



Department for

Communities

An Roinn

Pobal

Department for

Communities

www.communities-ni.gov.uk

Voluntary and Community
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Phone: 028 9082 9424
FOI Reference: DFC/2022-
0185

Mr McKee

By email: request-930054-3387abbe@whatdotheyknow.com

Date: 22/12/22

Dear Mr McKee,

Freedom of Information Act 2000

Thank you for your request for information about statutory decisions of the Charity Commission for Northern Ireland. Your request was received on 21 December 2022 and I am dealing with it under the terms of the above legislation.

The leaflet enclosed tells you about the legislation and the procedures I will follow in handling your request.

In some circumstances a fee may be payable but if that is the case I will let you know the likely charges before proceeding.

If you have any queries about this letter, please contact me. Please remember to quote the reference number above in any future communications.

Yours sincerely,

Colleen Bell
Voluntary & Community Division



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Department for Communities
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 will be able to 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:

Data Protection legislation¹ 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. EIRs apply to “environmental information” held by organisations that perform functions of a public nature.

3. How do I get information about the Department for Communities under the FOI Act? If you have access to the Internet you can get information on the Departmental website www.communities-ni.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: Information Management Branch, Department for Communities, Level 5, Nine Lanyon Place, BELFAST, BT1 3LP or by email to foi@communities-ni.gov.uk.

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.

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 give provide us with your name and address and a contact telephone number.

¹ Data Protection Legislation: (i) the GDPR, the Law Enforcement Directive (LED) and any applicable national implementing Laws as amended from time to time (ii) the Data Protection Act 2018 (DPS 2018) to the extent that it relates to processing of personal data and privacy; (iii) all applicable Law about the processing of personal data and privacy.

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 be provided free of charge, although there may be a small charge for disbursements i.e. costs of photocopying, printing, postage etc. The department has the right to refuse to respond to a request that is estimated to cost more than £600 to process unless the request is for information covered by EIRs, in which case the Department has to process the request if you are prepared to pay the costs. If the cost is greater than £600 and you agree to pay these costs the department will normally provide you with the information once the fee has been paid. If an FOI request is estimated to cost more than the £600 limit, the Department can turn the request down, answer the request and charge the fee, or answer the request and waive the fee. A decision on charging or waiving a fee is decided on a case-by-case basis.

6. What happens if the information I want is not available? The FOI Act does not require us to create or 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 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 about others – though you can obtain your own personal information through the Data Protection legislation² (see above). Ask about the Data Protection Act if you are seeking your own personal information.

8. 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. A request for review must be received within 2 calendar months of the date of the decision notice. 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.

9. What can I do with the information provided? Any information supplied to you continues to be protected by copyright. You are free to use it for your own purposes, including for private study and non-commercial research, and for any other purpose authorised by an exception in current copyright law. Documents (except photographs) can be also used in the UK without requiring permission for the purposes of news reporting. Any other re-use, for example commercial publication, would require the permission of the copyright holder.

² Data Protection Legislation: (i) the GDPR, the Law Enforcement Directive (LED) and any applicable national implementing Laws as amended from time to time (ii) the Data Protection Act 2018 (DPS 2018) to the extent that it relates to processing of personal data and privacy; (iii) all applicable Law about the processing of personal data and privacy.

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Copyright in other documents may rest with a third party. For information about obtaining permission from a third party see the Intellectual Property Office's website at www.ipo.gov.uk.

10. 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: <https://ico.org.uk/>
Helpline: 0303 123 1113
Email: ni@ico.org.uk
Post: The Information Commissioner, Wycliffe House,
Water Lane, Wilmslow,
CHESHIRE, SK9 5AF.

There is also an Assistant Information Commissioner for Northern Ireland based at:

3rd Floor, 14 Cromac Place,
Gasworks Business Park,
Ormeau Road,
Belfast,
BT7 2JB