

FCA Environmental Information Regulations Policy

This is a statement of the Environmental Information Regulations policy adopted by the Financial Conduct Authority ('the FCA'). It is subject to regular review to reflect, for example, changes to legislation or to the structure or policies of the FCA. All staff are expected to apply the policy and to seek advice when required.

The Environmental Information Regulations 2004 (EIR) give the public a right of access to environmental information held by a public authority, including the FCA, subject to certain conditions and exceptions. Anyone, anywhere, may request environmental information, whatever their reason for asking.

EIR covers old and new environmental information, and applies to information recorded in any form. It is intended to change dramatically the ability of the public to obtain such information from the Government, local authorities and other bodies carrying out functions in the public interest and to foster a culture of openness with the assumption being that information requested will be disclosed unless there is good reason not to do so.

As required by the Financial Services and Markets Act 2000, and in line with our own policy, we are already a transparent organisation. We already make information available to the public. Our general approach to implementing EIR is to use this opportunity to enhance our existing accountability by disclosing more information on our publication scheme.

We regard compliance with EIR as important to the success of our operations, and we fully endorse and adhere to the requirements of the EIR. These are:

- 1) to set out what environmental information we adopt and publish and maintain it on the FCA's publication scheme;
- 2) to provide access to environmental information held by us; upon receipt of a request made in writing or verbally;
- 3) to inform the requestor, in writing, whether we hold the information, and if that is the case, to communicate that information (normally within 20 working days), subject to any exceptions or fees notice being issued;
- 4) for information which is exempt, to send the requestor a notice which states the fact, specifies the exception and why it applies including any public interest considerations. Where we need more time to reach a decision as to the application of the provision, we will provide an estimate of the date by which we expect that decision to be reached, up to 40 working days from receipt of the request.

5) if a fee becomes chargeable, to send the requestor a fees notice, stating the amount charged by us. We will not fulfil the request unless the fee is paid within a period of 60 working days.

6) to provide advice and assistance, as far as it is reasonable for us to do so, to those who propose to make, or have made, requests for environmental information.

Therefore, the FCA will, through appropriate management and application of the legislation meet its legal obligations by:

- publishing environmental information on the publication scheme;
- communicating requested information or sending a refusal notice, within the prescribed time limits;
- applying the exceptions appropriately;
- charging for information in accordance with our statement on fees, which takes account of the guidance issued by the Department of Constitutional Affairs;
- providing advice and assistance throughout the request process. To assist in achieving compliance with the requirements of the Act, the FCA:
- has appointed an Information Protection Officer at a senior level whose role covers environmental information regulations within the FCA;
- created a dedicated team to assist FCA staff to understand and apply the regulations and to liaise with external parties.

The FCA also ensures that:

- everyone handling 'EIR' requests is appropriately trained to do so; and
- all those applying the exceptions are appropriately trained to do so.