

# **SYFR**

## **Freedom of Information & Environmental Information Regulations Policy**



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W Mustill	Customer Service & Governance Manager	4.0	10/2013
T Wiles	Information & Governance Manager	5.0	10/2018
S Coates	Customers Service & Governance Officer	6.0	12/2022
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# SYFR Freedom of Information and Environmental Information Policy

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## PURPOSE

1. The purpose of this policy is to promote South Yorkshire Fire and Rescue Authority's (SYFRA) commitment to release information to the public in response to Freedom of Information (FOI) requests and Environmental Information requests fully and efficiently unless there is a legitimate reason to withhold information in line with FOIA exemptions or the Environmental Information Regulations (EIR) exceptions.
2. For the purpose of this legislation, SYFRA, the Authority and South Yorkshire Fire and Rescue (SYFR), the Service, are deemed to be the same public authority. Requests for information relating to SYFRA and SYFR will be processed by SYFR staff.
3. This Policy is intended for SYFR staff and therefore SYFR will be referred to as the Service.

## INTRODUCTION

4. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 were introduced to foster a culture of openness across the public sector and both came into force on the 1 January 2005.
5. EIR provides access to environmental information held by the Service.
6. FOIA provides access to all other information held by the Service with the exception of a request for your own personal information which is known as a Subject Access Request (SAR).
7. All SARs are dealt with under the Data Protection Act, 2018 by the Data Protection Officer (DPO).
8. Requests for information under FOIA and EIR are supported by a framework of exemptions and exceptions that explain when information should be withheld.

9. The Information Commissioner regulates the release of information to the public. If an information applicant is unhappy with the outcome of an internal review of their request they can complain to the Information Commissioner's Office (ICO), who will review the request and the way it was managed by the Service and the Internal Review findings and will uphold or dismiss the complaint. This is the second step of the complaints procedure.

**Click [here](#) for contact details of the ICO in Appendix F.**

10. The Monitoring Officer conducts internal reviews. Following the request from a dissatisfied applicant for their request to be reviewed, the Monitoring Officer will review every step of the request and respond with a dismissal or a decision to uphold the applicant's complaint. This is the first step of the complaints procedure.

**Click [here](#) for contact details of the Monitoring Officer in Appendix F.**

11. The Information and Governance Team manage FOI and EIR requests for information, who are part of the Governance, Projects and Collaboration Team. The Information and Governance Manager maintains oversight and reports to SYFR Corporate Management Board and the SYFRA Audit and Governance Committee.

## **AIM**

12. South Yorkshire Fire and Rescue supports the objectives of the Freedom of Information Act 2000 and the Environmental Information Regulations 2004. This policy is intended to promote a culture of openness and accountability and to ensure compliance with the FOIA and the EIR. The Service has a responsibility to ensure that this information is either routinely made available through the Publication Scheme or provided on request unless there is a legitimate reason for withholding it.

## OBJECTIVES

13. The Service will ensure the public are able to exercise their general right of access to recorded information it holds, subject to certain conditions, exemptions or exceptions.
14. The Service will follow the guidance laid out in the [Freedom of Information Code of Practice](#). The full website address is:  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/744071/CoP\\_FOI\\_Code\\_of\\_Practice\\_-\\_Minor\\_Amendments\\_20180926 .pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/744071/CoP_FOI_Code_of_Practice_-_Minor_Amendments_20180926.pdf) (publishing.service.gov.uk)
15. The Service will follow the guidance laid out in the [Code of Practice on the Discharge of the Obligations of Public Authorities under EIR](#) (the EIR code of practice). The full website address is: <https://ico.org.uk/media/for-organisations/documents/2013835/eir-regulation-16-code-of-practice.pdf>
16. The Service will follow the guidance laid out in the [Code of Practice on the Management of Records](#): The full website address is:  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1010395/Freedom\\_Information\\_Code of Practice on the management of records issued under section 46 of the Freedom of Information Act 2000](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1010395/Freedom_Information_Code_of_Practice_on_the_management_of_records_issued_under_section_46_of_the_Freedom_of_Information_Act_2000.pdf) (publishing.service.gov.uk)
17. The Service will implement and maintain an approved Publication Scheme as identified in the [Definition document for Joint Authorities and Boards in Part II of Schedule I of the Freedom of Information Act](#) and routinely make available a proportion of disclosable information. The full website address is:  
<https://ico.org.uk/media/for-organisations/documents/1226/definition-document-joint-authorities-and-boards.pdf> (ico.org.uk)

## LEGAL REQUIREMENTS AND REGULATIONS

18. The FOIA and EIR are regulated by the Information Commissioner. Information will only be withheld after full consideration if there is an exemption or exception supporting non-disclosure.
19. The FOIA and the EIR complements or supports the following legislation:
  - [Data Protection Act 2018](https://www.legislation.gov.uk/ukpga/2018/12/contents/enacted) is the UK's implementation of the UK General Data Protection Regulation (GDPR) and provides protection to individuals regarding their personal data. This also provides individuals with the right to access personal information of which the applicant is the subject, known as a Subject Access Request (SAR). The full website address is:  
<https://www.legislation.gov.uk/ukpga/2018/12/contents/enacted>
  - [Local Government Act 1972](https://www.legislation.gov.uk/ukpga/1972/70/contents) provides access to information rules in relation to meetings of SYFRA and formally established committees and sub-committees. The full website address is:  
<https://www.legislation.gov.uk/ukpga/1972/70/contents>
  - [Protection of Freedoms Act 2012](https://www.legislation.gov.uk/ukpga/2012/9/contents/enacted) (Part 6) Freedom of Information and data protection (102) Publication of certain datasets, requires public authorities to provide information in the format of re-useable datasets when requested. The full website address is:  
<https://www.legislation.gov.uk/ukpga/2012/9/contents/enacted>
20. The FOIA and the EIR places distinct responsibilities on public authorities:
  - The duty to confirm or deny whether the requested information exists; and
  - The duty to communicate the requested information
  - The Service should provide an explanation of why any information is being withheld, stating the FOIA Section or the EIR Regulation that has been applied.
21. In delivering its obligations under the FOIA and EIR, the Service will follow relevant Codes of Practice produced by the Cabinet Office or the Secretary of State, and guidance issued by the Information Commissioner.

## RESPONSIBILITIES

### Information Commissioner's Office

22. The ICO has a general duty to investigate complaints from members of the public who believe that the Service has failed to respond correctly to a request for information. If someone makes a complaint, the ICO will conduct a full review of the process and the Internal Review. The ICO complaints handling process gives the Service an opportunity to reconsider the response and put right any mistakes without the ICO taking any formal action.
23. If the complaint is not resolved informally, the ICO will issue a decision notice. If they find that the Service has breached the Act, the decision notice will say what action is needed to put things right.

### The Monitoring Officer

24. The Monitoring Officer is responsible for conducting internal reviews in the event of an applicant being dissatisfied with the response that they have received from the Service.
25. The Monitoring Officer is responsible for providing a fair and thorough review of procedures and decisions taken in relation to the Act. This includes decisions taken about where the public interest lies if a qualified exemption has been used. It might also include applying a different or additional exemption(s). The applicant should be informed of the outcome of their internal review and the final decision made. If the outcome of an internal review is a decision that information previously withheld should now be disclosed, the information should normally be provided at the same time as the applicant is informed of the outcome of the review. If this is not possible, the applicant should be informed how soon the information will be provided.



### The Qualified Person

26. The Qualified Person has a responsibility to support the Service in the event of FOIA Section 36 being considered. To use this exemption it has to be supported by the reasonable opinion of the Qualified Person. The decision making process should be recorded.

### The Information and Governance Manager

27. The Information and Governance Manager is the Service Lead Officer for FOIA and EIR information requests, the Publication Scheme and reporting information to SYFR Corporate Management Board and SYFRA Audit and Governance Committee. Joint Information Governance Update reports with the Service Data Protection Officer (including GDPR & FOI) are produced bi-annually and information request statistics are published on the SYFR website annually.

### The Information and Governance Team

28. The Information and Governance Team process FOIA and EIR requests for information according to legislation. Please see the table below for the Sections of the FOIA that are implemented within the process.

Table 1: FOIA Sections applied during the processing of a request

<b>FOIA Section</b>	<b>Description</b>
16	Provide advice and assistance to persons who propose to make, or have made, requests for information, to help them to produce a request that the Service is able to respond to applies to both FOIA and EIR
1	Respond in writing and confirm whether we hold the information that has been requested. The applicant can request the response to be in different formats: electronic, hard copies, large print, Braille, audio, Welsh (or another language). The request to translate to a different language may involve a small charge for this service. This applies to both FOIA and EIR.
10	Comply with the request and respond in writing promptly and in any event not later than twenty working days following the date of receipt. This applies to both FOIA and EIR.
17	Consider the safety of disclosing requested information, under the guidance of the Manager and the specialist as appropriate, and apply FOIA exemptions/EIR exceptions where it is appropriate to do so. In the event of any information being withheld, the applicant should be informed, within the response, of the FOIA exemptions/EIR exceptions applied along with an explanation as to why this decision has been made.
17(7)	The response to the applicant will include details of the complaints procedure should they feel that their request has not been dealt with appropriately. This is the Monitoring Officer in the first instance and then the Information Commissioner should they remain dissatisfied with the outcome.
12/13	When a FOI request is determined to exceed the appropriate limit of 18 hours afforded by the FOIA, to locate and extract the information, a fees notice will be sent to the applicant. This will explain why the information will take so long to locate and extract and show the calculation used to reach the approximate cost. Within the fees notice, the Team will provide guidance to amend the request to enable a no-cost response should the applicant request it.

19	Publish and maintain a Publication Scheme that has been approved by the Information Commissioner. The Service has adopted the Information Commissioner's Office Model Publication Scheme which sets out the types of information that they would like to see published.
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#### All staff – subject specialists

29. When a request for information is received by your team, it is your responsibility to confirm you hold the information and provide it within the specified time.
30. If further clarification is required before the request can be responded to please notify the Information and Governance team immediately.
31. If your team does not hold the requested information, please notify the Information and Governance team immediately.
32. Please alert the Information and Governance team if you feel that the requested information should be withheld and an exemption should be considered.

#### FOIA Request

33. If locating and extracting the information requested under FOIA is judged to take more than the appropriate limit afforded under FOIA (18 hours), then you should notify the Information and Governance team as this will require a fees notice to be sent to the applicant. You will be responsible for evidencing the approximated time that the response will take. The applicant may return following receipt of the fees notice for guidance to adapt the request, to enable the location and extraction of the information to be achieved within the 18 hours appropriate limit.

## EIR Request

34. If locating and extracting the information for a request under EIR is deemed to be overly burdensome, again, you will be responsible for evidencing the approximated time that the response will take. The applicant may return following the response, for guidance to adapt the request to enable the location and extraction of the information to be achieved within an acceptable time frame. Please notify the Information and Governance team as soon as possible after receiving the request if you feel that the request is overly burdensome.
35. Please forward any requests for information that you receive to the Information and Governance team immediately to ensure there are no delays in processing the request within the 20 working day deadline.

## **RETENTION OF INFORMATION**

36. SYFR Retention Policy must be followed. According to the SYFR Retention Policy, (see Section 10.2.1 – Information Management Freedom of Information Correspondence) FOI and EIR request information is to be held securely for the current year plus 2 years following the date of the closure of the request. This information will then be securely destroyed.
37. Other departments must ensure that they comply with Retention Schemes that apply to their held information.
38. **It is a criminal offence to destroy or alter information that is held by SYFR after a request for information has been received under FOIA Section 77.**

## APPENDIX A – FOIA EXEMPTIONS

Table 2: FOIA Exemptions that can be applied by SYFR

FOIA Section	Absolute or Qualified	Requires A Test – *Pit/ Harm/ Prejudice	Description
S21	Absolute		Information which is reasonably accessible by other means
S22	Qualified	PIT	Information that is intended for future publication
S24	Qualified	PIT/ Harm	Information is required for the purpose of safeguarding national security
S30	Qualified	PIT/ Harm	Information that is related to investigations and possible criminal proceedings
S31	Qualified	PIT/ Prejudice	Information that is related to Law Enforcement.
S32	Absolute	Harm	Information that is related to Court Records (including arbitration).
S36(2)(b)or(c)	Qualified	PIT/ Prejudice	Information that could compromise the effective conduct of public affairs. This Exemption requires the approval of the Qualified Person.
S38	Qualified	PIT/ Prejudice	Information that would affect the health and safety of an individual.
S39	Absolute		Information that would be considered under EIR

S40(1)	Absolute	Harm	Personal information of the applicant would be considered under SAR
S40(2)	Absolute	Prejudice	Third party personal information
S41	Absolute	Prejudice	Information provided in confidence
S42	Qualified	PIT/ Harm	Legal professional privilege.
S43	Qualified	PIT/ Prejudice	Information that would compromise commercial interests.

\* PIT – Public Interest Test

## APPENDIX B – EIR EXCEPTIONS

Table 3: EIR Regulations - exceptions to the duty to disclose environmental information

Regulation	Description
12(1)	Subject to paragraphs (2), (3) and (9), a public authority may refuse to disclose environmental information
12(1)(a)	An exception to disclosure applies under paragraphs (4) or (5) and
12(1)(b)	the public interest in maintaining the exception outweighs the public interest in disclosing the information
12(2)	A public authority shall apply a presumption in favour of disclosure
12(3)	To the extent that the information requested includes personal data of which the applicant is not the data subject, the personal data shall not be disclosed otherwise than in accordance with regulation 13.
12(4)	For the purposes of paragraph (1)(a), a public authority may refuse to disclose information to the extent that:
12(4)(a)	it does not hold the information
12(4)(b)	the request for information is manifestly unreasonable
12(4)(c)	the request for information is too general and the authority has complied with the requirement to 'advise and assist'
12(4)(d)	the request relates to material which is still in the course of completion, to unfinished documents or to incomplete data
12(4)(e)	the request involves the disclosure of internal communication
12(5)	For the purposes of paragraph (1)(a), a public authority may refuse to disclose information to the extent that its disclosure would adversely affect:
12(5)(a)	international relations, defence, national security or public safety
12(5)(b)	the course of justice, the ability of a person to receive a fair trial or the ability of a public authority to conduct an inquiry of a criminal or disciplinary nature
12(5)(c)	intellectual property rights
12(5)(d)	the confidentiality of the proceedings of that or any other public authority where such confidentiality is provided by law

12(5)(e)	the confidentiality of commercial or industrial information where such confidentiality is provided by law to protect a legitimate economic interest
12(5)(f)	the interests of the person who provided the information where that person:
12(5)(f)(i)	was not under, and could not have been put under, any legal obligation to supply it to that or any other public authority
12(5)(f)(ii)	did not supply it in circumstances such that that or any other public authority is entitled, apart from these Regulations, to disclose it
12(5)(f)(iii)	has not consented to its disclosure. or
12(5)(g)	the protection of the environment to which the information relates
12(6)	For the purposes of paragraph (1), a public authority may respond to a request by neither confirming nor denying whether such information exists and is held by the public authority, whether or not it holds such information, if that confirmation or denial would involve the disclosure of information which would adversely affect any of the interests referred to in paragraph (5)(a) and would not be in the public interest under paragraph (1)(b)
12(7)	For the purposes of a response under paragraph (6), whether information exists and is held by the public authority is itself the disclosure of information.
12(8)	For the purposes of paragraph (4)(e), internal communications includes communications between government departments.
12(9)	To the extent that the environmental information to be disclosed relates to information on emissions, a public authority shall not be entitled to refuse to disclose that information under an exception referred to in paragraphs (5)(d) to (g).
12(10)	For the purposes of paragraphs (5)(b), (d) and (f), references to a public authority shall include references to a Scottish public authority.
12(11)	Nothing in these Regulations shall authorise a refusal to make available any environmental information contained in or otherwise held with other information which is withheld by virtue of these Regulations unless it is not reasonably capable of being separated



	from the other information for the purpose of making available that information.
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## APPENDIX C – SYFR PUBLICATION SCHEME

1. This is available on the SYFR website with links to relevant pages:

[Publication Scheme - South Yorkshire Fire and Rescue \(syfire.gov.uk\)](https://www.syfire.gov.uk/transparency/publication-scheme/)

The full website address is:

<https://www.syfire.gov.uk/transparency/publication-scheme/>

2. South Yorkshire Fire and Rescue is committed to publishing information about the services we provide, in line with the requirements of the Freedom of Information Act 2000. We are publishing information in accordance with a Model Publication Scheme approved by the Information Commissioner using the [definition document](#) for joint authorities and boards. The full website address is: <https://ico.org.uk/media/for-organisations/documents/1226/definition-document-joint-authorities-and-boards.pdf> (ico.org.uk) We publish information such as:

- **Who we are and what we do**
- **What we spend and how we spend it**
  - Summary of revenue budget estimates and capital expenditure plans.
  - Annual Statement of Accounts.
  - Financial Audit Reports.
  - Staff pay and grading structure
    - The Statement of Accounts includes details of senior officers with a pro-rata salary of more than £50,000
    - Pay policy statement
    - Annual Equality Report and Workforce Profile.
  - Expenses paid to or incurred by Members of the Authority and senior officers.
  - List of contracts and values
    - Spending over £500
    - Contracts Register
    - Current Tenders
  - Internal Financial Regulations and Delegated Authority

- **What our priorities are and how we are doing**
  - Strategic plan, business plan, aims and objectives
  - Reports indicating service provision, performance assessment and operational assessment reports.
  - Other internal assessments –
    - Freedom of Information statistics
    - Complaints and Compliments statistics
  - Reports by external inspectors.
  - Joint Strategies
  - Statistical information –
    - Incidents attended
    - Dwelling fires attended
    - Deliberate fires attended
    - Fatalities and casualties
    - Cause of fire
    - Smoke alarms
    - Temporary and seasonal
    - Non fire incidents
    - Response times
    - Workforce and workforce diversity
    - Fire prevention and protection
    - Fire pensions
    - Other – population, accidents, fire stations and appliances
  
- **How we make decisions**
  - Schedule of meetings open to the public.
  - Agendas and Approved minutes of the Authority and Authority sub-committees.
  - Background papers for meetings open to the public.
  - Facts and analysis of facts used for decision making.
  - Public consultations.

- **Our policies and procedures**
  - Policies and procedures for the conduct of Authority business.
  - Policies and procedures for the provision of the Service.
  - Policies and Procedures about the employment of staff.
  - Customer Service.
  - Internal instructions, manuals and guidelines.
  - Records management and personal data policies.
  - Charging regimes and policies
- **Lists and registers**
  - Asset lists and information asset register
    - SYFR fleet list
    - SYFR land and building assets
    - SYFRA Statement of Accounts provides summary information of the valuation of SYFR land, buildings, vehicles, plant, furniture and equipment.
  - Registers open to public inspection
    - SYFR Public Register of Notices Serviced
  - Register of Members' interests
    - SYFRA Members' Register of Interest is available on the SYFRA website.
  - SYFR Register of gifts and hospitality
- **The services we offer**
  - Safety in the home advice
  - Business safety advice
  - Request a fire safety talk
  - Request a school visit
  - Prince's Trust Team Programme
  - SYFR Fire Cadets
  - Information about the provision of the Authority's services
  - Regulatory responsibilities and procedures

3. Most of the information is available free of charge either on SYFR website or the [South Yorkshire Fire and Rescue Authority website](#) (SYFRA) with links provided wherever possible. SYFRA website address is:  
<https://www.barnsley.gov.uk/services/south-yorkshire-governance/south-yorkshire-governance/south-yorkshire-fire-and-rescue-authority/>. If there is a charge for any of our information, then this is highlighted. Hard copies of information may be requested; if a large amount of copying is needed then there may be a charge for this.

4. For enquiries about the Publication Scheme please contact:

Freedom of Information  
South Yorkshire Fire & Rescue  
197 Eyre Street  
Sheffield S1 3FG  
Email: [foi@syfire.gov.uk](mailto:foi@syfire.gov.uk)  
Telephone: 0114 253 2209

### Open Government Licence

5. Unless otherwise stated, you may use and re-use the information featured within the Publication Scheme (not including logos or other graphics) free of charge in any format or medium, under the terms of the Open Government Licence.
6. When you use this information under the Open Government Licence, you should include the following attribution: South Yorkshire Fire and Rescue, licensed under the Open Government Licence.
7. For further information see the [National Archives](#). The full website address is [www.nationalarchives.gov.uk](http://www.nationalarchives.gov.uk)

## APPENDIX D – HOW TO MAKE A REQUEST FOR INFORMATION

### Making a request for information

1. First check if the information you would like is already published and readily available to the public. You can find this out by looking at our website: [Publication Scheme - South Yorkshire Fire and Rescue \(syfire.gov.uk\)](https://www.syfire.gov.uk/publication-scheme)
2. Provide us with your request in writing if possible and include your name. If you are unable to do this then a member of South Yorkshire Fire and Rescue (SYFR) staff are able to write it on your behalf, but you will be asked to sign it to confirm it is correct if it comes under the Freedom of Information Act (FOIA).
3. The Freedom of Information Act states that requests must be made in writing. However public authorities also have duties under equalities legislation. If you find it impossible or unreasonably difficult to make a request in writing, SYFR will provide assistance to enable you to make a request to them.
4. The request for information needs to explain what information you are hoping to receive as clearly as possible to help us to identify if we hold the information. We may seek clarification if we are not certain.
5. Our response to you is required to be in writing so we do need a correspondence address for you. This can be an email address or a home address. However, with regard to making the process accessible by all, reasonable adjustments will be made where necessary.
6. Tell us if you would like to receive the information electronically via email or in paper format through the post. On request, you are able to receive the response to your request in Braille, in large print, audio format or in Welsh. We are able to organise a translation to some other languages but this will incur a cost.

7. You can contact us in the following ways:
  - a. by post: Freedom of Information, South Yorkshire Fire and Rescue, 197 Eyre Street, Sheffield S1 3FG
  - b. by email: [foi@syfire.gov.uk](mailto:foi@syfire.gov.uk)
  - c. via the website using an online form: [www.syfire.gov.uk/contact/](http://www.syfire.gov.uk/contact/)
  - d. via Facebook: <http://facebook.com/southyorkshirefire>
  - e. via X (formerly Twitter): [@SYFR](https://twitter.com/SYFR) / [Twitter](https://twitter.com/SYFR)

#### Acknowledgement of your request

8. Your request will be acknowledged and you will be given a unique reference number for the request, a due by date for the response and you will be informed whether your request is being considered under the Freedom of Information Act or the Environmental Information Regulations, or a combination of the two.

#### Response time

9. You will receive a response to your request within 20 working days following the date that the request was received.

#### Clarification

10. Sometimes it is necessary to clarify details of the request with you. When this occurs, the 20 working day response time does not begin until we have your response. If you do not respond within 2 calendar months the request will be closed.

## Freedom of Information Act Fees Notice

11. Sometimes it is very time consuming to locate and extract the information you have requested. If your request is being considered under the Freedom of Information Act, then you may receive a Fees Notice. This is because we have an appropriate limit of up to 18 hours work to locate and extract the information free of charge, but if it is estimated that it will take longer we need to produce a fees notice.
12. The fees notice will fully explain why the information is a lengthy process and show the calculation to estimate the time and costs involved.
13. We may combine requests in order to calculate the time it would take to find and extract the information if the applicant has made multiple requests that are similar.
14. We may also combine requests in order to calculate the time it would take to find and extract information if the applicants appear to be working together in the pursuance of a campaign.
15. If you are sent a fees notice you have the choice to pay the fee within 3 calendar months to receive the requested information, (after which time the request will be closed), alternatively you can refine your request so that it can be responded to free of charge.

## Environmental Information Regulations, Regulation 12(4) (b)

16. If your request is deemed to be manifestly unreasonable in terms of the time it would take to locate and extract the information requested, you will receive a Regulation 12(4) (b) notice explaining that to respond to your request will take an unacceptable amount of time.



### Amending/Refining your request

17. Whether your request is being considered under Freedom of Information Act or Environmental Information Regulations, guidance to refine a request will be provided as necessary. A re-presented request will be treated as a new request.

### Exemptions/Regulation

18. In response to your request, we will normally confirm whether or not we hold the information you have requested.
19. If you request information that is already in the public domain and is reasonably accessible, we will respond with a Freedom of Information Act Section 21 exemption, along with links or an explanation as to where the information can be found.
20. If we have applied an exemption or regulation we will provide an explanation as to why it applies to the information requested.
21. Exemptions and regulations exist to protect information that should not be disclosed, for example, because disclosing it would be harmful to another person or it would be against the public interest. Please see Appendix A and Appendix B to see lists of the exemptions and regulations.
22. In the majority of cases where an exemption applies to some or all of the information requested, we will have to consider whether we should override the exemption based on the public interest in releasing the information compared with the public interest in withholding the information.

### Vexatious and Repeated requests for information

23. We can refuse to comply with a request that is vexatious. For this to apply it must be deemed that the request is likely to cause a disproportionate or unjustifiable level of distress, disruption or irritation.
24. In addition, we are not obliged to respond to a repeated request from the same person unless a reasonable amount of time has lapsed between our previous response and the new request. On these occasions, a refusal notice shall be provided.

### UK General Data Protection Regulation and disposal of files

25. South Yorkshire Fire and Rescue treats all communication in confidence. We protect personal information in line with obligations under the UK General Data Protection Regulation and the Data Protection Act 2018. We will only use the personal information to process the request and to check on the level of service we provide. We do compile and publish statistics showing information such as the number of requests we receive, but not in a form which identifies anyone.
26. We will keep personal information contained in requests in line with our retention policy. This means that information will be retained for 3 years from closure of the request. Personal data will be retained in a secure environment and access to it will be restricted according to the 'need to know' principle.

### Monitoring and Evaluation

27. The South Yorkshire Fire and Rescue Authority Audit and Governance Committee receives 6 monthly reports on all Freedom of Information Act requests and all Environmental Information Regulations requests. These reports are available on the Authority website: <https://www.barnsley.gov.uk/services/south-yorkshire-governance/south-yorkshire-governance/south-yorkshire-fire-and-rescue-authority/>

## APPENDIX E – HOW TO MAKE A COMPLAINT

### Complaints procedure

1. Applicants may be unhappy with the treatment they have received, if for example:
  - a. Their application was not dealt with within the 20 working day timescale.
  - b. They did not receive all of the information requested.
  - c. They feel the exemptions have been wrongly applied.
  - d. They feel that a fee has been wrongly charged.
2. If you are dissatisfied with the handling of your request, you have the right to ask for an internal review and this is explained at the end of each response. Internal review requests should be submitted in writing within two months of the date of receipt of our response to your original request and should be addressed to the Monitoring Officer:

Monitoring Officer

South Yorkshire Fire & Rescue

197 Eyre Street

Sheffield

S1 3FG

Or by email: [monitoringofficer@syfire.gov.uk](mailto:monitoringofficer@syfire.gov.uk)

3. If you remain dissatisfied with the outcome of the internal review, you have the right to complain to the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.
4. Further information can be found on the Information Commissioner's website <http://ico.org.uk/>