

What happens if the Department does not have the information I want?

We may not hold the information you request and the legislation does not require us to gather information that is not already there. However, it is possible that another public authority may hold the information and we can transfer your request to it. Before doing so, we would contact you to obtain your agreement. It is also possible that we may have had the information at one time but that it has been lawfully destroyed, in which case we will tell you.

What if I am refused information?

If we decide not to disclose some information, we must explain to you why it is being withheld.

Can I complain if I am unhappy with the Department's handling of my request for information?

You have the right to complain to the Department if we do not deal with your request for information within the timescales set by the legislation, that is normally not later than 20 working days after the date your enquiry is received by the Department. You also have the right to complain if you are dissatisfied with our response to your request for information.

Your complaint will be investigated by the Department's Director of Corporate Services. Normally you will receive a reply within 20 working days after the date your complaint is received. If you wish to complain please write to:

Director of Corporate Services
Room 6.15
Department of the Environment
Clarence Court
Adelaide Street
Belfast BT2 8GB

If you are still dissatisfied after the internal review you can request a review by the Information Commissioner.

Where can I get more information about the legislation?

More information about the Freedom of Information Act 2000 and the Environmental Regulations 2004 is available through the Department's website www.doeni.gov.uk/foi or from the Information Commissioner's Office. The Commissioner's details are:

Website: www.informationcommissioner.gov.uk
Phone: 01625 545 700
Email: ni@ico.gov.uk
Post: Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF



The Right to Know Public Information Leaflet

This guide provides a brief outline of your rights under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004 and how we will deal with your request for information. This leaflet should not be regarded as a legal interpretation.

What is the Right to know?

The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 came into effect on 1 January 2005. The legislation gives you the right to request information held by a wide range of public authorities.

What information can I obtain?

The legislation enables you to get information to help you to understand better how the Department works, how we spend public money, and how and why we make our decisions. However, you may not be able to obtain all the information you ask for as the legislation contains exemptions for some types of information which cannot be disclosed, for example, information about national security, law enforcement or personal information about others.

You can also get information under the Data Protection Act 1998 which, amongst other things, gives individuals access to their own personal information.

What are exemptions?

Both the Freedom of Information Act and the Environmental Information Regulations contain a number of exemptions (in the Regulations they are called "exceptions") allowing the Department to withhold information in certain circumstances. However, most of the information held by the Department will not be subject to exemptions.

How do I get information held by the Department?

A wide range of information is already available to the public either in printed form (for which there may be a charge) or

if you have Internet access, on our website. Details of the information available is listed in our Publication Scheme which can be accessed on our website www.doeni.gov.uk/foi. The Publication Scheme is also available in the reception areas of the Department's public offices, or by writing to or phoning the Information Management Branch at the following address:

Information Management Branch
Room 6-01A
Department of the Environment
Clarence Court
Adelaide Street
Belfast BT12 8GB
Phone: 028 90 540012

If the information you want is not available from these sources, you can ask for the information by writing to the Department at the above address or by sending the electronic mail form on our website. The website also contains more detailed information about the Freedom of Information Act and the Environmental Information Regulations, and our procedures for dealing with requests for information under this legislation.

The website also provides a link to the Northern Ireland public sector portal www.onlineni.net where you can obtain further information on accessing the websites of all Northern Ireland Government Departments. **Please note that you must provide us with your name and address (or email address) to enable us to respond to your request.**

How long does it take to get information?

The legislation requires us to respond to your request for information as soon as possible after it is received, and not later

than 20 working days after the date of receipt. This timescale may have to be extended if the information requested is very extensive and, therefore takes a long time to gather, or if we have to consider if providing it is in the public interest, or if we are waiting for you to pay a fee.

It will help us to process your request more quickly if you can be as specific as possible about what information you want. If necessary, we will contact you to ensure we understand your request clearly and this may add to the time we need to respond. It is also important to tell us whether you want the information sent to you on paper or by email, and whether you have any particular requirements. Information may be available in other languages or formats on request.

Is there a cost for getting information?

You may have to pay for information which is already published by the Department, for example, the provision of an Agency's Annual Report. You may also have to pay a fee for other information requested.

This depends on a number of factors including the volume of material requested. Responses to enquiries that cost the Department less than £600 to process¹ will normally be provided free of charge, although there may be a small charge for disbursements². The Department has the right to refuse to respond to a request that is estimated to cost more than £600 to process. However, we may process the request if the cost is greater than £600 and if we do, you will be charged the costs in full.

¹Includes the cost of finding, sorting or editing the material

²Disbursements may include costs of photocopying, printing, postage etc