

09 April 2026



Foss House
Kings Pool
1-2 Peasholme Green
York
YO1 7PX

Mr A Gilruth
agilruth@moorlandassociation.org

Dear Mr Gilruth

Access to Information Request – Internal Review - IR2025/01669

Thank you for your email dated 9 February 2026, asking for an internal review of Natural England's handling of your request for information, EIR2026/00223 under the Environmental Information Regulations 2004 (the EIRs).

Process

In accordance with Natural England's internal review procedures, your request has been reviewed by a senior officer who was not involved in the original decision and in discussion with colleagues who handled your original request. Your points for review have been considered as well as the public interest arguments for and against disclosure.

Original Request

The original request can be found in Annex B.

Natural England Response

The original response is in Annex C.

Points for Review

1. Application of Regulation 12(4)(a)

On review of the documents released to you, and in discussion with the relevant team, I can confirm that Natural England does not hold any further information in scope of your request. As previously stated, there was no formal peer review framework or instructions produced. There was an expectation that the expert reviewers knew of what a scientific review involved, and it was not considered necessary to create a formal framework.

Regarding informal correspondence with the external reviewers, the two Natural England senior officers involved in the 2024 peer review process have since left the organisation. Access to their historic emails, including which drafts were subject to peer review, is no longer available and therefore not held by Natural England. The correspondence previously released to you are those that were either specifically archived or where other officers were copied into the original correspondence. Regulation 12(4)(a) information not held, was applied correctly and continues to apply.

2. Identify and disclose informal records within scope

As stated above we have already released to you the email correspondence held by Natural England in relation to the external peer review. Given that the two key senior officers have left the organisation, we are unable to confirm which drafts were circulated to each person or provide a

complete email trail indicating: expectations, acceptance, resolution and closure from each of the peer-reviewers.

You did not originally request to see the actual external peer review comments; however, we did provide you with those comments where they were received by email. Some of the external reviewers provided comments as track changes and /or comments within the draft report. When responding to your original request these were considered out of scope. On review of your internal review request, we are applying a further exception under Regulation 12(4)(d) material in the course of completion, in respect to all unfinished documents and draft versions of the NEER155 report, including tracked-change and annotated draft versions. The comments on their own are also being withheld under the same exception because if extracted and released separately, there would be no context, and this would lead to confusion and misinterpretation, see below in Annex A, for further details of this exception.

3. Adequacy of searches undertaken

A thorough search was undertaken to locate information in scope of your request. Searches were directed within the Natural England Science Directorate sub-team that authored and oversaw the NEER155 report. The two members of the team who specifically oversaw the peer review process have left the organisation, and Natural England has not retained their individual emails. However, the remaining senior officers searched their individual emails accounts and shared electronic drives for all information that Natural England holds.

The request was interpreted as widely as possible and the original search included internal peer review and signoff ahead of publication, in order to be as transparent as possible.

Conclusion and Decision

An internal review of your information request has been completed and your points for review have been considered. The decision is that the internal review is unsuccessful because Natural England processed your request in accordance with its obligations under the Regulations and the original decision is sound. Natural England released the information held in scope of your request but does not hold some of the information requested. In addition, a further exception under Regulation 12(4)(d) Material in the course of completion, has been applied regarding draft material requested in the internal review.

If you remain dissatisfied following this review, you may apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: <https://ico.org.uk/global/contact-us/> or call on 0303 123 1113 (local rate), www.ico.org.uk.

Yours sincerely

Access to Information Manager
Legal and Governance
Natural England
foi@naturalengland.org.uk

Enc.

Annex A

Regulation 12(4)(d) - Material which is still in the course of completion

Regulation 12(4)(d) states that –

“a public authority may refuse to disclose information to the extent that its disclosure would adversely affect Material in the course of completion, unfinished documents and incomplete data”.

Any disclosure made under the Regulations is, in effect, a disclosure to the world at large, as any other applicant would be entitled to the same information on request. As such, we consider this when deciding whether it is in the public interest to disclose or withhold requested information.

While Natural England believes in openness and transparency, as a public body, it must ensure that the information it releases is accurate and not misleading. Given this, we have decided not to disclose these draft versions of the report, including track-changed and annotated versions. These draft versions were archived as unfinished versions and there was no intention to complete them.

In applying this exception, we have had to balance the public interest in withholding the information against the public interest in disclosure.

When performing this test Natural England considered the public interest in releasing the information. This included reasons to release information such as: the public interest in all environmental information; promoting accountability and transparency by Natural England for the decisions it takes; promoting accountability and transparency in the spending of public money; allowing individuals access to information that helps them understand the reasons why actions were taken by public bodies that affect them; understanding the nature of the relationship between the public body and the third party; furthering the understanding of and participating in the public debate of issues of the day.

This was weighed against the public interest in withholding the information. This included: that the information may be misunderstood and/or misinterpreted; safeguarding the free flow of information within Natural England, which it relies on in order to carry out its regulatory and statutory functions under legislation and; the potential damage to stakeholder relationships and the potential for unnecessary external pressures.

Natural England does not consider it appropriate to release unfinished or draft documents that may be different to the final published report. Any differences would lead to public confusion and misinterpretation, and which would require further unnecessary explanation.

Annex B

From: Andrew Gilruth agilruth@moorlandassociation.org

Sent: Thursday, January 8, 2026 10:12 AM

To: SM-NE-FOI (NE) foi@naturalengland.org.uk

Subject: Freedom of Information Request – Peer review process for NEER155

Dear Freedom of Information Officer,

This request is made under the Freedom of Information Act 2000.

I am seeking information relating to the peer-review process used for Natural England Evidence Review NEER155 (“Update to Natural England Evidence Review on the effects of burning on upland peatland biodiversity, carbon and water”).

Please provide the following:

1. Peer-review framework and scope

- a) Any written brief, terms of reference or guidance provided to peer-reviewers for NEER155.
- b) Any review templates, questions, scoring frameworks or checklists used as part of the peer-review process.
- c) Documents defining which materials were subject to peer review, including whether this included:
 - the full draft report,
 - evidence summaries, and/or
 - study quality or ranking assessments.

2. Peer-reviewers

- a) The number of peer-reviewers involved.
- b) For each reviewer, their institutional affiliation at the time of review (names not required).

3. Governance and sign-off

- a) Documents describing the internal governance or quality assurance process used to manage peer review for NEER155.
- b) Records confirming completion and sign-off of the peer-review process.

Format

Please provide the information in electronic format. If any information is withheld, please specify the exemption relied upon and provide the non-exempt remainder. If any element of this request is considered to exceed the cost limit, please identify which part so that it may be refined.

Annex C



05 February 2026

Foss House
Kings pool
1-2 Peasholme
Green
York
YO1 7PX

Andrew Gilruth
agilruth@moorlandassociation.org

Dear Andrew Gilruth

Access to information – Request No EIR2026/00223

Thank you for your request for the information which we received on 8 January 2026. Your request has been considered under the Environmental Information Regulations 2004 (the EIRs).

You asked for the following information:

I am seeking information relating to the peer-review process used for Natural England Evidence Review NEER155 (“Update to Natural England Evidence Review on the effects of burning on upland peatland biodiversity, carbon and water”).

Draft copies of the report were reviewed by a panel of external reviewers. The report was also peer reviewed internally within Natural England.

Please provide the following:

1. Peer-review framework and scope

a) Any written brief, terms of reference or guidance provided to peer-reviewers for NEER155.

There was no specific brief, terms of reference or guidance provided to the panel of external reviewers, or internal reviewers, other than a request to review the report. Therefore, Regulation 12(4)(a), Information not held, applies.

b) Any review templates, questions, scoring frameworks or checklists used as part of the peer-review process.

There were no review templates, questions, scoring frameworks or checklists for reviewers to complete. Therefore, Regulation 12(4)(a), Information not held, applies.

c) Documents defining which materials were subject to peer review, including whether this included:

- the full draft report,

- **evidence summaries, and/or**
- **study quality or ranking assessments.**

There were no documents defining which materials were subject to the peer review. Therefore, Regulation 12(4)(a), Information not held, applies.

However, we can confirm that reviewers were sent draft copies of the report. Scores for study quality (internal validity) and external validity were included in the report text. Individual study quality assessment forms were not sent to reviewers. We interpret 'evidence summaries' to refer to sections 4-11 'summaries of recent evidence'. These formed part of the draft report which was reviewed.

2. Peer-reviewers

a) The number of peer-reviewers involved.

Five reviewers made up the external expert panel. A colleague of one panel member contributed additional comments on specific aspects of the report. Nine members of Natural England staff also provided comments on drafts of the report. A final, additional external reviewer provided comments, edited and proof-read the final draft report.

b) For each reviewer, their institutional affiliation at the time of review (names not required).

Details of the external expert panel are provided in NEER155 on page 3 under the heading 'External expert review group' ([An evidence review update on the effects of managed burning on upland peatland biodiversity, carbon and water - NEER155](#)). Details of other reviewers who provided comments are given in on page 3 under the heading 'Acknowledgements'.

3. Governance and sign-off

a) Documents describing the internal governance or quality assurance process used to manage peer review for NEER155.

The NEER155 report followed the Natural England's standard process for technical publications. The internal guidance for this process is documented and provided in the attached zip file named 'EIR2025_00223 Internal'. The Publication Submission form is also attached providing information in scope of your request regarding the QA process. Some of the information is redacted as it falls under EIR Regulation 12(3) – Prohibition on disclosure of personal Information. See further details regarding this exemption in Annex A below.

To summarise the peer review process, external scientists with relevant expertise were identified, contacted and asked if they would review the report, then they were sent the draft. Comments were received back, considered and addressed before the report was finalised. The draft report was also reviewed by a number of Senior Specialists within Natural England. The final report was signed off / approved by a Principal Specialist within Natural England. The report was then subject to the Natural England internal Technical Publications Cross Cutting Assurance Network review before final sign off for publishing.

b) Records confirming completion and sign-off of the peer-review process.

Natural England has undertaken a search and can confirm that it does not hold documents confirming completion and signoff of the peer-review process. However, we can provide correspondence confirming that individuals completed their reviews and provided their comments. These are provided to you in both the attached zip files (split by External and Internal). Some of the information is redacted as it falls under EIR Regulation 12(3) – Prohibition on disclosure of personal Information. See further details regarding this exemption in Annex A below.

Please note that the information we have supplied to you is subject to copyright protection under the Copyright Designs and Patents Act 1988. You may re-use this information (not including logos) free of charge in any format or medium, for the purposes of research for non-commercial

purposes, private study, criticism, review and news reporting. You must re-use it accurately and not in a misleading context. The material must be acknowledged as Natural England copyright, and you must give the title of the source document/publication. However, if you wish to re-use all or part of this information for commercial purposes, including publishing and the information is not covered by the [Open Government Licence](#) you will need to apply for a licence. Applications can be sent to Enquiry Service, Natural England, Foss House, Kings Pool, 1-2 Peasholme Green, York, YO1 7PX.

This information may also contain third party copyrighted material and you will need to obtain permission from the copyright holders concerned before you re-use it.

As you may be aware, under the legislation, should you have any concerns with the service you have received in relation to your requests and wish to make a complaint or request a review of our decision, please contact the FOI team at foi@naturalengland.org.uk. They will arrange for a senior colleague to conduct an internal review. Under Regulation 11(2), this needs to be done within 40 working days after the date of this letter.

If you are not content with the outcome of that complaint or the internal review, you may apply directly to the Information Commissioner for a decision. The Commissioner can only decide if you have exhausted the internal review procedure provided by Natural England. The Information Commissioner can be contacted at: <https://ico.org.uk/global/contact-us/> or on 0303 123 1113 (local rate), www.ico.org.uk

Yours sincerely,

Access to Information Team
Legal, Governance and External Affairs
foi@naturalengland.org.uk

Enc

Annex A

Regulation 12(3) - Personal Information

The names, signatures, contact details and other identifiers of private individuals and staff members in certain circumstances are considered by Natural England to be personal information as defined by the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018.

The First Data Protection Principle says that personal data shall be processed lawfully, fairly and in a transparent manner. Guidance published by the Information Commissioner, states that when considering fairness in relation to disclosing personal information under FOIA and EIR it will usually mean considering:

- whether the information is sensitive personal data;
- the possible consequences of disclosure on the individual;
- the reasonable expectations of the individual, taking into account: their expectations both at the time the information was collected and at the time of the request; the nature of the information itself; the circumstances in which the information was obtained; whether the information has been or remains in the public domain; and the FOIA and EIR principles of transparency and accountability; and
- any legitimate interests in the public having access to the information and the balance between these and the rights and freedoms of the individuals who are the data subjects.

When personal information is collected from individuals by Natural England, we do not inform them that the information will remain confidential or that it may be released, however, we believe that there is an expectation of confidentiality.

We consider that there is no overriding legitimate interest in the personal information being made public.

The release of personal information and any subsequent contact may cause unnecessary or unjustified distress or damage to the individuals if released.

Natural England is, therefore, satisfied that the redacted parts of the information requested fit the definition of personal data and that its release would be 'unfair' under the meaning of the first Data Protection Principle and should not be released.