

Northern Ireland Water
Public Information Leaflet
on
The Freedom of Information (FOI) Act 2000

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

What does the Freedom of Information (FOI) Act do?

The FOI Act gives everyone the right to access official, “recorded”, non-environmental, non-personal, information held by NI Water. This means that, since 1 January 2005, you can get information to help you better understand how NI Water works, how we spend public money, and how and why we make our decisions.

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 Environmental Information Regulations 2004 (EIR), which give people access to environmental information held by public authorities.

How do I get information about NI Water under the FOI Act?

- i. FOI requests **MUST** be in writing (including via email, Facebook or Twitter). You can write to us or via email at waterline@niwater.com.
- ii. You should identify the information you want as clearly as possible, give your real 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.*
- iii. You do not need to mention Freedom of Information or FOI in your request, although doing so may assist the person administering your contact to identify it as a FOI request.
- iv. If you have access to the Internet, you can also get information on the NI Water website at www.niwater.com.

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 and, if we cannot, we will explain why and let you know when you will receive a reply. The timescale can be extended when

- 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, address and a contact telephone number.

Is there a cost for getting information?

There is usually no charge for responding to a FOI request that costs NI Water less than £450 to process¹ and these will normally be provided free of charge, although there may be a small charge for the costs of photocopying, printing and postage.

However, NI Water has the right to refuse to respond to a request that is estimated to cost more than £450 to process, unless the request is for information covered by the EIR. In that case, unless the request is deemed 'manifestly unreasonable', NI Water has to process the request if you are prepared to pay the costs.

If the cost is greater than £450 and you agree to pay these costs, NI Water will normally provide you with the information once the fee has been paid.

What happens if the information I want is not available?

The FOI Act does not require us to 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 that may hold the information you are looking for.

Can I have any information at all?

The FOI Act allows you access to almost all non-personal, non-environmental information that a public authority holds. 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, or information about national security or law enforcement etc.

Personal information supplied by, or in relation to, third parties may also be available under the Act in certain circumstances. NI Water is not obliged to send you information that is already available elsewhere (e.g. in our publication scheme at www.niwater.com or available for purchase; e.g. at The Stationery Office).

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. 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 FOI Act?

You can get more information about FOI 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

¹ Includes the cost of finding, sorting, reviewing and extracting the material