

Northern Ireland Water

Public Information Leaflet

on

The Freedom of Information Act 2000

Note: **This guide is an overview of some of the main provisions of the Act and should not be regarded as a legal interpretation.**

1. What does the Freedom of Information Act do?

The Freedom of Information (FOI) Act 2000 gives everyone the right to request information from Public Authorities. The FOI Act means that, from 1st January 2005, you can get information to help you to better understand how NI Water works, how we spend public money, and how and why we make our decisions.

You can also get information under:

- The Data Protection Act 1998 (DPA) which, amongst other things, gives individuals access to their own personal information.
- The Environmental Information Regulations 2004 (EIRs) which gives people access to environmental information. The EIRs apply to “environmental information” held by organisations that perform functions of a public nature.

2. How do I get information about NI Water under the FOI Act?

If you have access to the Internet you can get information on the NI Water website at www.niwater.com. Alternatively you can write to us at the address on the letter accompanying this leaflet.

3. How long does it take to get information?

In most cases NI Water must respond to your request within 20 working days of receiving it and if we cannot, we will explain why and let you know when you will receive a reply. The timescale can be extended where:

- A “qualified” exemption applies and we need to consider the public interest.
- We are awaiting payment of a fee by you.

Sometimes we might need to contact you in order to clarify exactly what information you are interested in. It will help us to process your request more quickly if you can be as specific as possible about what information it is you want. Please make sure that you provide us with your name and address and a contact

telephone number.

4. Is there a cost for getting information?

This depends on a number of factors including the volume of material requested. Responses to enquiries that cost NI Water less than £450 to process¹ will normally be provided free of charge, although there may be a small charge for the costs of photocopying, printing and postage. NI Water has the right to refuse to respond to a request that is estimated to cost more than £450 to process unless the request is for information covered by the EIRs. In that case, unless the request is deemed 'manifestly unreasonable', NI Water has to process the request if you are prepared to pay the costs. If the cost is greater than £450 and you agree to pay these costs, NI Water will normally provide you with the information once the fee has been paid.

5. What happens if the information I want is not available?

The FOI Act does not require us to gather information that is not already held, but we are required to assist you with your request. We will contact you and tell you what information we do hold that might help to answer your query or suggest another Public Authority that may hold the information you are looking for.

6. Can I have any information at all?

The FOI Act allows you access to almost all non-personal, non-environmental information that a public body holds. But there are some things that cannot be disclosed to the public. For example, information about national security, law enforcement or personal information – although you can obtain your own personal information through the Data Protection Act. Personal information supplied by, or in relation to, third parties may also be available under the Act in certain circumstances. NI Water is not obliged to send you information that is already available elsewhere (e.g. in our publication scheme at www.niwater.com or available for purchase e.g. at The Stationery Office.

7. What if I am refused information?

We will tell you if information is being withheld and why. We will also tell you who you should contact to request an internal review if you are not happy with our decision. And if you are still not happy after the internal review you can request a review by the Information Commissioner (see details below). Please contact us first if you are not happy with our response and tell us why you believe that we are wrongly withholding information from you.

8. Where can I get more information about the FOI Act?

You can get more information about FOI from the Office of the Information Commissioner. The Commissioner's details are:

Website: www.informationcommissioner.gov.uk
Phone: 01625 545 700
Email: mail@ico.gsi.gov.uk
Post: Information Commissioner, Wycliffe House, Water Lane, Wilmslow, CHESHIRE SK9 5AF

¹ Includes the cost of finding, sorting, reviewing and extracting the material