**NATIONAL GRID PLC**

**CORPORATE PROCEDURE**

**ENVIRONMENTAL INFORMATION REGULATIONS 2004 INTERNAL REVIEW**

1. Objective

The Environmental Information Regulations (EIR), Regulation 11 states that if a requester believes that a public authority hasn’t dealt with a request for environmental information properly, the requester can complain to the public authority and ask it to reconsider its response.

The public authority will review any complaint about the handling of an Environmental Information Regulations request in a fair and impartial manner, investigate it, and provide a response to the requester making no charge. It should be genuinely possible to have a previous decision amended or reversed.

1. Scope

The term “public authority” applies to those areas of National Grid that, by virtue of an act of parliament are given special statutory powers, for example compulsory purchase. This procedure therefore only applies to environmental information held either by the areas of National Grid that operate under licences from the Gas Act 1986 or the Electricity Act 1989 (National Grid Gas Plc, National Grid Electrical Transmission Plc, and some areas of the Non-Regulated Businesses dealing with Interconnectors) or any area holding environmental information on their behalf.

1. Procedure/ Implementation Framework

This Procedure is to be made available to members of the public and will be available externally on the National Grid website and internally on the Group Assurance and Safety Sustainability and Resilience Infonet sites. Additionally, a link to this procedure will be included within all responses to requests for Environmental Information.

1. Key Contacts

This procedure is owned by Dianne Burke, UK Ethics and Compliance Manager, Group Assurance Function (the reviewer). Initial contact should be made to Julie L’abraham, Compliance Adviser, Group Assurance.

1. Monitoring and Compliance

A record of each complaint will be retained along with an outcome of any internal review, including the reasoning behind the decision.

This procedure will be reviewed annually, next review due 31 December 2017.

1. Valid Complaints

For a complaint to be valid, it must be

* 1. Made in writing; and
	2. Made no later than 40 working days after the requester receives National Grid’s response to their request, or the date the complainant believes National Grid breached the regulations, if later, and
	3. Be made in the belief that National Grid has failed to deal with his request properly, e.g. by incorrectly applying an exemption, taking more than 20 working days to respond, or mishandling the request in some other way.

**Review Procedure**

1. Acknowledge the letter of complaint specifying the target date for the full response (ICO believes National Grid should be in a position to respond after 20 working days).
2. If National Grid is unable to meet a target date for response (where the target date was given as less than 40 working days) because the issue is complex or requires more lengthy consideration, then it should inform the requester of the reasons for the delay, regardless, the investigation should be completed and the requester notified within 40 working days
3. The full response to the requester should remind them of their right to refer the matter to the Information Commissioner if they remain dissatisfied.
4. A thorough re-examination of the original decision and handling of the request should be carried out.
5. There should be a provision to review the outcome of a public interest test.
6. It should be carried out by someone senior to the person who dealt with the original request, if this is not possible, by someone trained in, and who understands the EIRs
7. It should be capable of producing a prompt decision.
8. If the reviewer reverses a decision to withhold information, then National Grid should release that information to the requester immediately.
9. If the reviewer finds other failings then National Grid should state what these are and set out when and how it intends to correct them (if this is possible).
10. If National Grid finds that its staff failed to follow the proper procedures, the requester will be provided with an explanation and apology, and National Grid will take appropriate steps to prevent this happening again in the future.
11. If National Grid decides not to uphold the complaint then it must make clear the reasons why to the complainant.

**APPENDIX 1 – USEFUL INFORMATION**

National Grid External Website EIR Link:

<http://www2.nationalgrid.com/Responsibility/Environmental-Information-Regulations/>

Information Commissioner EIR Link

<https://ico.org.uk/media/for-organisations/documents/1146/eir_what_is_environmental_information.pdf>

Information Commissioner Internal Reviews Document

<https://ico.org.uk/media/for-organisations/documents/1613/internal_reviews_under_the_eir.pdf>