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Top academics under pressure over salary scales


Shane Kelly of the Union of Students in Ireland criticised the "outrageous" figures. "This illustrates the systemic failure of our top universities to keep their costs under control. It is patently clear that the call for the reintroduction of third level fees is being fuelled by the inability of our universities to manage their finances properly."

THE ELITE group of top academics who share some [euro]50 million in salaries and perks are under intense pressure to take a voluntary pay cut.

Minister for Education Batt O'Keeffe has called on the group - which includes university presidents - to take the cut after the release of the new salary figures to the Irish Federation of University Teachers under the Freedom of Information Act.
Exclusion of Nama will damage trust, says commissioner


Abstract (summary)  Translate

THE DECISION to exclude the National Asset Management Agency (Nama) from the Freedom of Information Act will undermine public trust in the institution, the Ombudsman and Information Commissioner Emily O’Reilly warned.

Ms O’Reilly said it was a “no brainer” that making Nama subject to FoI requests would help shore up public trust.

She understood Nama dealt with commercially sensitive information, she said, but there was already a section 31 clause which provided for withholding such information in certain circumstances. She contrasted the refusal to make Nama subject to the FoI Act with the situation in the UK, where both the Bank of England and the financial services authority are subject to requests.
What is Freedom of Information (FOI)?

FOI obliges public bodies to publish information on their activities and to make personal information available to citizens.
What is Freedom of Information? (continued)

Right to access records held by public bodies

Right to have information about the individual held by a public body amended where it is incomplete, incorrect or misleading

Right to obtain reasons for a public body’s decisions affecting the individual
Section 15 and Section 16

Public bodies also have to inform the public about themselves by publishing:

1. A guide to the public body’s functions and records ("Section 15 manual")

2. A guide to its rules and practices ("Section 16 manual")
What is the purpose of FOI legislation?

It can be seen as an essential tool to achieve the oft-mentioned “openness, transparency and accountability” in government.
What are “Public Bodies”?

The 1997 legislation lists civil service departments, a broad range of state agencies, local authorities, health boards and also provides for the prescription of further bodies by regulation.

Names and contact details for every ‘public body’ are given on the websites of the Information Commissioner and the FOI Central Policy Unit of the department of Finance.
What qualifies as a “record”? 

Almost any conceivable form of recording is included such as:

Any memorandum, book, plan, map, drawing, diagram, pictures, graphics, document, photograph, film or sound recording

It covers machine readable data and includes the catchall ‘or thing in which information is held or stored manually, mechanically or electronically’; and covers copies or indeed combinations of different record types
The right of access does not apply to:

Records that are available to the public.

- A series of categories of records listed in s46 (e.g. Court records)

Other Limits:

- Non-personal records before the FOI Act (21/04/1998)
- Personal records before 21/04/1995.

*Personal records are accessible regardless of age*
Exemptions where harm could occur

Personal information not relating to the requester
Functions and negotiations of public bodies
Law enforcement and public safety
Commercially sensitive information

Records would be released, though, if the public interest, on balance, would be best served by granting the request
FOI only applies to public bodies, not to individuals’ (e.g. students) own research work that is conducted on their own behalf.

Research records held by public bodies, or their agents, are subject to FOI, however it is exempt if:

“the record concerned contains information in relation to research being or to be carried out by or on behalf of a public body and disclosure of the information or its disclosure before the completion of the research would be likely to expose the body, any person who is or will be carrying out the research on behalf of the body or the subject matter of the research to serious disadvantage...” (FOI Acts s.30(1)(a))
How to make an FOI request

It must be made in writing

It must state that it is made under the Acts

It must give enough particulars so that the records can be identified

If appropriate, specify type of access required (e.g. a copy)

Include application fee of €15 (€10 if medical card holder) unless the request is only for the requester’s personal information
The FOI process

The request is acknowledged within 2 weeks

Request is answered by a ‘decision-maker’ in the public body within 4 weeks

Charges for search, retrieval, copying

If refused, the requester has a right of appeal to the public body

Subsequent appeals are to the Information Commissioner, High Court and the Supreme Court
Other legal rights of access to information

Access to personal information under the Data Protection Acts

Access to information on the environment under the regulations introduced in 2007

Court orders of discovery in the context of litigation
Welcome to Trinity's Freedom of Information website

These pages are intended to assist you in exercising your rights under the Freedom of Information Acts and to assist College staff in answering requests.

The Freedom of Information Act, 1997, which was applied to Trinity College from 1 October 2001, provides that every person has the following legal rights:

- the right to access official records held by public bodies prescribed under the Act;
- the right to have personal information held on them corrected or updated where such information is incomplete, incorrect or misleading; and
- the right to be given reasons for decisions taken by public bodies that affect them.

The Freedom of Information (Amendment) Act, 2003, came into effect on 11 April, 2003. The College information available includes its Freedom of Information publications (including its section 15 and section 16 manuals), advice to staff on FOI matters and information on the College's Information Compliance Committee which oversees the implementation of the FOI Acts in Trinity.
Office of the Information Commissioner
Office of the Information Commissioner

Decisions of the Commissioner

Sort by:
- Case Number
- Case Name
- Decision Date
- Section of the FOI Act

Search Decisions

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Decisions of the Commissioner

Case Results

110168 - Mr & Mrs Y C/O X Solicitors, ("the applicants") and The Health Service Executive ("the HSE")

The Senior Investigator affirmed the decision of the HSE. - 23; 26; 28

110166 - Mr "C" ("the applicant") and The Department of Health ("the Department")

The Senior Investigator annulled the Department's decision and directed that the information sought should be released. - 11; 20

090138 - Mr, X, X & Co Solicitors & The Department of Finance (the Department)

The Senior Investigator varied the decision of the Department by affirming it in part and annulling it in part. He accepted that the Department's decision to refuse access to most of the records remaining at issue was justified under section 19 (1), 22(1)(a), or 10(1)(a) of the FOI Act. However, he directed the release of a set of attachments to one record on the basis that the Department's claim for exemption in that particular instance was not justified. - 19, 22, 10

100112 - X ("the applicant") and University College Cork ("the...
Sources of further information

Office of the Information Commissioner
www.oic.gov.ie/en/

FOI Central Policy Unit of the Department of Finance www.foi.gov.ie

Freedom of Information Law in Ireland by Professor Maeve McDonagh
What is the difference between FOI and DP?

According to the Data Protection Commissioner it is the following:

“The FOI Acts grant every person a right, subject to certain restrictions, to access information held by Government Departments, agencies and other designated bodies in receipt of State funding. The FOI Acts also allow for persons to seek access to their own data held by such bodies”

“The requirements of the Data Protection Acts apply to all legal entities in this jurisdiction whether Government, private, voluntary or charitable that control personal data”