



## **1.0 POLICY STATEMENT:**

The Freedom of Information Act 1997 (FOI) as amended by the Freedom of Information (Amendment) Act 2003 obliged government departments, the Health Service Executive (HSE), local authorities and a range of other public bodies to publish information on their activities and to make the information they held, including personal information, available to citizens.

On 14 October 2014, the Freedom of Information Act 2014 came into effect and repealed the 1997 and 2003 Acts. The new Act introduced a number of changes to the Freedom of Information scheme and widened the range of bodies to which the FOI legislation applies to all public bodies, unless specifically exempt. It also allows for the Government to prescribe (or designate) other bodies receiving significant public funds, so that the FOI legislation applies to them also.

The old legislation continues to apply to any FOI request made before the new legislation came into effect. It also applies to any subsequent review or appeal.

### **PUBLICATION SCHEME UNDER FREEDOM OF INFORMATION ACT, 2014**

In accordance with Section 8(3) of the FOI Act, Sunbeam House Services must complete its own Publication Scheme, based on the Publication Scheme, not later than 14 April 2016.

Information will be provided under the following headings:

Information about the FOI Body	Functions and Services provided or to be provided to the public
Decision Making procedures relating to the functions and/or services provided to the public	Financial information
Procurement	Information routinely published and miscellaneous

The FOI Act requires that in preparing, reviewing or revising a Publication Scheme, an FOI body shall have regard to the public interest in:

- Allowing public access to information held by the FOI body;

Policy No. 80	Revision: 2.0
Page 1 of 5	Department: 008
Full Policy ID Number : 008.080.2.0	



- The publication of reasons for decisions made by the FOI body; and
- Publishing information of relevance or interest to the general public in relation to its activities and functions generally.

## **2.0 RIGHTS:**

The Freedom of Information Act 2014 provides the following statutory rights:

- A legal right for each person to access information held by a body to which FOI legislation applies.
- A legal right for each person to have official information relating to himself/herself amended where it is incomplete, incorrect or misleading.
- A legal right to obtain reasons for decisions affecting himself/herself.

## **3.0 SCOPE:**

The public can request the following records held by Sunbeam House Services:

- Any records relating to a person where it relates to themselves, whenever created;
- All other records created after 21 April 1998.

**Note:** A record can be a paper document, information held on computer, maps, plan, microfilm, microfiches, audio-visual material, etc.

A person does not have to give a reason as to why they want to see any records.

Sunbeam House Services must give an explanation if a request is being refused or partially refused. A decision on an application must normally be made within 4 weeks.

The individual requesting the information has the following entitlements:

- Receipt of the request must be acknowledged within 10 working days.
- A response will, in normal circumstances, be issued within 20 working days of receipt of the request.
- All decisions must be clearly explained, setting out the sections of the Act used in reaching these decisions.

Policy No. 80	Revision: 2.0
Page 2 of 5	Department: 008
Full Policy ID Number : 008.080.2.0	



- Details of their entitlements to Internal Review and appeal will be included in the decision letter.

## **4.0 CHARGES UNDER FREEDOM OF INFORMATION:**

### **4.1 Application Fees**

Section 27 of the Freedom of Information Act 2014 provides for fees and charges. The current application fees are:

<b>Type of request or application</b>	<b>Standard Fee*</b>	<b>Reduced Fee**</b>
Initial request for a record	Free (was €15)	Free (was €10)
Internal review	€30 (was €75)	€10 (was €25)
Review by Information Commissioner	€50 (was €150)	€15 (was €50)
Application for amendment containing incorrect information	Free	Free
Application for reasons for a decision affecting individual	Free	Free

\* There are no fees where you appeal a decision to charge a fee or deposit, or a fee or deposit of a specific amount.

\*\* Reduced fees will apply in respect of medical card holders and third parties who appeal a decision to release their information on public interest grounds.

No fees apply where the request involves access to your personal records.

### **4.2 CHARGES FOR SEARCH, RETRIEVAL AND COPYING OF RECORDS**

Charges may be applied by Sunbeam House Services for the time spent finding and retrieving records, and for any copying costs incurred by them in providing you with the material requested. It is very unlikely that any charges will be applied in respect of personal records, except where a large number of records are involved.

Policy No. 80	Revision: 2.0
Page 3 of 5	Department: 008
Full Policy ID Number : 008.080.2.0	



If the cost of search, retrieval and copying is €100 or less, no charge is applied. If the charge exceeds €100, full fees apply. You cannot be charged more than €500.

If the estimated cost of search, retrieval and copying is more than €700 Sunbeam House Services can refuse to process your request, unless you refine your request to bring the search, retrieval and copying fees below this limit.

Type of Charge	Standard Charge
Search and retrieval of records	€20 per hour
Photocopying	4 cent per sheet
CD-ROM containing copy of documents	€10
Radiograph (X-ray) containing copy documents	€6

## **5.0 ACCESS TO INFORMATION**

Access to any official documentation held by Sunbeam House Services can be sought under the Act. In certain defined circumstances it will sometimes be necessary to exempt from release certain types of information. These exemptions are set out in the Act. Some key exemptions which may be used relate to:

- Personal information (other than information relating to the person making the request);
- Information supplied to Sunbeam House Services in confidence;
- Law enforcement and public safety;
- Commercially sensitive information;
- Deliberations of Public bodies;
- Matters subject to Client Privilege;
- Functions and negotiations of Public bodies.

Policy No. 80	Revision: 2.0
Page 4 of 5	Department: 008
Full Policy ID Number : 008.080.2.0	



## **6.0 TO MAKE A REQUEST UNDER FOI:**

- The request must be in writing to the :  
*Freedom of Information Officer,  
Sunbeam House Services,  
Cedar Estate,  
Killarney Road,  
Bray,  
Co Wicklow*
- You must state that the request is being made under the Freedom of Information Act and what records you are seeking, supply as much detail as possible.
- You must state the manner in which access is sought, e.g. inspect the originals, obtain photocopies, hear/view audio-visual record, obtain a copy of a computer disk or other electronic device, etc.
- You must supply proof of identity in the case of personal information – acceptable forms of identity include:
  - Certified copy of current valid signed Passport;
  - Certified copy of full Republic of Ireland/Northern Ireland/UK driving licence or provisional licence;
  - Certified copy of Garda Identification (ML10) form and photograph;
  - Certified copy of National Identity Card - must show photograph;
- You can ask for the following records:
  - Any records relating to you personally, whenever they were created
  - All other records created after a certain date
    - 21 October 1998 for the HSE and local authorities
    - 21 April 1998 for public bodies that were covered by the old FOI legislation
    - 21 April 2008 for public bodies that were not covered by the old FOI legislation
    - the date of the prescribing order (or a specified date) for prescribed bodies
- A record can be a paper document or information held on computer. It includes, for example, printouts, maps, plans, microfilm, audio-visual material, disks and tapes.

Policy No. 80	Revision: 2.0
Page 5 of 5	Department: 008
Full Policy ID Number : 008.080.2.0	