 'DPIA Instruction' - [Information Governance](#).

If you require any assistance in completing the data protection impact assessment or need further guidance, contact the Information Governance Officer on informationrequests@hwfire.org.uk