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September 2007

Qualifying conditions for our schemes change from time to time. Always check with your local Social Welfare Office or with Information Services to see if qualifying conditions have changed (see page 9 for contact details).

The information in this booklet is correct at the time of going to print.

1. What is Freedom of Information?

Under the Freedom of Information Act, 1997, (which came into effect from 21 April, 1998), you have the right:

- to access records held by the Department of Social and Family Affairs (DSFA)
- to have official information relating to you that is held by the Department amended where it is incomplete, incorrect or misleading
- to obtain reasons for acts of the Department that affect you.

Note

You may not be able to access certain records which are exempt under the Acts, for example, information relating to: another person; government meetings; law enforcement and security; confidential and commercially sensitive issues.

2. What can you ask for?

Your Social Welfare Records

You now have a legal right to seek access to personal records that we hold about you in this Department and to have the information amended if it is not accurate.

‘Records’ include information that is held on computer and on paper files.

For example, you have the right to seek access to records relating to claims you have made for a social welfare payment.

Other social welfare records

You have the right to seek access to non-personal records created after 21 April, 1998. These records would include information on policy formulation, guidelines and procedures used by the Department in determining entitlement to payment.

For example, if you are getting a social welfare payment, you will have the right to see the guidelines used by the official who made the decision on your claim. In certain circumstances, you may be allowed access to records created before 21 April, 1998.

Information routinely available

The Department routinely makes information available to the public through information leaflets, publications and in response to enquires. This will continue. Freedom of Information provides an additional source of information by making it easier to get access to records not routinely available.

3. Is there a charge?

There is usually no charge for access to personal information. However, an upfront fee of €15 will apply in respect of requests for non-personal records (reduced rate of €10 for medical card holders - this reduced fee does not apply to card holders of GP Visit Cards). Additional search and retrieval and/or photocopying charges may also apply.

4. Who can get the information?

In general, no one else has the right of access to your personal records unless you give your consent in writing. Anyone who makes a request for records is asked for proof of identity, for example, birth certificate, driver's licence or passport.

5. Are there any restrictions?

Normally, there isn't any restriction on getting access to your personal records. However, access may be refused to records that contain information about another person and to certain records given to the Department in confidence.

6. How to make a request?

Requests must be made in writing and contain enough information so that we know what records you are looking for. Your letter should refer to the Freedom of Information Acts. You should state if you would like to obtain copies of the records involved in any special form such as photocopy or on computer disc.

Also, if you are requesting non-personal records, you must enclose the correct fee of €15 (€10 for medical card holders) at the time of making your request. This should be by way of cheque, postal order or bank draft made payable to the "Department of Social and Family Affairs".

Note

This reduced fee does not apply to holders of GP Visit Cards. If the reduced fee applies, you must provide your medical card number; the name of the issuing Health Executive area and your consent to allow the Department to contact the Health Executive in question to check details with them.

Attached we have a request form (FOI 1) that you can use to make your request if you want (but you do not have to use it).

Additional copies of this booklet and attached forms are available from:

- your local Social Welfare Office
- Information Services
Department of Social and Family Affairs
Social Welfare Services Office
College Road
Sligo
Telephone: (071) 91 93313

or

LoCall Leaflet Line: 1890 20 23 25

Note

The rates charged for the use of 1890 (LoCall) numbers may vary among different service providers.

7. Who decides if information can be given?

Requests for information under the Acts are decided by specially appointed officials (called 'FOI Officers').

On receipt, requests will be referred for decision to the FOI Officer in the office or section where the records are held. Your request will be acknowledged and you may be contacted to clarify details of your request, if necessary.

You will be notified in writing of the FOI Officers decision within 4 weeks of receipt of your request. Where your request is being refused, you will be notified of the reasons for the refusal to grant your request, whether fully or partly. If your request is approved, you will be advised of the arrangements for giving you access to the records.

8. Can a decision be reviewed?

If you are not satisfied with the decision of the FOI Officer or if you do not receive a reply within 4 weeks of the receipt of your request, you may ask for that decision to be reviewed at a higher level in the Department. An upfront fee of €75 (€25 for medical card holders) will apply if you make an application for a review of a decision on a request for non-personal records.

Note

The reduced fee does not apply to holders of GP Visit Cards.

If you are still not satisfied with the decision of the Reviewing Officer or you do not receive a reply within 3 weeks of the date of receipt of the review request, you have the right to appeal to the Information Commissioner, whose decision is final and conclusive. An upfront fee of €150 (€50 for medical card holders) will apply if you make an application to the Information Commissioner for a review of a decision on a request for non-personal records.

Note

The reduced fee does not apply to holders of GP Visit Cards.

The Commissioner's decision can only be appealed to the High Court on a point of law.

9. Can you have your records amended?

If you feel that the records to which you are granted access are incorrect, incomplete or misleading, you may apply to the FOI Officer to have them amended. A separate request form called an FOI 1a is attached to the back of this booklet.

If your application is refused (fully or partly), you can ask to have that decision reviewed by a more senior official. If you are still dissatisfied, you can appeal the decision to the Information Commissioner.

10. Other FOI Publications?

DSFA - Guide to the Functions and Records of the Department

This Department has published a Reference Book setting out its structure, functions and organisation. It also gives details of the services it provides, how the public can avail of these services and the categories of information held by the Department.

You can ask to see a copy of this book at any of our local offices, in your local public library or Citizens Information Centre (CIC) or on the internet at www.welfare.ie.

Access to Internal Guidelines and Procedures

All the internal guidelines used in making decisions on entitlement to the various services provided by the Department have been amalgamated and can be accessed on the internet at www.welfare.ie.

If you want guidelines on a particular matter or scheme, you can contact your Social Welfare Local Office, Information Services or the section of the Department dealing with the particular scheme, for a printed copy of the relevant guidelines.

11. Where can I get more Information?

Further information about this Department's Freedom of Information arrangements is available by contacting:

The FOI Unit
Department of Social and Family Affairs
Government Offices
Shannon Lodge
Carrick on Shannon
Co. Leitrim.

Telephone: 071 9672545

Email: foi@welfare.ie

You can get information on social welfare services, or get information booklets and application forms:

- on the Internet at www.welfare.ie,
- or
- from your local Social Welfare Office (see State Directory section of your phone book or the Golden Pages for contact numbers),
- or
- by telephoning the Department's LoCall Leaflet Request Line at **1890 20 23 25**,
- or

- by telephoning Information Services at LoCall 1890 66 22 44 (from the Republic of Ireland) or 00 353 71 91 93313.

Note

The rates charged for the use of 1890 (LoCall) numbers may vary among different service providers.

12. Other Public Bodies.

The following public bodies are also subject to the Freedom of Information Acts, 1997 and 2003 and you have a right of access to records held by them:

- Social Welfare Appeals Office
- Social Welfare Tribunal
- Pensions Board
- Combat Poverty Agency
- Citizens Information Board
- Office of the Pensions Ombudsman
- Family Support Agency

These bodies have published an FOI book which sets out their functions, structures and administrative procedures. These books are available on request from:

- The Chief Appeals Officer
Social Welfare Appeals Office
D'Olier House
Dublin 2

- The Secretary
Social Welfare Tribunal
Department of Social and Family Affairs
157/164 Townsend Street
Dublin 2
- The Secretary
Pensions Board
Verschoyle House
28/30 Lower Mount Street
Dublin 2
- Combat Poverty Agency
Bridgewater Centre
Conyngham Road
Islandbridge
Dublin 8
- Citizens Information Board
Floor 7
Hume House
Ballsbridge
Dublin 4
- Office of the Pensions Ombudsman
36 Lower Mount Street
Dublin 2
- Family Support Agency
Floor 4
St. Stephen's Green House
Earlsfort Terrace
Dublin 2

Citizens Information

The Citizens Information Board is the statutory body which supports the provision of information, advice and advocacy on the broad range of social and civil services to the public. It provides the Citizens Information website and supports the voluntary network of Citizens Information Services and the Citizens Information Phone Service.

www.citizensinformation.ie

Lo-Call 1890 777 121 (Mon-Fri 9am-9pm)

Local Centres (see Golden Pages)

Citizen Information is available from over 250 locations nationwide. The contact details and opening hours of your nearest Citizens Information Centre are listed in the Golden Pages.