

Mr. John Walker

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Dear Mr. Walker,

FREEDOM OF INFORMATION ACT 2000 – INFORMATION REQUEST
(Our ref: FOI_09-154)

Further to Mr. Palmer's letter of 21 December 2009 in response to your appeal of 21 December, I am writing to update you on the appeals process as it applies to this request. For the purposes of the Stage One informal review, I am acting as the UEA Information Policy Officer while Mr. Palmer is away from work.

I have examined the request and had discussions with relevant staff regarding this matter. I have also considered the grounds of your appeal closely. Upon reflection, I feel that the distance that exists between your position and that of the University as stated in Mr. Palmer's letter of 18 December 2009 is too great to be bridged by an initial informal attempt at resolution by myself.

Your original request was for correspondence between Professor Jones and any other person about the leak of information. This request is not for environmental information and does not satisfy any of the criteria for handling under the Environmental Information Regulations 2004. To be regarded as 'Environmental Information' the information needs to satisfy at least one of these criteria: state of elements of the environment and the interaction between those elements; factors affecting or likely to affect the elements; measures such as policies, legislation, plans, programmes, agreements, and activities affecting or likely to affect or protect the elements; reports on environmental legislation; economic analyses and assumptions used within the framework of environmental measures and activities; human health and safety, cultural sites and built structures as they are affected by elements of the environment. While elements of the information requested may contain 'Environmental Information' and therefore come under EIR, they also may not, and this would not be clear until a detailed examination of the information has been conducted – an action we declined to undertake under our claim for the FOIA s.12 exemption 'Appropriate limit exceeded'. It is our view that it is correct that your request should be initially handled under the Freedom of Information Act 2000.

The other exemptions cited in Mr. Palmer's letter are equally valid, and I have no reason to revoke any part of the decision conveyed in our response to you.

Given the above, could you confirm whether you would like me to progress your appeal further to Stage Two.

For your information, the complaint process is described in Annex H of our Code of Practice available on the web at <http://www.uea.ac.uk/is/strategies/infregs/FOIA+Code+of+Practice+for+Responding+to+Requests>

If you are dissatisfied with the final adjudication of your complaint by our internal complaint process, you have the right of appeal to the Information Commissioner at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone: 01625 545 745
www.ico.gov.uk

Please quote the file reference given at the head of this letter in all correspondence with us.

Yours sincerely

Raymond Scott
Strategy Development Manager
University of East Anglia