

HRCDC Freedom of Information Policy

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1. Freedom of Information Act, 2014

The Freedom of Information Act 2014 (“Act”) gives you the right to access records held by FOI bodies. FOI bodies must give you an explanation if you are not given what you asked for and the decision must normally be made within 4 weeks.

2. What can I ask for?

You can ask for any of the following;

- Any records relating to you personally, whenever created.
- All other records created after the effective date.

If the information you require cannot be on the HRCDC website www.hrcdc.ie, you can contact the Secretariat@hrcdc.ie. If the information is not currently made publicly available by the HRCDC, you may consider making a Freedom of Information Request, by contacting FOI@hrcdc.ie.

3. What is a record?

A record includes a book or other written or printed material which is in any form including in any electronic device. It is a map, plan or drawing, a disc, tape or film which contains visual or non-visual images or a copy of any of these.

4. Do I have to pay for getting information under the FOI Act?

When the request is for personal information there are no charges unless there is a significant number of records.

In the case of requests which relate to non-personal information charges are applied for search retrieval and copying. Section 27(2) of the Act sets out the fees in relation search retrieval and copying.

- i. Determining whether it holds the information requested;
- ii. Locating the information or documents containing the information.
- iii. Retrieving such information or documents.
- iv. Extracting the information from the files, documents, electronic or other information sources containing both it and other material not relevant to the request, and
- v. Preparing a schedule specifying the records for consideration for release.

In relation to the search, retrieval and copying charges there is a minimum threshold of €101 below which no search, retrieval and copying charges can be charged. Once the charge reaches the €101 full fees apply. There is a cap on the amount that can be charged and this is set at €500. There is also a further upper ceiling limit on estimated search, retrieval and copying fees set at €700 above which a body can refuse to process a request unless the requester is prepared to refine the request below the limit.

There are also fees which apply for an internal review under Section 22, this is €30 and €10 for medical card holders and their dependants. The fee for appeals to the Office of the Information Commissioner is €50 and €15 for medical card holders and their dependants.

5. Can I appeal a decision?

Yes. If you are not satisfied with the decision made, you can seek an internal review of the decision which is a complete and new review of your request by an alternative senior designated individual. If following this, you are still not satisfied you can appeal this decision to the Office of the Information Commissioner.