

**Freedom of Information Act 2000 (FOIA)  
Environmental Information Regulations 2004 (EIR)**

**UNDERTAKING**

Public Authority: The Governing Body of University of East Anglia  
Norwich  
NR4 7TJ

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**Background**

In November 2009 data, purported to have originated from the University of East Anglia's Climate Research Unit (CRU), was placed in the public domain. The data consisted of hundreds of emails, some of which discussed technical and routine aspects of climate research. The tone and content of a number of the emails could be interpreted as demonstrating a reluctance to respond to requests for information in an open and transparent way.

The University has a number of policies and procedures in place to ensure that requests for information are handled in accordance with the requirements of the Freedom of Information Act 2000 (the "Act"), the Environmental Information Regulations 2004 ("the Regulations") and the associated Codes of Practice. However the Commissioner considers that an Undertaking, formalising the University's commitment to openness and compliance with the legislation, is appropriate.

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I, Professor Edward Acton, Vice-Chancellor of the University of East Anglia (the "UEA"), for and on behalf of the University, hereby acknowledge the details set out below and undertake to comply with the terms of the following Undertaking:

1. The University is a public authority as defined in section 3(1) of the Freedom of Information Act 2000 (the "Act"), and regulation 2 (2) of the Environmental Regulations 2004 (the "Regulations").
2. The Information Commissioner, having regard to complaints made to him under section 50 of the Act; the findings of Sir Muir Russell's Inquiry; and the House of Commons Science and Technology Committee's report into the "*disclosure of climate data from the Climatic Research Unit at the University of East Anglia*" (Eighth Report of Session 2009–10), considers that the University need take further steps to ensure that both current and future

requests for information are dealt with appropriately. In particular he considers that a public statement of intent, facilitated by this Undertaking, will provide assurance that the University has embraced the culture of openness and transparency the legislation seeks to promote.

3. The relevant provision of the Act is section 1 "*the general right of access to information held by public authorities*".
4. The relevant provision of the Regulations is regulation 5 "*the duty to make available environmental information on request*".
5. Following consideration of the processes in place at the University prior to November 2009, and additional steps implemented since that time it is agreed that the Commissioner will not exercise his powers under section 48 of the Act or regulation 16 of the Regulations to issue a practice recommendation provided the University undertakes the following:

**The University shall, as from the date of this Undertaking and for so long as similar standards are required by the Act, the Regulations or other successor legislation, ensure that requests for information are handled in accordance with Section 1 of the Act and regulations 5 and 11 of the Regulations. Internal reviews are to be handled in accordance with part VI of the section 45 Code of Practice, or regulation 11 of the Regulations as appropriate. In particular the authority shall take steps to ensure that:**

- (1) All staff, where appropriate, receive adequate and proportionate training on the requirements of the legislation so they are able to understand its purpose and intent, and that advanced training be mandatory for staff whom have direct responsibility for the handling of information requests;**
- (2) The University review its present systems for the archive, storage and retrieval of emails with particular emphasis on reducing the prevalence of localised procedures and instilling a common standard of approach. This should be supported by an action plan for developing or revising policies and procedures to cover any existing gaps in provision;**
- (3) The importance of good records management is embedded into the Universities information management processes, procedures and culture;**

**(4) Where gaps in the provision exist, the University take steps to improve the understanding of the Environmental Information Regulations 2004.**

Dated: 10 December 2010

Signed.....

Professor Edward Acton, Vice-Chancellor of the University of East Anglia

Dated: 21 December 2010

Signed.....

Christopher Graham, Information Commissioner