

# 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](http://www.dfpni.gov.uk); or visit [www.onlineni.net](http://www.onlineni.net) 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?

In most cases the Department 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.

### **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<sup>1</sup> will normally be provided free of charge, although there may be a small charge for the costs of photocopying, printing and postage. 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.

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

The FOI Act does not require us to gather information that is not already there. 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 – you can obtain your own personal information through the DPA (see paragraph 2). 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 available elsewhere (e.g. in our publication scheme at [www.dfpni.gov.uk/publications](http://www.dfpni.gov.uk/publications) or request a copy by writing to us at the address on the accompanying letter) or available for purchase e.g. at The Stationery Office.

### **8. What if I am refused information?**

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<sup>1</sup> Includes the cost of finding, sorting or redacting the material

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.

## **9. 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](http://www.informationcommissioner.gov.uk)  
Phone: 01625 545 700  
Email: [mail@ico.gsi.gov.uk](mailto:mail@ico.gsi.gov.uk)  
Post: Information Commissioner, Wycliffe House, Water Lane,  
Wilmslow, CHESHIRE SK9 5AF