



**NORTHERN IRELAND SCREEN
FREEDOM OF INFORMATION ACT
POLICY
(Revised June 2015)**

Formerly the Northern Ireland Film & Television Commission (NIFTC) and renamed to reflect and embrace the growth of the digital era, NORTHERN IRELAND SCREEN is the national screen agency for Northern Ireland whose aim is to accelerate the development of a dynamic and sustainable screen industry in Northern Ireland.

Our mission is to promote Northern Ireland as a major production location, to celebrate Northern Ireland product, talent and culture to the world and to ensure that a range of learning opportunities are delivered, so that growing numbers of people in Northern Ireland are motivated to enjoy, understand and explore the moving image.

Our main areas of activity include funding; locations, services and facilities; exhibition and audience development; education; business support, skills and training.

Northern Ireland Screen is funded by Invest Northern Ireland, the Department of Culture Arts and Leisure and DCMS and we are delegated by the Arts Council of Northern Ireland to administer Lottery funding in Northern Ireland.

Northern Ireland Screen takes its responsibilities in relation to managing the requirements under the Freedom of Information Act (FOI) 2000 very seriously. The following document sets out the policy framework through which effective management can be achieved and audited under the terms of the Act. It will cover:

- Scope of the Policy
- Responsibilities under the Act
- Relationship with existing policies
- Guidance
- Northern Ireland Screen's Publication Scheme
- Specific Requests for Information
- Charges
- Complaints
- Exemptions
- Contacts

1. Scope of the Policy

The purpose of this policy is to ensure that the provisions of the FOI 2000 are adhered to and in particular that:

- A significant amount of information in relation to Northern Ireland Screen may be made available to the public as a matter of course through the Publication Scheme.
- Any information not included on the Publication Scheme is made available on request and any such request is dealt with in a timely manner.
- Where information is covered by an exemption, consideration will be given to whether or not the information should be released.

2. Responsibilities

Northern Ireland Screen is fully aware of its responsibility under the FOI to provide a general right of access to information held. The Director of Finance and Corporate Services has overall responsibility for Northern Ireland Screen's Freedom of Information and Data Protection policies.

This Policy has been developed to ensure that Northern Ireland Screen meets the provisions of the Freedom of Information Act and upholds its principles.

Northern Ireland Screen staff will receive briefings on Freedom of Information Act procedures and policy.

3. Relationship with Existing Policies.

This policy has been formed in the context of the following policies:

- Data Protection Policy
- Publication Scheme
- Records Management Policy.

4. Guidance

Guidance relating to the Northern Ireland Screen FOI and DPA policies is available from the Director of Finance and Corporate Services.

5. Northern Ireland Screen Publication Scheme

Northern Ireland Screen's Publication Scheme is available on www.northernirelandscreen.co.uk or in hard copy by request to the Director of Finance and Corporate Services at Northern Ireland Screen. In particular, the Publication Scheme will set out:

- the information that Northern Ireland Screen will make available to the public as a matter of course;
- how it will do so; and
- whether or not this information will be made available free of charge or incur a fee for retrieval disclosure.

6. Specific Requests for Information

Information not already available via Northern Ireland Screen's Publication Scheme will be available from [April 2008] through a specific request for information. Two specific rights have been established through the Freedom of Information Act, which are as follows:

- the right to be told whether or not a piece or pieces of information exist; and
- the right to receive the piece or pieces of information (subject to any relevant exemption);

Anyone irrespective of nationality can exercise these rights, whether individuals or corporations. Specific requests for information not contained in the Publication Scheme must be made to the Director of Finance and Corporate Services.

Any request must be made in writing, either via post or e-mail and contain a name and address to which the information can be sent. Depending on the nature of the request a charge may be incurred. People requesting information will not be entitled to receive information which falls under the exemptions in the Act. However, only those specific pieces of information to which the exemption applies will be withheld and information covered by an exemption will be subject to review by the Director of Finance and Corporate Services.

Northern Ireland Screen must respond to any request within 20 working days. Northern Ireland Screen is entitled to request any reasonable details in order to more clearly identify and locate the requested information. Where a fee is required the response time will increase from 20 days to three months until the fee is paid.

7. Charges

Unless otherwise specified, information made available through the Northern Ireland Screen Publication Scheme will be free of charge.

Northern Ireland Screen reserves the right to charge an appropriate fee for dealing with a request for information not listed in the publication scheme in accordance with the Act.

8. Complaints

The Director of Finance and Corporate Services will deal with any complaints arising in relation to this policy.

- Any complaint should be addressed to the Director of Finance and Corporate services in the first instance. The complaint will be acknowledged immediately and every reasonable effort will be made to offer a more detailed response within 21 working days.
- If the applicant remains unsatisfied with the response, then they should inform the Director of Finance and Corporate Services within a further 21 days. The complaint will then be dealt with in accordance with Northern Ireland Screen's Complaints procedure.
- Where an applicant is unsatisfied with the outcome of the Complaints Procedure, they may wish to seek an independent review from the Information Commissioner. Requests for review by the Information Commissioner should be made in writing to:

The Information Commissioner's Office – Northern Ireland
3rd Floor
14 Cromac Place,
Belfast
BT7 2JB
Telephone: 028 9027 8757 / 0303 123 1114
Email: ni@ico.org.uk

9. Exemptions under the Freedom of Information Act

The Freedom of Information Act lists some 25 exemptions, some of which will require the application of a public interest test, some of which are absolute. Appendix A of this policy sets out the full list of these exemptions.

Northern Ireland Screen may decide that some information can be regarded as exempt for the purposes of the Act. Where a request for information is made that

includes exemptions, Northern Ireland Screen will consider the necessary tests and may in some circumstances decide to withhold the information.

10. Contacts

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Director of Finance and Corporate Services

Northern Ireland Screen

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Appendix 1

Freedom of Information Act 2000

Exemptions

A. The following exemptions have a *public interest test* and apply to Information intended for/relating to:

- s22 Information intended for future publication
- s24 National security
- s26 Defence
- s27 International relations
- s28 Relations within the UK
- s29 The Economy
- s30 Investigations and proceedings conducted by public authorities
- s31 Law Enforcement
- s33 Audit Functions
- s35 Formulation of Government Policy
- s36 Effective conduct of public affairs
- s37 The Royal Family and Honours
- s38 Health and Safety
- s39 The Environment
- s40 Personal Information (only where that information relates to a third party)
- s42 Legal Professional Privilege
- s43 Commercial Interests i.e. information constituting a “trade secret”

B. The following exemptions are *absolute exemptions* for which it is not necessary to consider whether or not disclosure is in the public interest. They apply to information that is/relating to:

- s21 Information reasonably accessible to the applicant by other means
- s23 Security bodies
- s32 Court Records/Court transcripts
- s34 Parliamentary Privilege
- s36 Prejudice to effective conduct of public affairs (except information held by the House of Commons or the House of Lords)
- s40 Personal Information (where the application is the subject of the application)
- s41 Provided in confidence
- s44 Prohibitions on disclosure where a disclosure is prohibited by law or would constitute contempt of court.

What is Freedom of Information?

The Freedom of Information Act 2000 grants a right of access to all recorded information held by all public authorities to the public – individuals and bodies corporate. Subject to certain exemptions, any person making a request to Northern Ireland Screen for information, must be advised within 20 working days, whether or not Northern Ireland Screen holds that information, and if so, that information must be supplied, provided any exemptions is not applicable.

The Freedom of Information Act corresponds with the Data Protection Act 1998, which entitles individuals to access personal information held about them by Northern Ireland Screen.

Northern Ireland Screen may decide that some of the information it holds may be regarded as exempt under the Act. Where a request for information is made to Northern Ireland Screen, we will consider:

- 1) the prejudice test: i.e. some exemptions can only be claimed where the release of information would or would be likely to prejudice the purpose to which the prejudice relates; and
- 2) The public interest test: i.e. does the public in upholding the exemption cited outweigh the public interest in disclosing the information that is the subject of the request.

The Freedom of Information Act contains some 25 exemptions, some of which will require the application of the prejudice test some of which will require the application of the public interest test. In some cases, both tests may apply. The full list of exemptions may be found in Appendix 1 of the Freedom of Information policy.

For further guidance on the Freedom of Information Act 2000, please consult the Information Commissioner's Office - Northern Ireland website.

**NORTHERN IRELAND SCREEN
FREEDOM OF INFORMATION ACT – PUBLICATION SCHEME**

Legal Requirements

The purpose of the Freedom of Information Act 2000 is to promote greater openness and accountability throughout the public sector. All public authorities are required actively to make information available by way of a publication scheme.

As a publicly funded body, Northern Ireland Screen will fall within the category of “public authority” which is defined broadly in the Act itself. Northern Ireland Screen is committed to openness in all its dealings with the public, the press, funding applicants, partners, government and other public authorities.

The Publication Scheme.

A publication scheme describes the information published by a public authority, or information that it intends to publish. “Publish” for these purposes may be defined as information that is made available as a matter of routine.

Generally the available information will be categorised in “classes”. Northern Ireland Screen is committed to making information available as well as reviewing the content of the scheme at regular intervals.

The Northern Ireland Screen Publication Scheme specifies:

- the information routinely published by Northern Ireland Screen together with the information it intends to publish;
- how the information is published; and
- whether or not a charge will be incurred for access to the information;

For further information regarding the Publication Scheme please contact the Director of Finance and Corporate Services:

Linda Martin

Director of Finance and Corporate Services

Northern Ireland Screen

3rd Floor, Alfred House,

21 Alfred Street

Belfast BT2 8ED

Tel: 028 90 232444

Fax: 028 90 239918

E-mail: Linda@northernirelandscreen.co.uk

General information on the film industry is available from the British Film Institute (*bfi*) information service (www.bfi.org.uk or telephone 0207 255 1444). If the information you request is likely to be held by that service we may refer you to the *bfi* in the first instance.

Northern Ireland Screen will ensure that any requests for information in relation to our work will be responded to within 20 working days. If there are circumstances in which we believe it will take longer to answer your query properly, we will advise you of the date by which you can expect to receive the response.

There may be circumstances in which we consider the information requested to be exempt as per the Code of Practice on Access to Government Information, and in the wider public interest to maintain that exemption. If this is the case, we will write to you explaining why we have reached this decision.

Please note that if the information identified is contained solely on our website but you cannot access the Internet we will be happy to provide you with a hard copy of the relevant website pages on request.

Unless otherwise stated we do not charge for our publications or for providing you with information on our activities. Under certain circumstances however, a small charge may be payable in advance for example if you request multiple copies of a document which needs to be photocopied or if you request information that is difficult to obtain.