



FREEDOM OF INFORMATION ACT (1997) AMENDMENT BILL 2003

Section 15 Manual

AN INFORMATION GUIDE FOR THE
INSTITUTE OF TECHNOLOGY, BLANCHARDSTOWN

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Introduction

The Freedom of Information Act, 1997 [FOI (1997)] was introduced in order to enable individuals to access information held by public bodies, which is not routinely available through other sources.

In accordance with FOI (1997), this booklet outlines a general description of the structures at the Institute of Technology, Blanchardstown, and the functions, powers, duties, and services provided by the Institute. The booklet also outlines details of all records held by the Institute as well as indicating the procedure which should be followed in order to allow a member of the public to access information.

We at the Institute of Technology, Blanchardstown are committed to a policy of openness and transparency and are willing to assist individuals in any way possible in relation to queries or requests for information.

Section 1: ACCESS TO INFORMATION

1.1 An overview of the Freedom of Information Act (1997)

FOI (1997) was set up to allow access to information held by public bodies, which is not routinely available through other sources.

This Act asserts the right of members of the public to obtain access to official information to the greatest possible extent consistent with the public interest and the right of privacy of individuals.

It also establishes three new statutory rights:

- A legal right for each person to access information held by public bodies
- A legal right for each person to have official information relating to him/herself amended where it is incomplete, incorrect, or misleading
- A legal right to obtain reasons for decisions affecting oneself

This reference book has been prepared and published in accordance with the requirements of Section 15 of FOI (1997). Its purpose is to facilitate access to official information held by the Institute. The publication outlines the structure and functions of the Institute. It details the services provided and how they may be availed of. It provides information on the classes of records held and information on how to make a request to the Institute under the FOI (1997).

The implementation date for FOI (1997) for the Institute of Technology, Blanchardstown, was 1st October 2001.

1.2 Information on rules and practices of the Institute

Under the terms of FOI (1997), the Institute is required to produce documentation explaining the way decisions are made. The Institute of Technology, Blanchardstown has published a reference book entitled *Rules and Practices: Section 16, Manual*. This book outlines the various rules, guidelines, and precedents that individual sections of the Institute use in making decisions.

Section 16, Manual

This publication is available on the website of the Institute, or by writing to the following address:

Freedom of Information Unit
Institute of Technology, Blanchardstown
Blanchardstown Road North
Dublin 15
Tel: Ireland 01/ 8851000 or 01/8851028
Fax: Ireland 01/ 8851001
E-mail: foi@itb.ie

1.3 Information routinely available

The Institute currently makes some information routinely available to the public. Such information will continue to be available informally, without the need to invoke FOI (1997). This manual highlights, in relation to each of the Institute's activities, where information of this nature is available. Also provided in this manual is a guide to the structure of the Institute so as to assist individuals in accessing information under FOI (1997).

The primary sources of information are:

- Full -Time Prospectus
- Part - Time Prospectus
- Student Information Handbook
- Annual Report
- Institute website www.itb.ie

The Institute is disposed to conduct its business in as open and transparent a manner as possible. It will, therefore, attempt to make information available outside the formal procedures of the FOI (1997), subject to the general scope of exemptions in the Act, if this is the preferred option of the person seeking information.

1.4 Making an application under the Act

In compiling your application, please note the following guidelines:

- Applications should normally be in writing. You may use the form entitled 'Request for Information under the Freedom of Information Act,' (Appendix D) which can be downloaded from the Institute website (www.itb.ie) or can be obtained by contacting the office below.
- If you are not using the form outlined in Appendix D, your application should indicate that the information is sought under FOI (1997).
- If possible, include a day-time telephone number, so that you may be contacted quickly if it is necessary to clarify details of your request.
- Indicate if the information is required in a particular format (e.g., photocopy, computer disc).
- Include as much detail as possible to assist the staff of the Institute to identify the record. Indicate the time period for which you wish to access records (e.g., records created between May 1998 and December 1998). Specify the areas of the Institute which are most relevant to your request. If you have difficulty in identifying the precise records which you require, the staff of the FOI unit will be happy to assist you in preparing your requests.
- Requests for information may also be made by fax, by e-mail, or by writing to the office address below. You may be required to prove your identity, especially when requesting personal information. You may, therefore, be asked to produce your passport, driving license or birth certificate.

Applications under FOI (1997) should be addressed to:

The Freedom of Information Unit
Institute of Technology Blanchardstown
Blanchardstown Road North
Dublin 15
Tel: Ireland 01/ 8851000 or 01/8851028
Fax: Ireland 01/ 8851001
E-mail: foi@itb.ie

1.5 Access to information under the Act

Under FOI (1997), anyone is entitled to seek access to information not otherwise publicly available. Each person has a right to

- access to records held by the Institute
- the correction of personal information relating to oneself held by the Institute where it is inaccurate, incomplete or misleading
- access to reasons for decisions made by the Management of the Institute directly affecting oneself

The following records come within the scope of the Act:

- All records relating to personal information held by the Institute, irrespective of when created
- All other records created after 21st April, 1998
- Any other records necessary to the understanding of a current record

You should be aware that the following information is not covered by the Act:

- Information that has already been published and is available from the Institute
- Non-personal information created before 21st April 1998
- Personal information relating to anyone other than the person requesting the information (there are some exceptions)
- Sensitive information excluded by the Minister for Finance under the terms of FOI (1997)

1.6 Assistance to persons with special needs

The Institute's FOI Unit is available to provide assistance to persons with special needs who wish to exercise their rights under FOI (1997). The Unit will, for example, accept oral requests from persons unable to read, print, or write on account of their disability, and it will enable such persons to inspect the records or have them explained.

1.7 Fees effective from 7th July 2003

Type of Request Application	Standard Fee*	Reduced Fee*&**
<u>Request for a record under Under section 7</u>		
<u>Initial Request</u>	€15	€10
<u>Internal Appeal</u>	€75	€25
<u>Appeal to Information Commissioner</u>	€150	€50
<u>Request under section 7 for personal information</u>	No charge	No charge
<u>Applications under section 17 for amendment of a record containing incorrect, incomplete or misleading personal information</u>	No charge	No charge
<u>Application under section 18 for the reasons for a decision affecting the individual</u>	No charge	No charge

**** Fee will not apply where a person appeals a decision to charge a fee or deposit, or a fee or deposit of a particular amount under section 47 of the FOI Act.***

***** Reduced fee will apply in respect of third parties who appeal a decision of a public body to release their information on public interest grounds.***

Search and Retrieval and Copying Fees

Fees may also apply in respect of the time spent searching and retrieving records that are released on foot of a request and in respect of the copying of any records released. Such fees are unlikely to arise if a request is for personal information. The rates of these fees are as follows:

€20.95 per hour of search and retrieval

€0.04 per sheet for a photocopy

€0.51 for a three and a half inch computer diskette containing copy documents.

€6.35 for a radiograph (X-ray) containing copy documents.

1.8 How the Institute deals with Freedom of Information requests

Requests are forwarded by a Freedom of Information Officer to the Freedom of Information decision makers (see Appendix C), who are nominated by the President of the Institute.

Applications will be acknowledged within *two* weeks of the receipt of a request. A decision on each request will be made within *four* weeks of the receipt of the application.

If a decision is not given on a request within four weeks, the applicant will be entitled to seek an internal review at a more senior level within the Institute.

1.9 Right of review and appeal

The Act sets out a series of exemptions to protect sensitive information where its disclosure may damage key interests of the State or of third parties. Where the Institute invokes these provisions to withhold information, the decision may be appealed.

Decisions in relation to deferral of access, charges, forms of access, etc. may also be subject to appeal. Details of the appeal mechanisms are as follows.

Internal review

You may seek an internal review of the initial decision, which will be carried out by an official at a higher level if

- you are dissatisfied with the initial response received (refusal of information, form of access, fees, etc.);
- you have not received a reply within four weeks of your initial application. This is deemed to be a refusal of your request and allows you to proceed to internal review.

Requests for internal review should be addressed to:

Freedom of Information Unit,
Institute of Technology Blanchardstown
Blanchardstown Road North,
Dublin 15.

Tel: Ireland 01/ 8851000 or 01/8851028

Fax: Ireland 01/ 8851001

Email: foi@itb.ie

External review

If you are still dissatisfied after the completion of the internal review, you may seek an independent review of the decision from the Information Commissioner.

If you have not received a reply to your application for internal review within three weeks, this is deemed to be a refusal and you may appeal the matter to the Information Commissioner.

Appeals in writing may be made directly to the Information Commissioner at the following address:

Office of the Information Commissioner,
18 Lower Leeson Street,
Dublin 2

Tel: 01-6785222

Fax: 0-6610570

Email: foi@ombudsma.irlgov.ie

1.10 Statement of policy on confidentiality and FOI (1997)

The Institute undertakes to use its best endeavours to treat as confidential any information provided to it in confidence by individuals or others, subject to the Institute's obligations under law, including the Freedom of Information Act. If for any reason it is wished that information provided to the Institute should not be disclosed because of its sensitive nature, it is incumbent upon the person or body when supplying the information to make clear this wish and to specify the reasons for the sensitivity of the information.

**Section 2: THE INSTITUTE OF TECHNOLOGY,
BLANCHARDSTOWN**

2.1 Overview of the Institute

The Institute of Technology Blanchardstown provides education at the following levels:

- Third level education
- Adult education
- Part – time education
- Trade education

Subject to the provisions of the Regional Technical Colleges Act (1992), the functions of the Institute are to provide vocational and technical education and training for the economic, technological, scientific, commercial, industrial, social and cultural development of the State. The Institute has particular reference to the region which it serves, and it carries out the functions described in Section 5 (1) of the Regional Technical Colleges Act (1992).

The main activities of the Institute are as follows:

- Delivery of third level education
- Research and development
- Institute management
- Budget preparation and control
- Resource procurement and allocation
- Developing and maintaining linkages with other educational organisations, with industry and with the community
- Ensuring (by reporting to the Department of Education and Science) public accountability for the use of resources

2.2 Objectives of the Institute

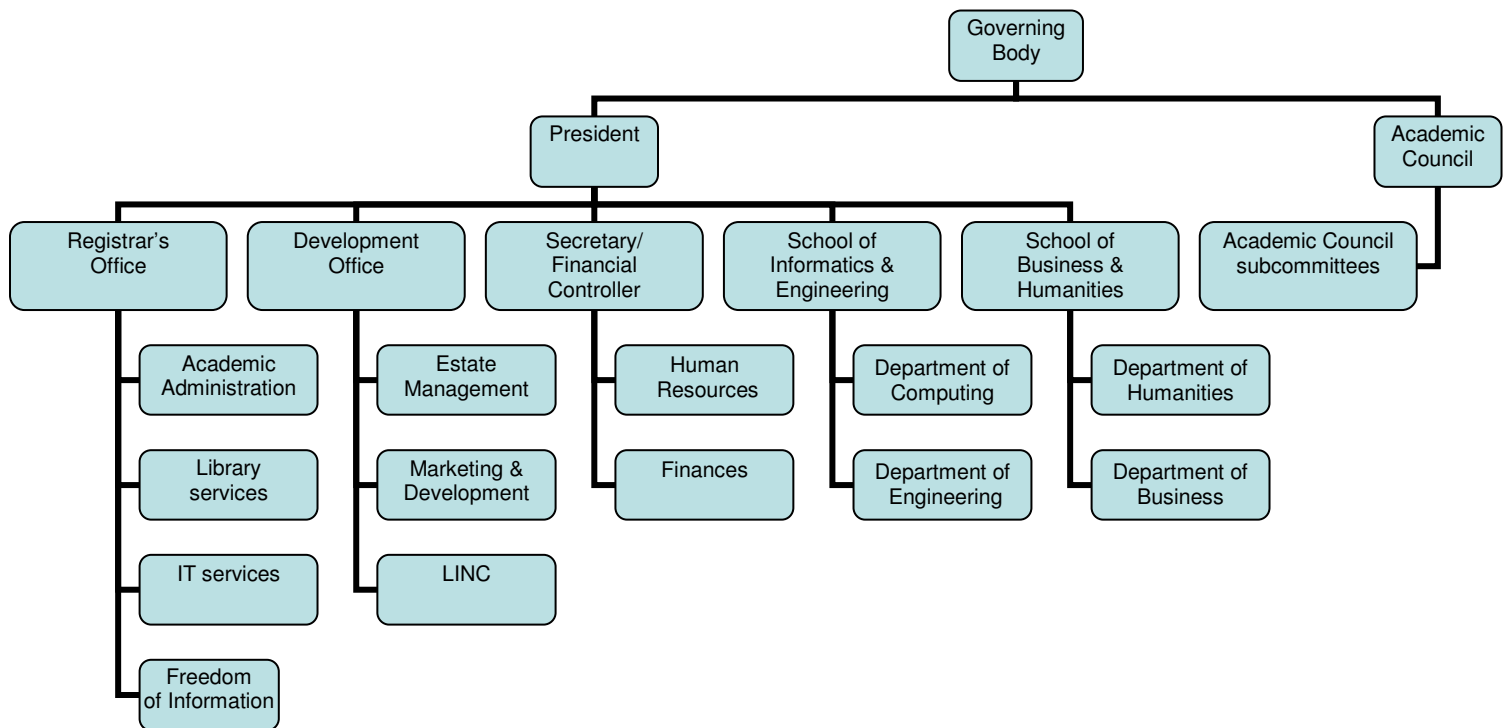
The mission of the Institute of Technology, Blanchardstown is to serve its students and the community both by meeting the skills needs in the economy and by increasing the level of participation in third level education and training in Dublin North-West and its environs. The Institute will do this

- by achieving consistently high standards of relevance and quality in teaching, research, development and consultancy;
- by offering a welcoming and supportive environment to students from all educational and social backgrounds and to adults wishing to increase or update their level of technical skills .

The first students were enrolled in the Institute in September 1999. Since then, the Institute has come to provide a flexible third-level programme designed to meet regional and National requirements with an emphasis on

- specialist higher education for leading-edge industries in the region;
- upgrading of specialist technical and technological skills ;
- continuing education to meet the needs of mature students ;
- in-service courses, retraining, and updating of skills ;
- special needs education for those with educational disadvantage or disability.

2.3 Structure and Organisation of the Institute



2.4 Governance of the Institute

2.4.1 Governing Body

Functions

Section 7 of the Regional Technical Colleges Act authorises the Governing Body to manage and control the affairs of the College and the property of the College. Also to perform the functions conferred on the College by the Act. The Governing Body has all the powers needed for these functions. Activities are subject to such policies as may be determined by the Minister for Education and Science and by the programmes and budget approved annually by the Vocational Education Committee and the Minister, under section 13 of the Act. The Governing Body consists of 19 members, broken down as follows:

- Chairperson
- President
- 6 Members of Local Authorities
- 1 person nominated by the Irish Congress of Trade Unions
- 5 Members nominated by the Minister for Education and Science, as follows:
 - 1 Member Greater Blanchardstown Chamber of Commerce
 - 1 Member Blanchardstown Area Partnership
 - 1 Member Enterprise Ireland
 - 1 Member Arts Council
 - 1 Member Dublin 15 Community Council
- 2 Members of academic staff
- 1 Member non-academic staff
- 2 student representatives

The Governing Body has no direct contact with the public.

Records

- Minutes of meetings
- Standing orders
- Personnel reports
- Finance reports
- Academic Council reports
- Miscellaneous reports

Publications

None

Contact

The President's Office

Tel: 01-8851010

Fax: 01-8851001

2.4.2 Academic Council

In accordance with Section 10 of the Regional Technical Colleges Act, 1992, the Governing Body first appointed an Academic Council for the Institute in February 2000. The functions of the Academic Council are those outlined in Section 10, paragraph 3 of the Regional Technical Colleges Act.

Functions

- To assist the Governing Body in respect of planning, co-ordination, development and overseeing of the educational work of the Institute
- To protect, maintain and develop the academic standards of the courses and academic activities of the Institute

Membership of the Council is as follows:

- | | |
|-----------------------------------|--|
| • The President | Chairperson and <i>ex officio</i> member |
| • The Registrar | Secretary and <i>ex officio</i> member |
| • Heads of School | <i>Ex officio</i> members |
| • Heads of Department | <i>Ex officio</i> members |
| • Institute Librarian | <i>Ex officio</i> member |
| • Academic Staff | Elected representatives |
| • Access Officer | <i>Ex officio</i> member |
| • Support Staff | One elected representative |
| • Students | Two elected representatives |
| • Student Union Education Officer | <i>Ex officio</i> member |

Council members are appointed for a period of three years (with the exception of student representatives) and are eligible for reappointment. The College Academic Council currently (May 2005) has 25 members. It normally meets five times per year on a scheduled basis, with additional meetings as necessary. To date (May 2005) the Council has established five permanent subcommittees. These normally meet once per semester during the academic year, or more frequently if required.

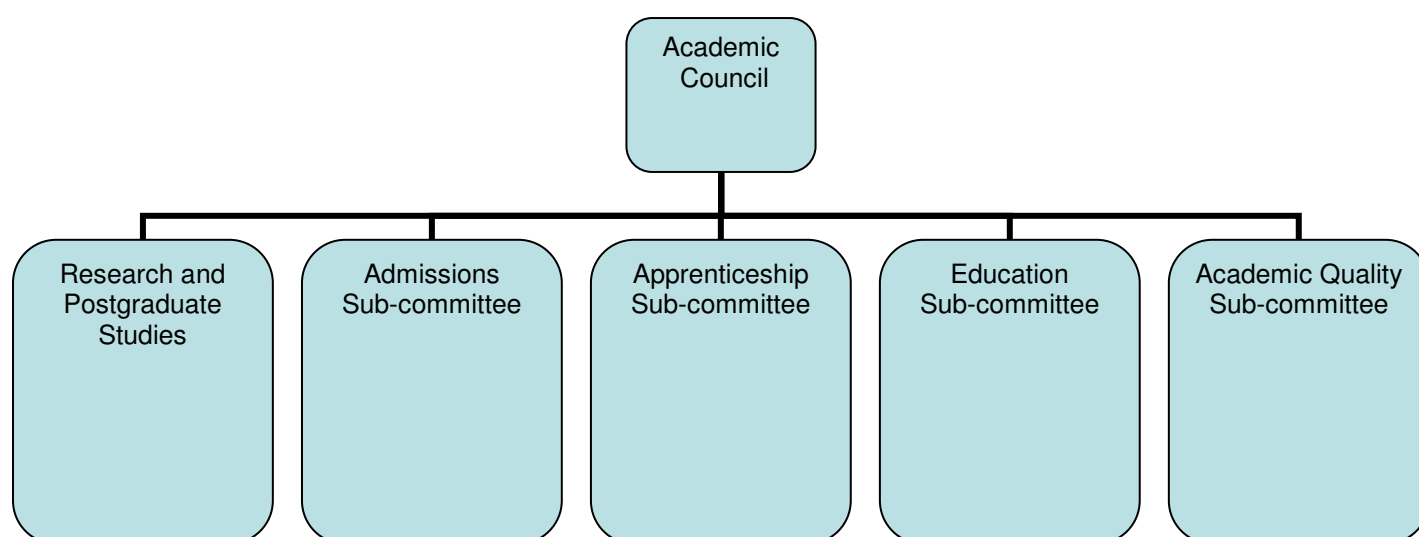
The main focus of each sub-committee is as follows:

- **Admissions:** responsible for policy and development of admissions to the Institute and recommending regulations to the Governing Body for the selection, retention and exclusion of students.
- **Research and Postgraduate students:** responsible for assisting the Governing Body in the planning, co-ordination, quality control and development of postgraduate studies within the Institute.
- **Apprenticeship Sub-committee:** responsible for academic operations and quality standards of phases 4 & 6 of FÁS

Apprenticeship offered by Institute.

- **Education Sub-committee:** considers practices and new innovative procedures applied to teaching academic courses at the Institute.
- **Quality Assurance Sub-committee:** responsible for developing and monitoring the implementation of the Institute's academic quality programmes.

Academic Council committee structure



The Academic Council annually appoints a Course Board for each academic course. It also appoints extern examiners for all courses. Both of these activities are part of the ongoing academic quality assurance programme of the Institute.

Services provided to the public

The Academic Council has no contact with the public.

Records

- Minutes of meetings and related documentation
- Regulations and procedures of the Academic Council
- Programmatic reviews
- Institutional reviews
- Examination appeals procedures
- New course evaluation procedures
- Course boards procedures
- Student regulations

Publications of this body

- Institute policies and procedures relating to academic affairs
- Minutes of Academic Council meetings (published on the Institute intranet site)
- Institute marks and standards
- Approved course schedules

Contact

The Registrar: Diarmuid O'Callaghan PhD

Tel: 01-8851040

Fax: 01-8851001

Email: diarmuid.ocallaghan@itb.ie

2.4.3 President's Office

Functions

The President controls and directs the activities and staff of the Institute. She/he is responsible to the Governing Body for the efficient and proper management of the College.

Section 9 of the Regional Technical Colleges Act, together with the 3rd Schedule, covers the selection and role of the President.

The President is an ex-officio member of the Governing Body, the Academic Council, and all sub-committees of either body.

Services provided to the public

The President will meet with members of the public if this is required to further the development and management of the Institute.

Records

- Minutes of top management group meetings, together with supporting documentation
- Annual reports
- Correspondence with the Department of Education and Science and with other external bodies
- Correspondence with the Council of Directors
- Governing Body documentation
- Circular letters and government reports

Publications

- Presidents report to Governing Body
- Annual Report
- Relevant Institute policies and procedures

Contact

The President: Dr. Mary Meaney

Tel: 01-8851010

Fax: 01-8851001

Email: mary.meaney@itb.ie

2.4.4 Registrar's Office

The Registrar's office, in conjunction with Academic Schools, is responsible for the formulation, initiation and execution of the Institute's policy on student recruitment and the delivery of courses. Activities of the Registrar's office are divided into the five following sections:

- Library
- Computer services
- Student services
- Admissions
- Examinations and registration

Each of these sections is documented below. Overall responsibility for each section rests with the Registrar.

Library

Functions

The primary purpose of the library is to be an education and information resource for the Institute. The library supports the learning, training and the information needs of all Institute staff and students by

- providing a safe, comfortable environment, conducive to study, and ensuring access to all library resources
- acquiring, organising and providing up-to-date library materials appropriate to the learning needs of the Institute's community
- promoting the library's resources and disseminating information of benefit within the Institute and to the wider community
- promoting the education of all users, so that they acquire the ability to source, retrieve, and exploit library materials for themselves

The Library provides the following primary services:

- Books for reference and loan
- Journals and periodicals
- Inter-library loans
- Electronic publications
- Online searching
- Library usage training for all students
- Information sourcing for staff, students and external users
- Study and reading area

Services provided to the public

On direct application to the librarian, a limited number of external users are permitted to become library members. These members of the public must have a

valid reason for using the library of the Institute, rather than the local public library. Membership is granted at the discretion of the librarian and is for a limited period. There is a charge for this service. Application forms are available at the library desk and on the library's website.

Records

- Personal details, received periodically from the Registrar's Office and the Development Office, of all students currently registered at the Institute (deleted once they have left the Institute)
- Personal details of students who have failed to return materials borrowed from the library (retained on the database for a period of three years)
- Personal details of external library members are held until such time as their membership expires (normally 12 months)
- Bibliographic records
- Library holdings records
- The names and Institute contact details of staff members (department extension number, email address, etc.)

Publications

Institute policies and procedures relating to the library

Contact

Librarian: Aidín O'Sullivan

Tel: 01-8851046

Fax: 01-8851003

Email: aidin.o'sullivan@itb.ie

Computer services

Functions

The function of the Computer Services Department, in general, is to provide comprehensive IT services and support to the College. Specific functions include the following:

- To provide a stable Information Technology base which incorporates a resilient local area network, software and hardware support, a range of server-based facilities (including internet and email services) and such services as the provision and maintenance of print, photocopy, audio-visual and telecommunications systems
- To provide support in all computer, electronic and engineering laboratories within the Institute
- To provide the infrastructure which will allow the Institute's staff and the students who attend the college, to maximize their educational experience through the use of information technology
- To develop systems and technologies to allow line-managers to effectively administer their area's of responsibility
- To ensure compliance with health and safety and with data protection legislation and to comply with Department of Education

and Science directives or other relevant government-appointed agency directives as they are issued

- To provide safeguards which ensures that materials which are subject to copyright and licensing agreements are treated accordingly
- To ensure that the Institute's technology equipment is not used inappropriately or used to convey illegal or offensive materials
- To maintain security saves in accordance with the disaster recovery plan
- The procurement of all Institute IT hardware and software and laboratory computing consumables

Services provided to the public

This section has minimal contact with the public, other than the enrolled student population. It does, however, have dealings with suppliers of technical equipment and services on a regular basis. Therefore, the section ensures that the procurement of goods and services is carried out in compliance with the *Public Procurement Policy* document of 1994.

Services provided to enrolled students

- Internet access and email facilities
- Internet host services

Records

- Software inventory
- Technical documentation
- Network design specification
- Acceptable usage policy and laboratory use rules and regulations
- Health and Safety documents
- Circulars received from the Department of Education and Science
- Technical drawings for previous and future developments
- Student and staff logon user ID and email addresses
- Student and staff digital photographs
- Student and staff server-based data storage (including server-based email)
- Supplier information
- Tender notices and tender documentation
- Tender replies and tender selection information
- Contract details
- Information on payments made and purchase order information
- IT security and contingency planning information
- IT staffing and accommodation information
- IT planning information
- Public IP network information
- Equipment records (assets register) and equipment maintenance records
- Information on involvement and contact with external bodies
- Web proxy logs

Publications

- Relevant Institute policies and procedures

This section does not publish documents on a regular basis; rather, it provides a publishing service for other arms of the organisation through its internet presence.

Contact

Computer Services Manager: Dave Curran

Tel: 01-8851050

Fax: 01-8851001

Email: dave.curran@itb.ie

Student Services

Functions

The function of Student Services at the Institute is to provide a comprehensive and caring service so as to help students to achieve their full academic and personal potential. Student Services are funded through non-tuition student service charges. They include the Medical Centre, the Student Counselling Service and the Services Administration.

Student Medical Centre:

The function of the student health centre is to provide a primary on-campus health service for routine and emergency medical queries. There is a full time nurse employed by the college and a doctor attends twice a week. The emphasis in the student health centre is on health promotion, occupational health and preventative medicine. All services available in the student health centre are free and totally confidential. No information will be divulged to any third party without the prior consent of the student.

Records

- Student health records are held on a designated software package that cannot be accessed from anywhere else in the college.
- Medical questionnaires.
- Laboratory and xray reports.
- Medical correspondence.
- Accident/Incident reports.

Publications

- Student handbook
- Policies and procedures relevant to student health centre.
- Information data on various ailments and illnesses,
- Medical Textbooks.

Contact

Nurse: Marie Smyth

Tel: 01-8851105

Fax: 01-8851001

Email: marie.smyth@itb.ie

Student Counselling Service:

The Student Counselling service provides one-to-one counselling for students who are experiencing personal, relationship or academic difficulties. Workshops are run during the year to aid personal development, relaxation and self confidence etc. Services are free, and confidentiality is guaranteed within legal and ethical guidelines.

Records

- Records and a database of students including those who have availed of the professional counselling service and workshops run by the service. These are confidential to the Student Counselling Service and are not part of, or accessible from, the College student record system.
- Records of queries made to the service.

Contact

Student Counsellor: Ger Quiney

Tel: 01-8851321

Fax: 01-8851001

Email: ger.quiney@itb.ie

Student Services Administration:

The function of the Student Services Administration is to manage non academic services to students and to provide back-up information on student services issues to staff.

Records

- Student Services personnel details
- Hardship Fund (applications and receipts for financial funding)

Contact

Student Services Administration Manager: Bronagh Elliot

Tel: 01-8851041

Fax: 01-8851001

Email: bronagh.elliott@itb.ie

Careers Service:

The Career Service offers *support* and *advice* to students in a confidential and courteous manner. Our aim is to facilitate students in taking responsibility in obtaining employment or exploring further study. Maria Brown is ITB's Careers Development Manager.

Support and advice available on such issues as:-

- Career Planning
- CV & Letter Preparation
- Interview Techniques
- Presentation Skills
- Further Study
- Employment Opportunities

The Careers Service advertises graduate opportunities, job vacancies and general careers information on the Careers Noticeboard and on the Institute's website at www.itb.ie/student-services/careers/vacancies.

Appointments – students can drop in to the Careers office [Room C112 – first floor Block C] between 10.00am and 12.30pm on Tuesdays and Wednesdays. Appointments for one-to-one discussions can be arranged for Thursdays by telephoning Maria Brown on (01) 885 1025 or by e-mail on maria.brown@itb.ie or careers@itb.ie

Contact

Careers Office

Telephone: - 01-8851025

Fax: 01-8851000

Email: maria.brown@itb.ie

Sports Office:

The function of the Sports Officer is to encourage and foster sporting activities within the Institute.

Records

- Information regarding sports clubs and participants
- Names and relevant information regarding participants and coaches
- Names and relevant information regarding applicants and holders and sports scholarships
- Students' details (dates of birth and telephone numbers)
- Fitness suite membership and health screening forms
- Financial records for the Sports Centre

Contact

Sports Officer: Ronan Keaskin

Tel: 01-8851103

Fax: 01-8851001

Email: ronan.keaskin@itb.ie

Student Service Office

The function of the Student Support Service is to provide a range of financial, academic and personal supports for students.

Services provided to the public

- **Disability Support Service** - The Disability Support Service provides a range of supports for students with disabilities/medical issues. The Fund for students with disabilities which is funded by the Government and the European Social Fund under the National Development Plan 2000-2006 is administered through the Student Support Office.
- **Special assistance for Examinations** - Special arrangements can be made for students with special needs at examinations provided sufficient notice is given and is justified by appropriate documentation.
- **Financial Supports** - The Student Assistance Fund is funded by the Government and the European Social Fund under the National Development Plan 2000-2006. This fund provides financial support to students who feel they need it.

Records

- Students files/records
- Records of applications and supporting documentation submitted under European Social Fund Student Assistance Fund
- Records of applications and supporting medical documentation submitted under European Social Fund for Students with Disabilities
- Minutes of meetings.

Publications

- Institute policies and procedures relating to student affairs
- Student Handbook

Contact

Student Service Officer: Cynthia O'Hea

Telephone: 01-8851028

Fax: 01-8851001

email: cynthia.o'hea@itb.ie

Admissions

Functions

- Organisation of student admissions and registration
- Preparation of Institute admissions policies and procedures
- Publication of Institute course information and publicity material

Services provided to the public

- Assistance with student admissions, registration and tuition fees.
- Assistance with queries in relation to grants, the registration or tuition fees students may have been charged, or information on seeking a waiver of fees.

Records

- Electronic CAO student admission records
- Student application forms for subsequent years
- Minutes of Academic Council Sub-Committee on Admissions

Publications

- Annual full-time course prospectus
- Annual accommodation listing
- Individual course leaflets
- Summary brochures
- Various newspaper advertisements
- Institute policies and procedures relating to admission to courses
- Student Handbook
- Information for Students on CD

Contact

Admissions Officer: Noeleen Johnson

Tel: 01 - 8851133

Fax: 01-8851001

Email: noeleen.johnson@itb.ie

Examinations

Functions

This section has responsibility for all examinations held at the Institute or under the control of the Institute.

Services provided to the public

- Provision of information through normal channels
- Student registration details, both hard copy and electronic records
- Electronic copy of grant recipient records and hard copy of grant award letters and claim forms
- Organisation and payment of student grants

Records

- Records relating to examination candidates
- Examination entries
- Examination papers
- Records relating to staff employed in the running of the examinations, e.g., invigilators, examiners, etc.
- Examination claim forms for correction of scripts
- Register of invigilators
- Invigilators' claims
- Student appeals
- Examination scripts

Publications

- Examination results broadsheets
- Examination transcripts
- Institute policies and procedures relating to examinations

Contact

Examinations Officer: Toyah O'Connell

Tel: 01 - 8851042

Fax: 01-8851001

Email: toyah.o'connell@itb.ie

2.4.5 Development Office

Activities of the Development Office are divided into four sections, with overall responsibility for each section resting with the Head of Development. The four sections are: Estate Manager, Part-Time, Industrial Liaison, and International Projects. Each of these is documented below.

Estates Office

Functions

This section is responsible for the planning and procurement of new facilities, together with the maintenance and operation of existing facilities and grounds. This includes cleaning, maintenance, security, caretaking, and emergency procedures.

Services provided to the public

- A list of assets held by the Institute (e.g., furniture, equipment, PCs, etc.)
- Provision of strategic guidance and administrative support for the physical development and maintenance of the Institute's campus and for the management of associated facilities and services
- Initiation and management of tendering processes, including the selection and appointment of contractors with regard to contracts relating to building and facilities
- Liaison with and support for the Institute in the negotiation, selection, appointment, and management of all services and facilities which are contracted out
- Preparation and submission of planning applications to the planning authority
- Interaction with the public takes place, furthermore, in the course of the procurement of building contracts and services.

Records

- Procurement documents for building construction and services
- Construction project proposals and progress reports
- Assets register
- Tender documentation
- Tender reports
- Minutes of site meetings
- Bookings and space allocation records
- Contract correspondence
- Safety files
- Cleaning schedules
- Overtime requests
- Facility audits
- Maintenance requests
- Requisitions, quotations, and invoices

- Minutes of relevant Institute committees
- Plans and drawings of ongoing projects
- Planning permission records
- Fee schedules for consultants and successful tenders

Publications

- Relevant Institute policies and procedures

Contact

Estate Manager: Declan Garvin

Tel: 01-8851035

Fax: 01-8851001

Email: declan.garvin@itb.ie

Continuing Education

Functions

The Continuing Education section is responsible for developing and implementing support systems and resources aimed specifically at mature students . It also looks after the supervision of processes for the ongoing development and delivery of the Continuing Education Programme. The scope of that programme will include:

- HETAC-accredited courses delivered in part-time (evening) mode
- HETAC-accredited courses delivered as part of Industry-Institute Trainee Programmes, e.g. Warrenstown Horticulture College for Part-time modules and Workbased Programmes
- Industry Certified Programmes

Services provided to the public

- Provision of HETAC-accredited learning and training programme

Records

- Course syllabi and records
- Student applications
- Attendance records
- Letters of agreement
- Staff delivering programmes
- Procurement records

Publications

- Continuing Education prospectus
- Summary Leaflet

Contact

Continuing Education Coordinator: Mairéad Murphy

Tel: 01 - 8851033

Fax: 01-8851001

Email: mairead.murphy@itb.ie

Industrial Liaison

Functions

The Industrial Liaison section is responsible for establishing links with official agencies and for all matters relating to the economic development of the region. It liaises with industry and commercial operators in the catchment area. Research & Development projects and the exploitation of R&D also come within the remit of this office.

Services provided to the public

The Industrial Liaison Manager (ILM) is available to meet with potential investors being shown around the region by the IDA or by Enterprise Ireland. The ILM may also provide the following services:

- Consultation with members of the public to discuss R&D projects
- The provision of strategic guidance and administrative support to Consultancy Services, Commercial Courses and Rental of Facilities
- The provision of strategic guidance and administrative support to Campus Company Formation

Records

- R&D and consultancy proposals and progress records
- Company files showing records of interaction with the Institute
- Records of interaction with development agencies
- Clients availing of the Institute's services

Publications

No regular publications are produced by this section.

Contact

Industrial Liaison Manager: Mairéad Murphy

Tel: 01-8851135

Fax: 01-8851001

Email: mairead.murphy@itb.ie

International Office

Functions

This section is responsible for the co-ordination and administration of EU projects, including those funded by Socrates and Leonardo activities.

Services provided to the public

- Student staff exchange and administration of reports on EU fund contracts

Records

- Records of staff and student exchanges
- Learning agreements with overseas colleges
- Contracts with funding agencies

Publications

- Policies and procedures relating to international student exchanges

Contact

International Office: Fiona Canning

Tel: 01 - 8851334

Fax: 01-8851001

Email: international.office@itb.ie

Access Office:

The primary function of the Access Office is to co-ordinate a range of programmes and activities which promote access to third level education within the Institute to groups which have traditionally been under-represented within the third level sector.

Services provided to the public

The Access Office co-ordinates the provision of a range of services and supports for students, which includes the following:

- Identifying and fostering close links with primary and secondary schools
- Developing and promoting a range of programmes as part of the Institute's Schools Programme
- Developing an Access Programme for students from identified second level schools
- Developing an Access Programme for students with disabilities
- Co-ordinating a range of supports for students who enter the Institute through the Access Programme
- Co-ordinating the provision of a range of supports aimed at promoting student retention among the general student body
- Promoting awareness within the Institute of the issues around access to third level education
- Identifying and fostering close links and fostering collaborative associations with other bodies and organisations who are involved in or promote improved access to education.
- Identifying and fostering close links with the community sector

Records

- Student files/records
- Consent forms/records of students who participate in the Institute's Schools Programme
- Student applications under the Institute's Access Programme
- Student applications under the Institute's Access Programme for Students with Disabilities
- Minutes of meetings

Publications

- Institute policies and procedures relating to student affairs
- Student handbook

Contact

Access Officer: Adrienne Harding

Tel: 01-8851015

Fax: 01-8851001

Email: adrienneharding@itb.ie

2.4.6 Secretary/Financial Controller

The Secretary/Financial Controller of the Institute oversees two sections, namely, the Finance Department and Human Resources. Each of these is documented below.

Finance

Functions

The Finance Department is responsible for the financial and budgetary functions of the Institute and for all of its enterprises. To this end, it must ensure that appropriate systems are in place. The department is required to prepare "Operational Programmes and Annual Accounts" in accordance with the Regional Technical Colleges Act (1992). It plans and implements appropriate budgetary control, and it is responsible for ensuring that the Institute operates within the budget allocated by the Department of Education and Science. It prepares regular management information reports to assist this process. The department must also ensure that the Institute complies with all appropriate financial legislation. In sum, the control of all income and expenditure is the primary function of the department, and its other main functions are as follows:

- To plan and implement proper budgetary control systems, purchasing systems and accounting systems in accordance with relevant government regulations
- To prepare statutory accounts and other financial and budgetary information
- To provide a range of ancillary financial services to the Institute, including:
 - Payment of creditors
 - Payment of salaries and staff travel and subsistence
 - Payment of student maintenance grants
 - Payment of appropriate taxes to the Collector General
 - Issue of purchase orders
 - Bank reconciliation
 - Maintenance of creditors, debtors and general ledger
 - Recording and lodgement of receipts
 - Preparation of returns to the Department of Education and Science
 - Preparation of management reports
 - Preparation of annual accounts
 - Preparation of annual programmes and budget reports
 - Liaison with the office of Comptroller and Auditor General, the Department of Education and Science, and the Institute's bankers

Services provided to the public

The Finance Department has little contact with the public, except with regard to the issue of payments.

Records

The department keeps daily, monthly and annual records of expenditure and receipts, in accordance with the procedures currently in force. These records include:

- Purchase orders
- Supplier invoices
- Payroll records
- Superannuation records
- Travel and subsistence claims
- Bank statements
- Student capitation records
- Ledger accounts
- Expenditure reports
- Asset register
- General correspondence relating to finance matters
- Circulars and correspondence from the Department of Education and Science
- Tendering records
- Insurance documentation
- Capital Projects files
- Department of Education budget files and correspondence
- Signed financial statements and audit reports
- Final operating programme and budgets
- Internal audit reports
- Legal documents and correspondence

Publications

- Annual accounts
- Relevant Institute policies and procedures

Contact

Finance Manager: Mary Hoolahan

Tel: 01 - 8851021

Fax: 01-8851001

Email: mary.hoolahan@itb.ie

Human Resources

Functions

The function of Human Resources is to support the President and Management of the Institute through the provision of personnel services. Specifically, this support takes the following forms :

- Management, administration and processing of the recruitment and selection process for all vacancies
- Development and administration of appropriate induction programmes
- Provision of professional support in the identification and planning of training needs, and the planning and implementation of same
- The cultivation of a positive employee relations climate, and liaison with trade unions
- Provision of advice and support on appropriate employment legislation
- The recording and monitoring of staffing levels within budget
- Provision of confidential advice and support
- The ensuring of compliance with superannuation schemes (advising on entitlements and benefits, etc.)
- Provision of personnel administrative support
- Development and promotion of policies and procedures relating to employment equality, harassment, etc.

Services provided to the public

This department has minimal contact with the public, with the exception of the recruitment of staff.

Records

- Recruitment and selection of staff, both externally and internally
- Conditions of employment
- Increments awarded to staff
- Superannuation matters
- Instructions to payroll on behalf of staff
- Details on requests for career breaks, parental leave, force majeure leave, job sharing
- Details on flexi-leave
- Details on annual leave requests
- Details of salary scales
- Service details
- Personal details on staff, including qualifications and experience
- Personal files
- Circular letters
- Headcount records
- Discipline and grievance details
- Health and safety details

- Travel and subsistence records
- Returns to the Department of Education and Science and to other external bodies

Publications

- Relevant Institute policies and procedures

Contact

HR Manager: Cathy Brennan

Tel: 01-8851018

Fax: 01-8851001

Email: cathy.brennan@itb.ie

2.5 Schools of the Institute

2.5.1 School of Business & Humanities

Functions

- To administer and manage all school activities and correspondence
- To provide a link between academic and administrative streams
- To offer support to students , e.g., by stamping and signing social welfare documentation, etc.
- To organise and co-ordinate examination papers for the School
- To organise, co-ordinate and manage timetabling in conjunction with the School of Informatics and Engineering
- To prepare course schedules and student handbooks
- To order stationery for the School
- To manage/track school accounts and to liaise with the Finance Section on this issue
- To submit to the Finance Section copies, signed by the Head of School, of part-time lecturers' claim forms for travel, subsistence, etc.
- To maintain records on the Quercus database (e.g., student details, exam results, deferrals, school attendance sheets, student sick records, sick leave records for lecturers, etc.)
- To assist with Open Days and Conferring Days

Services provided to the public

- The supply of information, either verbally or by the issuing of prospectuses, to enquirers
- Advice on options and the suitability of courses
- Education opportunities and training to a broad spectrum of people and businesses
- Contribution to the prosperity and economic development of the region
- Research, development and consultancy programmes

Records

- Copies of examination results
- Course documents , including syllabus details and approved course schedules
- Course timetables, including teacher, room and class timetables
- Records of part-time teaching hours
- Minutes of course board meetings
- Correspondence from the Department of Education and Science
- Course handbooks
- Equipment safety awareness form
- Accident report form
- Staff training record
- First aid box checklist
- Course schedules and syllabi
- Student grant attendance details
- Marks and standards

- School publications
- Staff expenses
- HETAC Programmatic Review documents
- Examination appeals
- Continuous assessment results

Contact

School Secretary: Olive McGivern

Tel: 01-8851061

Fax: 01-8851001

Email: olive.mcgivern@itb.ie

2.5.2 School of Informatics & Engineering

The School of Informatics and Engineering currently offers a range of programmes in electronics and computer engineering, mechatronics, computing, and horticulture. It also offers apprenticeships in carpentry and joinery, plumbing, electrical, and brickwork. Staff are actively involved in research, access initiatives and consultancy work.

Functions

The School of Informatics and Engineering is responsible to the President of the Institute for the administration and management of the School. Its chief functions are as follows:

- To report to the President on School targets and objectives and to provide advice on related issues
- To ensure that teaching programmes are appropriately organised, that staff and resources are effectively deployed, and that appropriate standards are maintained in the matters of course delivery and student assessment
- To organise, co-ordinate and manage timetabling, in conjunction with the School of Business and Humanities.
- To organise, co-ordinate and manage the preparation of semester examination papers, peer reviews, and submissions to external examiners
- To assist in the collation and co-ordination of examination results., to attend examination boards, and to consider and approve student results in accordance with College policy
- To arrange appropriate academic counselling and guidance for students and prospective students
- To prepare and implement the School budget in accordance with the College accounting procedure
- To collaborate with the Development Office in identifying external funding sources and to assist in the preparation of submissions and tender documents to attract funding
- To initiate and plan new courses and activities in accordance with labour market demand and College policy
- To contribute to the process of course accreditation through the preparation of syllabus documents, liaison with industry, and preparation of submissions to HETAC
- To ensure that the School staff development needs are addressed and that a plan is established for each employee
- To contribute to the formulation and monitoring of College policy and performance through membership of the Management Committee, Academic Board, and other College academic committees and workshops, including course boards and school meetings
- To collaborate with the Estates Manager and Computer Services Manager in the preparation and evaluation of tenders for capital expenditure
- To assist the Access Officer in identifying and delivering on a range

of initiatives to address the mission of the Institute

- To perform other appropriate duties which may be required from time to time by the President (e.g., deputising for the President or within or outside the College)

Services provided to the public

- Advice and guidance on course selection
- Advice and guidance on student progress, where appropriate

Records

- Class lists
- Copies of examination results
- Course documents , including syllabus details and approved course schedules
- Course timetables, including teacher, room and class timetables
- Part-time teaching claim forms
- Minutes of course board meetings
- Course handbooks
- Equipment safety awareness form
- Accident report form
- Student grant attendance details
- School publications
- Staff expenses
- Continuous assessment results

Contact

School Secretary: Naomi Dixon

Tel: 01-8851081

Fax: 01-8851001

Email: naomi.dixon@itb.ie

APPENDICES

Appendix A: Membership of Governing Body **(10th December 2006 – 9th December 2011)**

Mr. Emmet Browne	<i>Chairperson</i>
Dr. Mary Meaney	<i>President</i>
Ms. Eileen Quinn	<i>Secretary/Financial Controller</i>
Councillor Joan Maher	<i>Co. Dublin VEC</i>
Councillor Margaret Richardson	<i>Co. Dublin VEC</i>
Councillor Nick Killian	<i>Co. Meath VEC</i>
Ms. Deirdre Keyes	<i>Co. Dublin VEC</i>
Mr. Malachy Buckeridge	<i>City of Dublin VEC</i>
Councillor Katie Ridge	<i>Co. Kildare VEC</i>
Mr. Joe Halvey	<i>ICTU</i>
Ms. Deirdre McDonough	<i>Enterprise Ireland</i>
Ms. Pauline Duffy	<i>National Association of Principals and Deputy Principals</i>
Ms. Anastasia Crickley	<i>NCC on Racism & Interculturalism</i>
Mr. Paddy Bowler	<i>Irish Blood Transfusion Service</i>
Ms. Marian Flanagan	<i>Arts Council</i>
Mr. Val Andrews	<i>ITB Academic Staff Representative</i>
Ms. Fionnuala Darby	<i>ITB Academic Staff Representative</i>
Ms. Mairead Murphy	<i>ITB Non-Academic Staff Representative</i>
Mr. David Farrell	<i>ITB Student Representative</i>
Ms. Leonie Troy	<i>ITB Student Representative</i>

Appendix B: Membership of Academic Council

1st March 2006 – 28th February 2009

Dr. Mary Meaney	<i>President (ex officio)</i>
Mr. Diarmuid O'Callaghan PHd	<i>Registrar (ex officio)</i>
Mr. Larry Mc Nutt	<i>ex officio member</i>
Mr. Michael Tobin	<i>ex officio member</i>
Mr. Brian Nolan	<i>ex officio member</i>
Mr. Richard Gallery	<i>ex officio member</i>
Mr. Pat O'Connor	<i>ex officio member</i>
Ms. Celesta McCann James	<i>ex officio member</i>
Mr. Tom Doyle	<i>Head of Development</i>
Ms. Aidin O'Sullivan	<i>ex officio member</i>
Ms. Bronagh Elliot	<i>ex officio member</i>
Ms. Lesleyann Flynn	<i>ex officio member (from 01/07/07)</i>
Ms. Bríd NiChonaill	<i>Academic Staff</i>
Mr. Liam Bolger	<i>Academic Staff</i>
Ms. Ann Murphy	<i>Academic Staff</i>
Mr. Gael LeRoux	<i>Academic Staff</i>
Mr. Kevin Farrell	<i>Academic Staff</i>
Mr. Ivan Smyth	<i>Academic Staff</i>
Ms. Michelle Looby	<i>Academic Staff</i>
Mr. Ray Manley	<i>Academic Staff</i>
Mr. Ben Toland	<i>Academic Staff</i>
Ms. Maria Keneally	<i>Academic Staff</i>
Ms. Catherine Deegan	<i>Academic Staff</i>
Mr. Terrance Sheridan	<i>Academic Staff (from 01/07/07)</i>
Mr. Liam Quirke	<i>Academic Staff</i>
Mr. Stephen Sheridan	<i>Academic Staff</i>
Mr. Brian Watters	<i>Academic Staff</i>
Ms. Adrienne Harding	<i>Non-academic Staff</i>
Mr. Stephen Walsh	<i>Student Representative (from 01/07/07)</i>
Ms. Denise Ann Kenny	<i>Student Representative (from 01/07/07)</i>

Appendix C: Decision makers and reviewers

Area	Decision Maker 1	Decision Maker 2	Reviewer (or DM3)
Finance	Mary Hoolahan	Eileen Quinn	Mary Meaney
HR	Cathy Brennan	Eileen Quinn	Mary Meaney
Computer Services	Dave Curran	Diarmuid O'Callaghan	Tom Doyle
Student Services	Bronagh Elliot	Diarmuid O'Callaghan	Tom Doyle
Library	Aidin O'Sullivan	Diarmuid O'Callaghan	Tom Doyle
Continuing Education	Mairead Murphy	Tom Doyle	Diarmuid O'Callaghan
Estates	Declan Garvin	Tom Doyle	Diarmuid O'Callaghan
Academic (I&E)	Brian Nolan Damien Cox Liam Quirke	Larry McNutt	Michael Tobin
Academic (B&H)	Celesta McCann Pat O'Connor	Michael Tobin	Larry McNutt

Appendix D: Request for access to records under FOI (1997)



Please use BLOCK CAPITALS throughout.

Full Name (Mr/Ms/Mrs): _____

Address: _____

Daytime Phone No. _____

Signature: _____

Date: _____

If making the request on behalf of an Organisation/Company please state:

Name of Organisation/Company: _____

Position you hold within Organisation/Company: _____

DETAILS OF REQUEST

In accordance with Section 7 of the Freedom of Information Act (1997), I request access to records concerning matters which are:

Personal ☐ Non-Personal ☐
(Please tick as appropriate)

I wish to receive copies of the record(s) listed below. ☐
or

I wish to inspect the record(s) listed below at your office. ☐

Please be as specific as possible in identifying the records that you are requesting. This will enable us to locate them as quickly as possible. You will be notified if they cannot be found.

The completed form, together with appropriate identification (see Proof of Identity), should be enclosed and posted to:

21/08/08

Appendix E: Most frequently asked questions

1. Can people ask for any information at all?

A person can make a request for any record held by a public body covered by FOI (1997). This does not mean they are going to get everything they ask for. There are exemptions and categories of information that are not subject to the Act. Apart from reasons for decisions, a person cannot ask for information that has not been recorded in any form.

2. What is a record?

A record is defined to include any memorandum, book, plan, map, drawing, diagram, pictorial or graphic work, photograph, film or recording, or any other form of data.

3. Is my diary a record?

Any paper or electronic diary which is used in part or in whole for recording work-related information is a record for the purposes of the Act.

4. Is e-mail a record? What about deleted e-mail?

E-mail is a record for the purposes of the Act. Provided it is not stored in a back-up system, deleted e-mail may be considered to be no longer in the possession of the public body.

5. What about draft records?

Drafts of any document, whether in paper or electronic form, are records under the Act. The question of whether or not part or all of the record may be exempt will depend on the content of the record and the consequences of its release.

6. What about copyright records?

The first question is whether or not they contain any exempt matter (e.g., trade secrets or commercially valuable information). If they may be released, they can only be viewed rather than copied.

7. Are electronic copies of documents covered by the Act?

Yes, the definition of record includes any form in which data are held, including information in machine-readable form.

8. Does FOI (1997) mean we have to keep all our records forever?

FOI (1997) says nothing about how long to keep records, it simply sets out the rules of accessing records that exist.

9. How does FOI (1997) affect schemes under which we charge a fee to see records?

Under FOI (1997), records that are available under an existing scheme, free or for a fee, are excluded from the Act. Therefore, those schemes continue unchanged, and people cannot use FOI (1997) as an alternative means of accessing that information.

10. Who will make the decisions to release or not?

Each public body has staff who are trained and are authorised to make decisions and review decisions under the Act.

11. What will I have to do with an FOI request?

This will depend on your duties. However, it is likely that you may be required to search for requested records in your work area. Your opinion as to any possible harm which releasing the records could cause may also be sought. You may also be required to assist members of the public to make an FOI request.

12. How do you recognise an FOI request?

A request under FOI (1997) must be in writing and must state that it is made under the Act. It also has to contain enough information for the record to be identified. Some organisations accept FOI requests by e-mail.

13. Can I make an FOI request?

Yes, anyone can make an FOI request.

14. Can I see my personnel records?

Your agency may already have a scheme under which you can see your personnel records without having to lodge an FOI request. If not, you can invoke FOI (1997) to request your personnel records created after 21 April 1995. Under certain circumstances you may be able to request earlier records.

15. Do people get everything they ask for?

This depends on the data they request. Some requesters may get everything they ask for. Others, however, will get none or only part of what they have requested. Approximately 60% of all requests in 1999 were granted in part or in full, with only 18% refused in full.

16. What form do they get access in?

The requester generally is granted access in their preferred form: viewing the original, obtaining copies (paper or diskette), or hearing/viewing audio-visual records.

17. How much does it cost?

There is no application fee. The main charges are an hourly charge (€20.95) for search and retrieval of records, and a copying charge of €0.04 per A4 page. The charge for searching is not made for requests for personal records, except where a significant number of records is involved. Copying charges may be waived if the requester is in financial difficulties.

18. Do we have to action FOI (1997) requests immediately?

All aspects of processing requests under FOI (1997) are subject to time limits specified in the Act, so everyone involved in processing must do so as quickly as possible.

19. How much time do we have to work on a request?

A request has to be acknowledged within two weeks and, usually, responded to within four weeks. If there is a need to consult third parties, the period is extended by three weeks. For requests involving a particularly large numbers of records, an additional four weeks may also be available. Requests for review must be decided within three weeks.

20. What happens if we go over the time limit?

The request is deemed to have been refused, or the original decision affirmed (if a review). This decision is then reviewable.

21. What if something libellous has to be released?

Decision-makers are protected under the Act from various legal consequences of releasing records. This includes protection against an action for libel.

22. Can incorrect personal information be deleted from a file?

Incorrect personal information may be altered or deleted from a file under the Act. However, care must be taken not to delete information which formed the basis of a decision in a case, where removing the information may expose the public body to some risk.

23. Can anyone ask for reasons for decisions?

A person who is materially affected by a decision may request reasons for that decision.

24. What if no reasons are recorded on file?

The head of the public body is responsible for compiling a statement of reasons within the 4 weeks specified in the Act, even if nothing is recorded on the file.

25. Is the right of access retrospective?

For personal records of the public and of ex-members of staff, the right of access is completely retrospective. For current members of staff, it relates to records created after 21 April 1995. For non-personal records, the right of access is to records created after 21 April 1998.

26. Is the right to reasons retrospective?

The right to obtain reasons commences from the date which the Act applies to your public body. Reasons may be sought for any decision made on or after that date .

27. How does FOI (1997) affect the Data Protection Act?

Rights under the Data Protection Act continue unchanged by FOI (1997). The fact that they are also available under Data Protection does not exclude them from access under FOI (1997). Where a conflict arises under the Data Protection Act and FOI (1997), legal advice is that FOI (1997) holds precedence.

28. What about contractors who do work for us? Are they covered by FOI (1997)?

The records generated by contractors in the course of performing their services under contract are covered by FOI (1997) and must be provided to the agency to make a decision on access to them.

29. What can people do if they are not happy with our decision?

Firstly, they can ask for a review of the decision by a more senior officer of the agency (internal review). If they are still not happy, they can ask for a review by the Information Commissioner, an independent body (external review).

30. Is the Information Commissioner's decision final?

In most cases the Commissioner's decision will be final. However, there is a right of appeal to the High Court on a point of law. There have only been a few such appeals to date.

31. Does FOI (1997) mean that other people can see information about me?

It is possible that one person's personal information may be released to another person without their consent, although they may well have a right of appeal. The Act provides for release in two circumstances: when release would benefit the person whose information it is; and when public interest in the release of the data is greater than the right to privacy of the person.

32. As a staff member, I seem to have less privacy than other people do. Is this true?

Certain information about members of staff is not defined as 'personal information' and it therefore cannot be exempted under the Act. However, this information simply concerns your position, the terms and conditions of your employment, and matters relating to your job. These are not matters concerning your private life, but rather your public role.

33. Can people see information about other people or businesses?

It is possible – if it is judged that the public interest is better served by releasing the information than by protecting it. However, the person or business must be consulted to obtain their views and to allow them an opportunity of seeking a review of the decision.

34. If these third parties refuse to agree to release, what happens?

They may seek external review of the decision and can put their case directly to the Information Commissioner, thereby bypassing internal appeal.

35. Are their records released before the appeal?

None of the disputed information is released to the FOI requester before the review process is exhausted.

36. What about parents seeing children's records?

Regulations and guidelines have been issued which set out in detail the issues which should be considered before release of the records of a minor

to their parents.

37. Can anyone see the records of a deceased person?

Regulations and guidelines have been issued which set out in detail the issues which should be considered before release of the records of a deceased person. The decision maker has to consider issues such as the relationship of the requester to the deceased (e.g., executor of the estate) and their need for the information.

38. If there is information about several people on a file (e.g., family members), who may get access and to how much information may they get it?

This is a complex situation in which issues both of personal privacy and of confidentiality arise. The decision maker has to consider the provisions of Section 28, such as whether release could benefit one or more of the family members, and also the extent to which release of the data serves the public interest. Family members are likely to be consulted for their views and to be given the right of review if they are not satisfied with the decision.

39. The Act I work under has a secrecy provision. Does it override FOI (1997)?

Secrecy provisions in other legislation which prohibit release of certain information are overridden by FOI (1997) if they are specified in the Third Schedule of the Act. If they are not listed in the Third Schedule, their prohibition is preserved in Section 32, and the information is not disclosed. A Committee of the Houses of the Oireachtas is currently examining the secrecy provisions in legislation with a view to having these provisions added to the Third Schedule of the FOI Act.

40. What if something is *sub judice* (before the courts)?

There is no exemption which precisely covers matters before the courts. However, there are provisions which protect records which are subject to legal privilege or which may prejudice the fairness of court or tribunal proceedings.

41. Can you find out who made an allegation about you?

The Act protects the identity of a confidential source of information in relation to the law if it satisfies the conditions set out in Section 26 of the Act. In general, you should be able to find out the substance of an allegation made against you under FOI (1997).

42. What does 'public interest' mean?

This is a complex concept. In broad terms, it means standards of conduct by individuals or Government for the good of society and for the wellbeing of its members. It does not mean a matter in which the media or the public is interested or curious. Examples of public interest factors include the openness and transparency of the business of public bodies, the protection of the privacy of individuals, and the shedding of light on the activities of Government and public bodies.