

DEPARTMENT OF FINANCE AND PERSONNEL

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 1 January 2005, you can get information to help you to understand better how this department works, how we spend public money, and how and why we make our decisions.

2. 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 DPA applies to private enterprise as well as public authorities.
- The Environmental Information Regulations 2004 (EIRs) which gives people access to environmental information. EIRs apply to "environmental information" held by organisations that perform functions of a public nature.

3. How do I get information about the department under the FOI Act?

If you have access to the Internet you can get information on the departmental website at www.dfpni.gov.uk; or visit www.nidirect.gov.uk for further information on accessing the websites of all Northern Ireland Government departments. Alternatively you can write to us at the address on the letter accompanying this leaflet.

4. How long does it take to get information?

Once a written request for information is received, we have 20 working days to respond – although that time can be extended where a "qualified" exemption applies and we need to consider the public interest.

5. 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 the department less than £600 to process will normally be provided free of charge. The department has the right to refuse to respond to a request that is estimated to cost more than £600 to process.

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

The FOI Act does not require us to gather or create information that does not already exist. We will contact you and tell you that we do not hold the information and may suggest another public authority who may hold the information you are looking for.

7. Can I have any information at all?

The FOI Act allows you access to almost all information that a public body holds. But there are some things that cannot be given to the public. For example, information about national security, law enforcement or personal information – you can obtain your own personal information through the DPA (see above). Personal information supplied by, or in relation to, third parties may be available in certain circumstances. The Department is not obliged to send you information that is already freely available elsewhere e.g. in our publication scheme at www.dfpni.gov.uk/publications (or request a copy by writing to us at the address in the accompanying letter), or available for purchase e.g. at The Stationery Office.

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9. What if I am refused information?

You have the right to request a formal review by the Department within two calendar months of the date of the Department's response and if you wish to do so, please write to foi@dfpni.gov.uk or DFP Information Management Unit, Room 26, Dundonald House, Upper Newtownards Road, Belfast BT4 3SB.

If after such an internal review you are still unhappy with the response, you have the right to appeal to the Information Commissioner (contact details below).

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

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

Website: www.ico.org.uk
Phone: 0303 123 1113
Email: casework@ico.org.uk
Post: Information Commissioner, Wycliffe House, Water Lane,
Wilmslow, CHESHIRE SK9 5AF