

Northern Ireland Water
Public Information Leaflet
on
The Environmental Information Regulations 2004 (EIR)

This is an overview of the EIR and should not be regarded as a legal interpretation.

What do the EIR do?

The EIR give members of the public certain rights of access to any recorded, non-personal, environmental* information held by public authorities like NI Water.

You can also get information under:

- The General Data Protection Regulation (GDPR) and Data Protection Act 2018, which, among other things, give individuals access to their own personal information.
- The Freedom of Information Act 2000 (FOI), which gives people the right to request non-personal, non-environmental information from public authorities.

How do I get information from NI Water under the EIR?

Requests for environmental information do not need to be in writing. They can be made in person, by telephone, left on voicemail or in writing including email, fax, letter, Facebook or Twitter.

If you are making a request verbally, we recommend you keep a note of who you speak to and the outcome of the conversation, as you may wish to follow this up at a later date. Ideally, a written request is most appropriate, as this is written proof of your request. Your request can be in the form of a question, rather than a request for specific documents. NI Water does not have to answer your question if this would mean creating new information or giving an opinion or judgment that is not already recorded.

You should identify the information you want as clearly as possible, give your name and an address to which NI Water can reply. This can be a postal or email address.

Don't post your personal information on public areas of NI Water's social media, however.

You do not need to mention the Environmental Information Regulations or (EIR) in your request although doing so may assist the person administering your contact to identify it as an EIR request.

How long does it take to get information?

In most cases, NI Water must respond to your request within 20 working days of receiving it. If we cannot, we will explain why within 20 working days of receiving your request and let you know when you will receive a reply. In cases where the response period has had to be extended by a further 20 working days, notification must be sent to you informing you of this delay during the first 20 days of your request.

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

Is there a cost for getting information?

Although there is generally no charge for an EIR request, NI Water has the discretion to charge a reasonable fee for providing environmental information. Our starting point is £25 per hour based on staff time spent locating, retrieving and extracting the information requested. NI Water will notify you if a fee will be charged and the amount. If a fee is due and you wish to proceed, NI Water will provide the information following payment of the fee. If you do not wish to proceed, NI Water will try to find information that can be provided without incurring charges. No fees will be charged for existing publications, or for information that is on the Company's website (www.niwater.com), on the public register, or can be examined at a NI Water office.

What happens if the information I want is not available?

We will contact you and tell you what information we do hold that might help to answer your query or suggest another public authority that may hold the information you are looking for. If NI Water cannot respond to your request and has exhausted all its potential possibilities to obtain the information, we will simply send you a refusal notice stating that we do not hold the information.

What if I am refused information?

Some information may not be disclosed to you because it is exempt from disclosure; for example, because it would unfairly reveal personal details about somebody else. 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. If you are still not happy after the internal review, you can request a review by the Information Commissioner's Office (ICO - see details below). Please contact us first if you are not happy with our response and tell us why.

Where can I get more information about the EIR?

You can get more information about the EIR from the ICO. Their details are:

Website:	www.ico.org.uk
Phone:	0303 123 1113 (local rate)
Email:	casework@ico.org.uk
Post:	Information Commissioner's Office Wycliffe House Water Lane Wilmslow CHESHIRE SK9 5AF

* any information on: the state of the elements of the environment and the interaction among these elements; factors affecting or likely to affect those elements; measures or activities affecting or likely to affect those factors or elements, or designed to protect those elements; reports on the implementation of environmental legislation; cost-benefit and other economic analyses and assumptions used within the framework of those measures and activities; and the state of human health and safety, conditions of human life, cultural sites and built structures in as much as they are or may be affected by those elements.