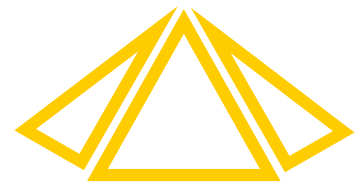


FREEDOM OF INFORMATION GUIDELINES FOR CONTRACTORS/SUPPLIERS



The Freedom of Information Act 2014 applies to all information held by public bodies. It also applies to specifically designated private companies that perform public functions and, in a limited capacity to private companies that contract to public bodies. The legislation gives anyone anywhere in the world the legal right to request and receive a copy of recorded information held by, or on behalf of, a public authority. The emphasis is always on disclosure of the information rather than withholding it.

All of the information that Sunbeam House Services holds about your company is covered by Freedom of Information (FOI), as is any information that you hold on our behalf.

If a contractor is employed to undertake a service on our behalf the information they produce in relation to that service is subject to FOI legislation. The responsibility for compliance with the legislation remains with the public authority.

If Sunbeam House Services receives a request for information that is held by a contractor, the contractor must assist Sunbeam House Services and provide them with the information within 10 days of Sunbeam House Services requesting it from them.

A contractor or other agency employed to undertake services on our behalf has no obligation to respond to a FOI request received by them if FOI does not apply to their organisation. If the contractor receives a request for the information they manage on our behalf they must either inform the applicant to direct their request to Sunbeam House Services or transfer the request to us. Contractors should not in any case disclose information held on our behalf without our explicit agreement.

If Sunbeam House Services receives a request for information held about any of its contractors all such information will be considered for release under the FOI Act. That does not mean it will automatically be released if it is requested as one of the exemptions may apply. Wherever possible we will seek the contractor's views before making a decision on disclosure of information that might affect their rights or interests. Although the contractor's representations will be taken into account the law makes Sunbeam House Service's alone responsible for making the final decision regarding disclosure.

Under the FOI Act 2014, Sunbeam House Services has to under the Model Publication Scheme publish details of the following:

- **Payments or Purchase Orders for goods and services**
Details, on a quarterly basis, of payments or purchase orders for goods and services of more than €20,000,
- **A link to all current tender competitions on the eTenders website**
Details of current tender competitions over €10,000 for ICT and €25,000 for all other competitions are available on www.etenders.gov.ie
- **Public contracts awarded including contract type, contractor, value, award date, duration and brief description (tabular format) over €10k for ICT and over €25k for other contracts**
On a quarterly basis, details of public contracts awarded for values over €10,000 for

Sunbeam House Services

SHS
Cedar Estate,
Killarney Road,
Bray,
Co. Wicklow,
Ireland.
Tel: +353 (01) 2868451
Fax: +353 (01) 2760367
Email: info@sunbeam.ie

Website: www.sunbeam.ie

Managing Director:
John Hannigan

Directors:
D. O'Brien (Chairman)
A.R. Giles (U.K.)
E. Flynn
R. Smith
Dr. F. Sheerin
T. Wray
M. Shiell
G. Dolan

Training & Employment Services

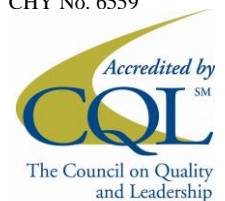
- Training Services
- Dargle Community Base
- Ballyrairie Rural Industries
- Connect Employment

Care & Residential Facilities

Day Care, Residential Care and Community Housing is provided in Bray, Greystones, Shankill, Arklow, Rathdrum, Ashford & Wicklow Town

Company Secretary: A.R. Giles

Sunbeam House Services Ltd.
Registered in Ireland
Registered No. 76504
CHY No. 6559



ICT and €25,000 for all other contracts (exclusive of VAT) should be published including:

- Whether this is an award for a single contract or an award from a framework,
- Name of winning contractor and legal address,
- Value of the contract (exclusive of VAT),
- Type of Contract (works, supplies, services),
- Contract Award Date,
- Duration of contract in months,
- Brief description of contract.

Frequently asked questions

If I give Sunbeam House Services information on my products or services, will this be subject to the Freedom of Information Act?

Yes, but that does not mean it will automatically be released if it is requested, as an exemption of the FOI Act may apply. We will usually seek your views before making a decision on disclosure of information that might affect your rights or interests

My company holds information on behalf of Sunbeam House Services. How am I affected?

If we get a request for information that includes information you hold on our behalf, we will ask you to provide it quickly so that we can comply with FOI. This is to give us time to consider the information for exemptions and to prepare the information for release. The current timelines under FOI is 20 working days for the release of information, Sunbeam House Services will look for you the contractor to provide the information requested within 10 days.

What if a request for information comes direct to my company?

You have no obligations to respond to such a request if FOI does not apply to your organisation. If you receive a request that relates to information you hold on behalf of Sunbeam House Services you should not in any case disclose it without our explicit agreement.

To be helpful to the requester, if the information requested relates to Sunbeam House Services, you should advise that the request should be submitted to Sunbeam House Services or transfer the request direct to us.

Are there any exemptions that allow Sunbeam House Services to refuse to supply information?

FOI provides for exemptions, such as:

1. Meetings of the Government
2. Deliberations of FOI Bodies
3. Security, defence and international relations
4. Information obtained in Confidence
5. Personal information
6. Financial and economic interests of the State.

Where qualified exemptions apply, Sunbeam House Services has to undertake a public interest test to decide whether it is in the public interest to disclose or withhold it. The public interest in withholding the information must outweigh the public interest in releasing it.

Could information I supply to Sunbeam House Services be protected by having a confidentiality clause in contracts or by providing the information in confidence?

Confidentiality clauses are discouraged under the FOI unless there are genuine commercial and/or legal reasons why the information should be treated as confidential.

Information provided in confidence is only exempt if its disclosure would give rise to an actionable breach of confidence. This is a narrow legal exemption, which only applies in limited circumstances and you should not assume that this exemption will apply just because you think information is confidential.

If you consider that information that you provide to Sunbeam House Services is confidential, you should notify the FOI Officer of this, identify the information and provide reasons why you consider the information to be confidential under the FOI.

What will Sunbeam House Services do if it receives a request for information that might affect my company?

When considering requests we will, wherever possible, consult you about information that may affect your rights or interests unless we are already certain that we must or must not disclose it. This consultation will help us to decide if an exemption applies and what the considerations are in applying a public interest test about information disclosure.

The law makes us alone responsible for making the final decision regarding disclosure.

What is a record as defined under Freedom of Information?

The FOI Act gives a broad definition to the term 'record'. The definition covers all document types and does not distinguish formats, being equally applicable to documents created, maintained and stored manually and/or electronically. The Act includes:

"... any memorandum, book plan, map drawing, diagram, pictorial or graphic work or other document, any photograph, film or recording (whether of sound or images or both), any form in which data (within the meaning of the Data Protection Act, 1988) are held, any other form (including machine-readable form) or thing in which information is held or stored manually, mechanically or electronically and anything that is part or a copy, in any form, of any of the foregoing or is a combination of two or more of the foregoing ..."

For any queries or comments please contact the Freedom of Information Officer at Sunbeam House Services or by emailing: foi@sunbeam.ie