



**Armagh City
Banbridge
& Craigavon**
Borough Council

Access to Information Policy

January 2019

| ARMAGH CITY, BANBRIDGE AND CRAIGAVON BOROUGH COUNCIL | |
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AMENDMENT RECORD SHEET

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1. INTRODUCTION

Armagh City, Banbridge and Craigavon Borough Council receives a substantial number of requests for information each year.

A range of legislative provisions detailing the circumstances in which individuals are entitled to obtain information from public authorities governs access to information held by the Council.

Whilst this policy outlines the procedures to be followed when providing information in response to requests; it supports, and does not prevent, Council from answering questions from service users, associated partners and the public, as questions that arise during the normal course of business.

It is the aim of this policy to ensure all requests receive appropriate handling and to provide timely access to information held by the Council in line with legislative requirements and Council's statutory obligations in order to promote openness, transparency and accountability in the public sector.

2. SCOPE

This policy relates to all information and records created by, received by, maintained by and held by Council Officers and Elected Members on behalf of Council, and is supported by appropriate procedures to assist staff in complying with Council's statutory obligations.

This policy also applies to agency and contract staff working on Council business.

3. PURPOSE

The purpose of this policy is to ensure Council's compliance with the four main legislative frameworks under which requests for information are processed. The legislative frameworks are:

- The Freedom of Information Act 2000 (FOIA);
- The Environmental Information Regulations 2004 (EIR);
- The Data Protection Act 2018 (DPA);
- Open Data NI (Data published on the OpenDataNI portal).

This policy provides guidance and direction to Council and staff on how requests for access to information should be handled under these legislative frameworks. Council believes that individuals have a right to privacy and confidentiality. This policy does not overturn the common law duties of confidentiality or statutory provisions that prevent disclosure of an individual's personal information.

4. POLICY DISTRIBUTION

This policy will be available on the Council Intranet site. All staff will receive an email to make them aware of the policy and providing them with a link to its location on the Intranet.

Heads of Department are responsible for ensuring the policy is circulated to all departmental staff who do not have access to the Council Intranet site or to email.

Mandatory training will be provided to all Heads of Department, the FOI Coordinator(s) and/or nominated officer(s).

5. ACCESS TO INFORMATION

Council receives information access requests in a variety of ways. The procedures followed in responding, including potential charges, exemptions and timescales vary depending upon which legislation is relevant to the information requested.

The requester is not required to mention the legislation, may quote the wrong legislation or the information access request may include information falling under more than one Act so it is important that Council identifies and applies the correct legislation on receipt of the request.

Council may occasionally choose to provide additional information outside the legislative framework, at its discretion and without obligation.

Under FOIA and DPA, information access requests must be made in writing. This, however, may cause difficulties for some requesters due to, for example, communication issues or disability and in such instances, Council will provide advice and assistance to enable equality of access for all.

6. FREEDOM OF INFORMATION ACT 2000

6.1 Published Information

Under The Freedom of Information Act (FOIA), all public authorities are obliged to adopt and maintain a Publication Scheme on their website.

Council's Publication Scheme is on the corporate website. The scheme gives details of information that is published, including the format in which it is available along with links to specific documents where possible.

Each department is responsible for regularly reviewing the contents of the Publication Scheme and the published information for their business area. Each department is also responsible for forwarding any updated information for their business area to the web team, via web@armaghbanbridgecraigavon.gov.uk, for inclusion on the corporate website as soon as it becomes available. The Information Governance Team (IG Team) will issue a reminder annually to the Heads of Department to remind them of this requirement.

Council departments will pro-actively consider requests regularly received for similar or specific categories of unpublished information for publishing in future Publication Schemes.

6.2 Unpublished Information

Receiving a request – FOI requests must be submitted in writing or by e-mail and can be received by any Council office, facility, venue or department. Council provides a centralised approach to the processing of FOI requests and all requests received should be forwarded to the IG Team immediately via foi@armaghbanbridgecraigavon.gov.uk with hard copies posted to the Senior Records Manager, Armagh City, Banbridge and Craigavon Borough Council, PO Box 66, Lakeview Road, Craigavon, Co. Armagh BT64 1AL.

The IG Team have a specialist knowledge of the FOI Act and provide advice to all departments via the FOI co-ordinator and/or staff member(s) to ensure Council's consistent compliance with the legislation.

Each request is recorded on the central Information Requests database. The request is assigned an individual reference number and an acknowledgement issued to the requester.

Preparing Responses – With limited exception, all FOI requests must be answered promptly and no later than 20 working days from receipt of the request.

The IG Team transfer the request to the FOI Coordinator within the relevant department(s). The FOI Coordinator then liaises with the Head of Department to determine who would be the most appropriate officer to respond to the request. The Coordinator and/or nominated officer will liaise with the IG Team for advice and guidance.

If you have any concerns or are unsure about the release of information in to the public domain such as, personal data, commercially sensitive data, confidential data etc. you should seek advice from the Senior Records Manager.

The Head of Department or their nominated officer issues, where information is required solely from one department, the response directly to the requester within the agreed timescale. The IG Team should be copied into all responses so that the central Information Requests database can be updated and a copy of the response placed on the central file for audit purposes.

Where a response requires information from multiple departments the IG Team will coordinate and prepare the draft response for approval within the agreed timescale. Departments asked by the IG Team to gather information for an FOI request should do so quickly and within the timescale agreed.

Remember, the IG Team may be dealing with multiple requests at any given time, and ensuring prompt transfer of the information is essential if Council is to meet its statutory obligations within the designated timescales and avoid sanctions from the Information Commissioners Office (ICO).

Timescales – All requests should be answered as promptly as possible and within 20 working days of receipt of the original request. The requester should be notified of the reason for any delay in issuing a response in this timescale.

Where a request is unclear or open to interpretation, the relevant Council department will seek clarification from the requester before responding. Where charges are applicable, the Council will issue a fees notice to the requester.

Approval of Responses – Responses for information, which do not require the attention of the Executive Management team and involves input solely from one department, are to be completed, approved and issued by the relevant Head of Department or their nominated officer and copied to the IG Team.

Final approval is required from the relevant Director for all responses to requests that are topical or complex before issuing to the requester.

Multi-departmental requests are coordinated and prepared by the Senior Records Manager who will consult with the Head of Governance & Democratic services and the appropriate Strategic Director(s).

NOTE: Any staff member involved in the initial response process cannot be involved in any subsequent request for internal review.

Exemptions: – In total, there are 23 exemptions within the FOI Act; however, a limited number of these will be applicable to Council. If you have any concerns about information which you believe may not be suitable for placing into the public domain, you should contact the IG Team, at the earliest opportunity, who can provide advice and support on the application of appropriate exemptions.

Right of Review: – If a requester is unhappy with the information provided in the initial response or with how Council processed their request, they have the right of review under the FOI Act. The review will look at all aspects of how the request was processed from the acknowledgement stage to the information provided in the response.

The IG Team will carry out the review, in consultation with the relevant department(s) as necessary, before writing to the requester to inform them of the outcome. At the review stage, circumstances may have changed since the initial response, which may allow previously withheld information to be released.

Applicants who remain unhappy with Council's response have the right to approach the Information Commissioner for an independent review (see Freedom of Information Internal Review Procedures Protocol).

The Information Commissioner's Office (ICO) is the UK's independent public authority set up to uphold information rights. The Information Commissioner has wide ranging powers of sanction over Public Authorities who fail to meet their statutory obligations under Freedom of Information, Environmental Information and Data Protection legislation.

Fees: – The processing of requests are generally without charge unless the estimated costs of sourcing and retrieving information to respond to a request exceeds £450. This equates to 18 hours work costing £25/hour and to process the request a charge may be imposed by Council. If a fee notice is issued, the 20 working day response period does not begin until payment has been received. The information access request will lapse if payment of the fee is not received within three months.

Please see Appendix 1 *ICO Flowchart of request handling under FOIA*.

7. ENVIRONMENTAL INFORMATION REGULATIONS 2004 (EIR)

The Environmental Information Regulations 2004 gives the public access to environmental information held by public authorities:

- public authorities must make environmental information available proactively; and
- members of the public are entitled to request environmental information from public authorities.

Unlike FOI, requests for environmental information do not necessarily have to be made in writing; they can be made verbally by telephone or in person which can cause difficulties in identifying and response to a request.

When a member of staff receives a verbal request for environmental information, they are advised to take the details of the information requested along with the contact details of the requester and forward to the IG Team for processing. The request will be recorded on the central Information Requests database, assigned an individual reference number and an acknowledgement issued to the requester. All requests received should be forwarded to the IG Team immediately via foi@armaghbanbridgecraigavon.gov.uk with hard copies posted to the Senior Records Manager, Armagh City, Banbridge and Craigavon Borough Council, PO Box 66, Lakeview Road, Craigavon, Co. Armagh BT64 1AL.

The preparing of and the approval of responses outlined above under FOI also apply to responses for EIR requests.

Timescales: – All requests under EIR should be answered as promptly as possible and within 20 working days of receipt of the original request. The only exceptions will be where the request is particularly complex or involves providing large amounts of information. The requester should be notified of the reason for any delay in issuing a response in this timescale.

Exemptions/Exceptions: – Under EIR there are a limited number of exceptions that can be applied in order to withhold information. All exceptions are subject to a Public Interest Test. If you have any concerns about information which you believe may not be suitable for placing into the public domain under EIR, you should contact the IG Team, at the earliest opportunity, who can provide advice and support on the application of appropriate exemptions.

Right of Review: – If a requester is unhappy with the information provided in the initial response, they have the right of review under the EIR Act. The IG Team will carry out the review, in consultation with the relevant department(s) as necessary, before writing to the requester to inform them of the outcome. At the review stage, circumstances may have changed since the initial response, which may allow previously withheld information to be released.

Applicants who remain unhappy with Council's response have the right to approach the Information Commissioner for an independent review.

Fees: – The processing of requests are generally without charge unless the estimated costs of sourcing and retrieving information to respond request are 'manifestly unreasonable'. Unlike FOI, the Environmental Information Regulations do not provide a cost limit that a fee can be imposed if exceeded. Instead, there is Regulation 12(4) (b) which allows you to refuse requests that are 'manifestly unreasonable'. The ICO guidance suggests using the cost limits of £450 identified in the FOI Act as a guide to what might be constituted as 'manifestly unreasonable'.

8. DATA PROTECTION ACT 2018 (DPA)

An individual has the right of access, commonly referred to as a “subject access request”. This gives individuals the right to obtain a copy of their personal data as well as other supplementary information (this largely corresponds to the information that you should provide in a privacy notice). An individual can make a subject access request to Council verbally or in writing. A specific person or contact point does not have to receive a request, it can be made to any part of the organisation (including by social media).

A request does not have to include the phrase 'subject access request' or Article 15 of the GDPR, as long as it is clear that the individual is asking for his or her own personal data.

This presents a challenge as any member of staff could receive a subject access request. However, Council have a legal responsibility to identify that an individual has made a request and to handle it accordingly.

To assist an individual making a subject access request we can provide a Subject Access Request form (*please see Appendix 2*). The request must include evidence of identity and sufficient information to locate the relevant files or records.

GDPR does not prevent an individual making a subject access request via a third party. An individual might feel more comfortable allowing someone else to act for them, such as a solicitor acting on behalf of a client. In these cases, you need to be satisfied that the third party making the request is entitled to act on behalf of the individual. This might be a written authority to make the request or it might be a more general power of attorney, however it is the third party's responsibility to provide evidence of this entitlement.

Council is most likely to receive information access requests from service users, staff and contractors. Requests can only be accepted from:

- the individual concerned;
- his/her authorised representative;
- an adult with parental responsibilities, in the case of children not yet competent to make their own decisions;
- an attorney with authority to manage the affairs of an individual with or without the mental capacity to manage their own affairs;
- any person appointed by the Court of Protection to act on behalf of an individual without the mental capacity to manage his or her own affairs.

Family members and friends who do not meet these conditions are not entitled to access the personal information of others and, although they may request access, it is likely to be refused on the grounds of confidentiality in all but exceptional cases.

In compliance with the requirements of DPA and the common law duty of confidence, Council will not generally disclose personal information about living or deceased individuals. There will be occasions, however, when Council receives a request for personal information from third parties and may disclose some or all of the information requested, with or without the knowledge of the individual concerned. Such disclosures may take place because it is a legal requirement, for example under a court order. Other investigatory bodies may also request information, including the Police (PSNI), Health & Safety Executive Northern Ireland (HSENI) and HM Revenue and Customs (HMRC).

Receiving requests – All requests received should, irrespective through which department, be forwarded immediately to the IG Team for processing. The request will be recorded on the central Information Requests database, assigned an individual reference number and an acknowledgement issued to the requester, this may include a request for more information in order to confirm their identity. The period for responding to the request begins when we receive the additional information.

Response times – Once all of the required information is received the Subject Access Request can then be processed and a response issued promptly to the requester without undue delay and at least within one month of receipt.

Preparing responses – Guidance in relation to preparing responses is outlined above under FOI. Before a response is issued however, **a draft copy should be forwarded to the IG Team within the agreed timescale for review and approval before release.**

In addition to a copy of their personal data, Council will also provide individuals with the following information:

- the purpose for processing the data;
- the categories of personal data concerned;
- the recipients or categories of recipient you disclose the personal data to;
- your retention period for storing the personal data or, where this is not possible, your criteria for determining how long you will store it;
- the existence of their right to request rectification, erasure, restriction or to object to such processing;
- the right to lodge a complaint with the ICO or another supervisory authority;
- information about the source of the data, where it was not obtained directly from the individual;
- the existence of automated decision-making (including profiling); and
- safeguards you provide if you transfer personal data to a third country or international organisation.

Council may already be providing much of this information in our privacy notice.

Exemptions – There are limited exemptions that can be considered when responding to a Subject Access Request. Council may withhold some or all of the personal information if:

- it includes personal data in relation to a third party who has not consented to its disclosure;
- disclosure would be likely to affect Council's ability to bring or defend legal proceedings;
- or disclosure would be likely to affect the prevention or detection of crime.

Council is not required to respond to continual subject access requests if they are repetitive in their nature, manifestly unfounded or excessive.

Rights of review – When information is withheld based on an exemption, a refusal notice detailing which exemption was applied and why is included with the response along with information on the internal review process and the requesters right to make a complaint to the Information Commissioners Office.

Fees – The processing of requests are generally without charge; however, the legislation does make provision for charging a reasonable fee if an individual asks for additional copies of their data following their request or where a request is manifestly unfounded or excessive. Council may charge a "reasonable fee" for the administrative costs of complying with the request.

9. OPENDATA REQUESTS

OpenDataNI is the technical platform for the delivery of the Open Data Strategy for Northern Ireland 2015-18 and brings together, in one place, a range of data from government departments and other public sector organisations.

An OpenData portal was created to facilitate easy access to Northern Ireland public sector data for both reuse and redistribution. The information is available under an Open Government Licence, which means that it is free to copy, adapt, commercially exploit and publish.

Users submit dataset suggestions to enquire about publication of data of interest and Council is required to respond within 10 working days confirming whether they do or do not intend to publish the dataset. If the intention is to publish, our response will indicate the timeframe within which Council aims to do so. If the intention is not to publish, Council should refer to the acceptable criteria for non-publication outlined in the 'Open Data Strategy for Northern Ireland 2015-18'.

Receiving requests – The IG Team receives requests from OpenDataNI by email via foi@armaghbanbridgecraigavon.gov.uk. The request will be recorded on the central Information Requests database, assigned an individual reference number and an acknowledgement sent to the OpenData team.

Response times – All Open Data requests must be answered promptly and no later than 10 working days of the date of referral.

Preparing responses – The IG Team will forward the OpenData request, i.e. the publication suggestion, to the relevant Head of Department who will decide who within their team is most appropriate officer to consider the dataset publication suggestion. The Head of Department and/or nominated officer will liaise directly with the OpenData Team for advice and guidance.

Head of Department and/or nominated staff member shall confirm:

- if Council holds the data and can publish it, and
- when Council would hope to have the data published by, or
- if Council cannot publish the data which of the Open Data Exception criteria apply.

The Head of Department or their nominated officer issues the response directly to the OpenData team within the agreed timescale. The IG Team should be copied into all responses so that the central Information Requests database can be updated and a copy of the response placed on the central file for audit purposes.

Exemptions – When considering a response to an OpenData request there are three exception criteria that can be applied in order to withhold information. Please see Appendix 3 – *Open Data NI Dataset Checking Decision Tree* flowchart for guidance. If you have any concerns about information which you believe may not be suitable for placing into the public domain, you should discuss this directly with the OpenData team at the earliest opportunity. They can provide advice and support on the application of the exception criteria. On issuing the agreed response, a copy should be forwarded to the IG Team so that the central Information Requests

database can be updated and a copy of the response placed on the central file for audit purposes.

10. CONSULTATION WITH THIRD PARTIES

Council holds information provided by, obtained from or relating to third parties, for example in relation to contracts or joint working with other organisations.

Council will only accept information from third parties in confidence if it is necessary to obtain that information in connection with the exercise of any of its functions and it would not be otherwise provided. Information will not be held 'in confidence' which is not truly confidential in nature.

Information deemed confidential at the time of acceptance by Council might no longer be confidential at the time of a request due to the passage of time or having already entered the public domain.

Contracts – When entering into contracts, Council will refuse contractual terms seeking, beyond restrictions permitted by law, to limit the disclosure of information relating to the contract. In relation to particular information unless a legal exemption is applicable, Council is obliged to disclose data in response to a request, regardless of the terms of the contract.

11. TRANSFERRING REQUESTS FOR INFORMATION

If Council receives a request for information that it does not hold (or holds only in part), but which it knows or believes is held by another public authority, then it will consider what would be the most helpful way of assisting the requester in line with the FOIA and EIR codes of practice.

Depending on the circumstances, this is likely to involve:

- providing any information that is held under FOIA or EIR;
- at the earliest opportunity informing the requester that part or all of the information may be held by another public authority and providing the requester with contact details for that authority and suggesting s/he reappplies to them.

12. DATA SHARING

Council must ensure that when sharing data with third parties, assurances are provided by the requesting organisation(s) to evidence that they comply with the Data Protection Act (2018) and that staff are aware of the relevant DPA Policies and Procedures.

Arrangement for access to personal data may already be covered by a contract (e.g. a contract for supplier support on an information system) therefore organisations need to be clear that any proposed data sharing is either covered adequately by that contract or make sure that a Data Sharing Agreement is completed.

A Data Sharing Agreement must be completed by any organisation wishing to access Council data and it must be approved and signed by Council's Data Protection Officer.

13. ROLES AND RESPONSIBILITIES

- Council's Chief Executive has overall responsibility for the Access to Information policy.
- Strategic Directors will be responsible for overseeing the operational compliance with this policy in their business functions.
- Head of Department will be responsible for ensuring embedding compliance within their own department and for routine requests where information is released in accordance with a request, whether written or otherwise. They will provide a point of contact for their department i.e. an FOI coordinator who will work with the Information Governance Team to achieve compliance.
- The Data Protection Officer has responsibility for ensuring that Council processes satisfy the highest practical standards for handling personal data, which includes the right of access in the DPA 2018.
- The IG Team is responsible for logging all requests. Relevant Head of Department or nominated staff members have the responsibility of answering the requests and the IG Team will provide advice and guidance on whether or not an exemption or exception applies.
- Council's Chief Executive is the Qualified Person for determining whether disclosure would be likely to prejudice the effective conduct of public affairs (Section 36 in the FOIA) and will have the final say on disclosure.
- IG Team will manage the processing of all requests for information under the relevant legislative frameworks identified in this policy. The IG Team will provide advice and assistance to Departments when sourcing and identifying information and will identify and agree timescales for provision of that information to allow consideration when formulating responses. The IG Team will maintain appropriate performance statistics on activity and submit update reports to the Executive Management Team.
- All staff members have the responsibility of following the Access to Information policy and procedures.

14. REVIEW AND REVISION ARRANGEMENTS

This policy will be reviewed as per the date on the policy front sheet or when major internal or external changes such as Legislation, Practice change or change in system/technology take place.

15. ALTERNATIVE FORMATS

Every effort will be made to provide information in an alternative format if written format is not accessible.

16. EQUALITY AND HUMAN RIGHTS CONSIDERATIONS

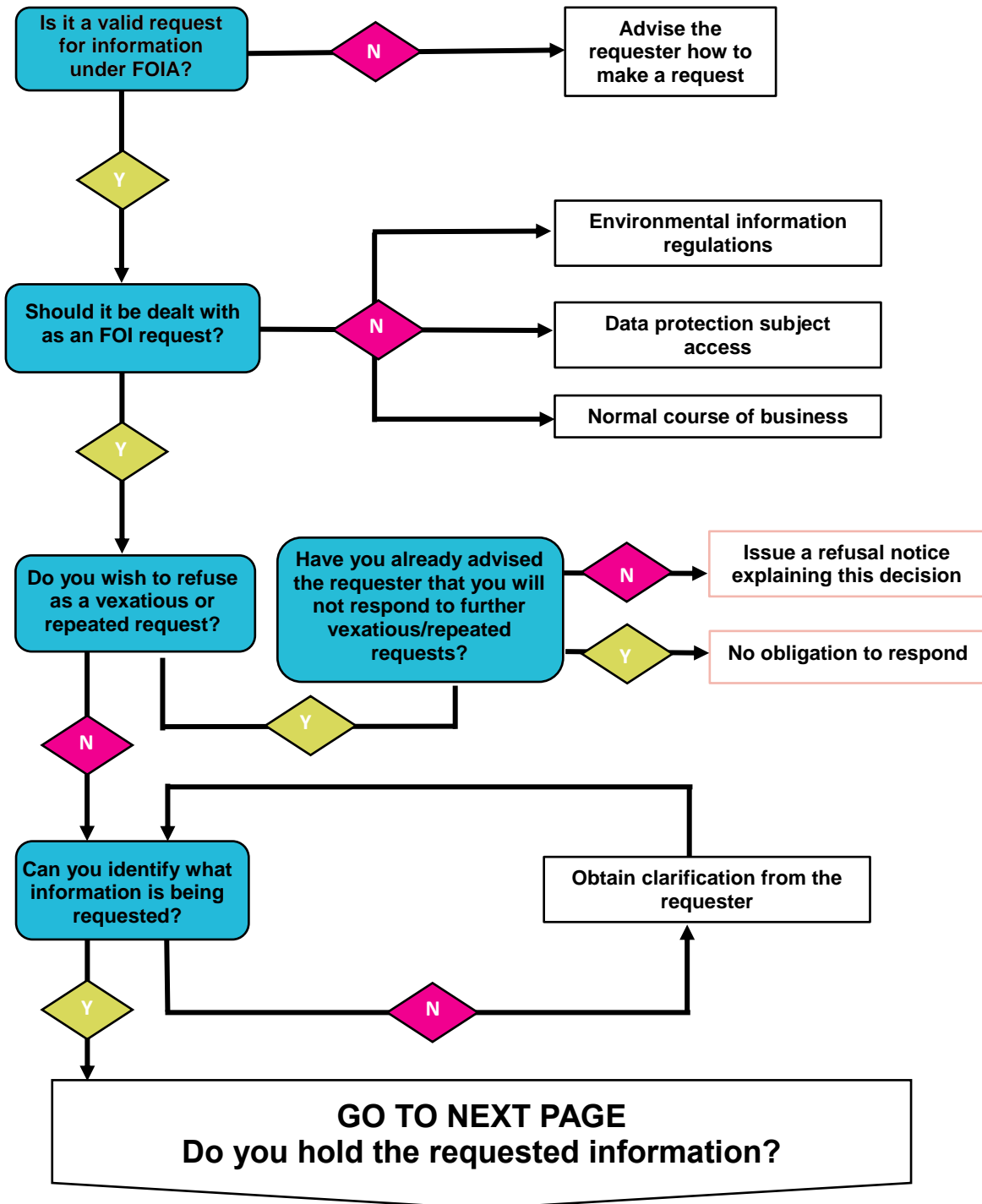
16.1 Equality

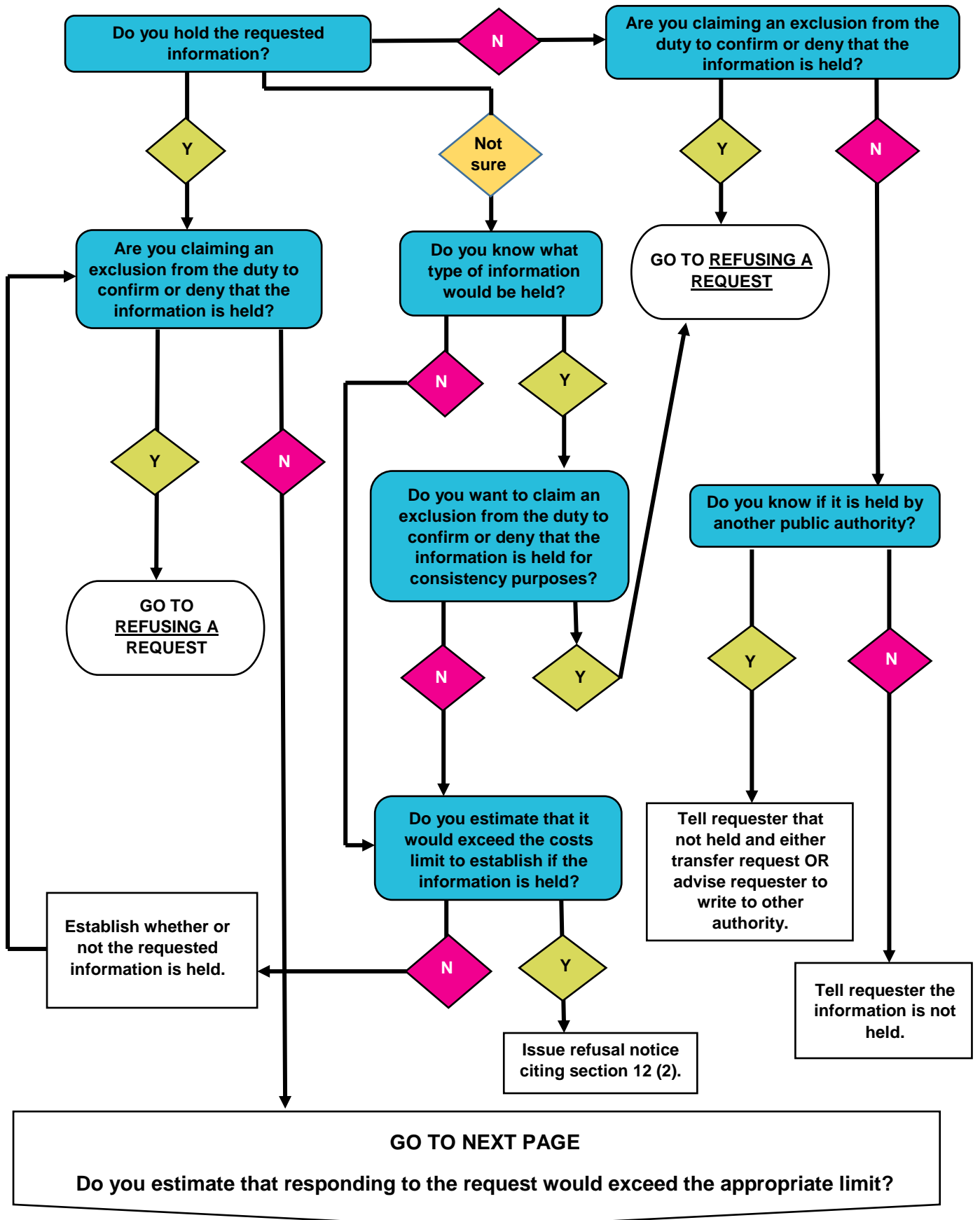
This policy has been screened for equality implications as required by Section 75 and Schedule 9 of the Northern Ireland Act 1998 and no negative impacts on any grouping was found. This policy will therefore not be subject to an Equality Impact Assessment.

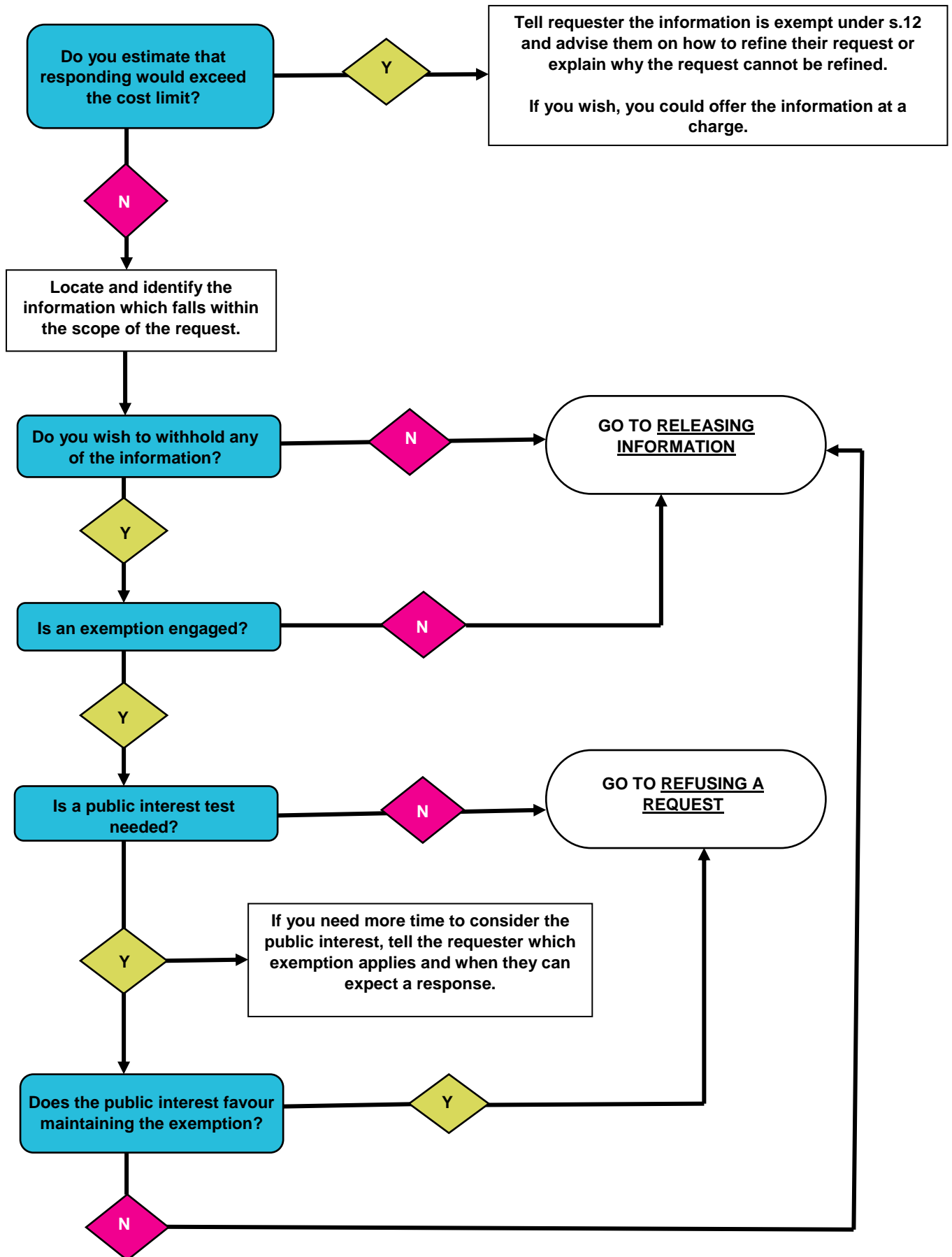
16.2 Human Rights

This policy has been considered under the terms of the Human Rights Act 1998 and was deemed compatible with the European Convention Rights contained in the Act. It will be included in the Council's Register of Screening documentation and will be published on the Council website.

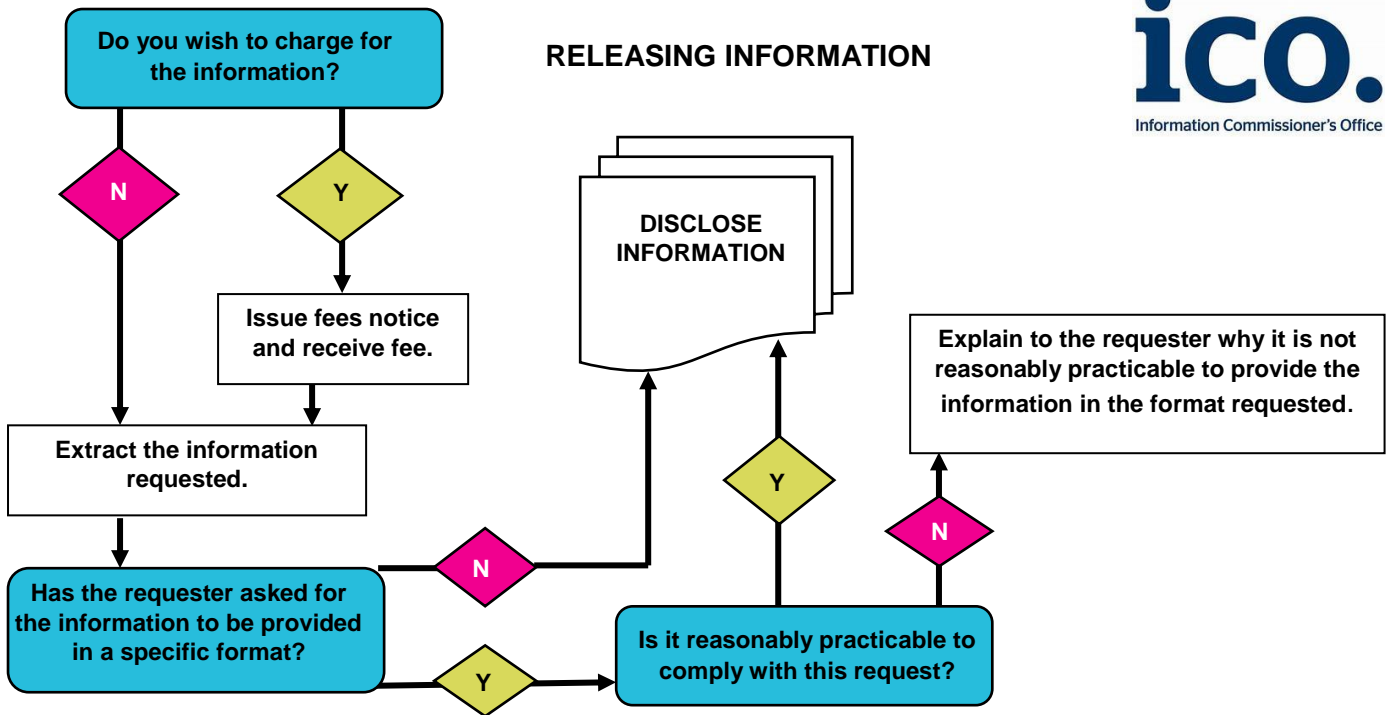
Start here



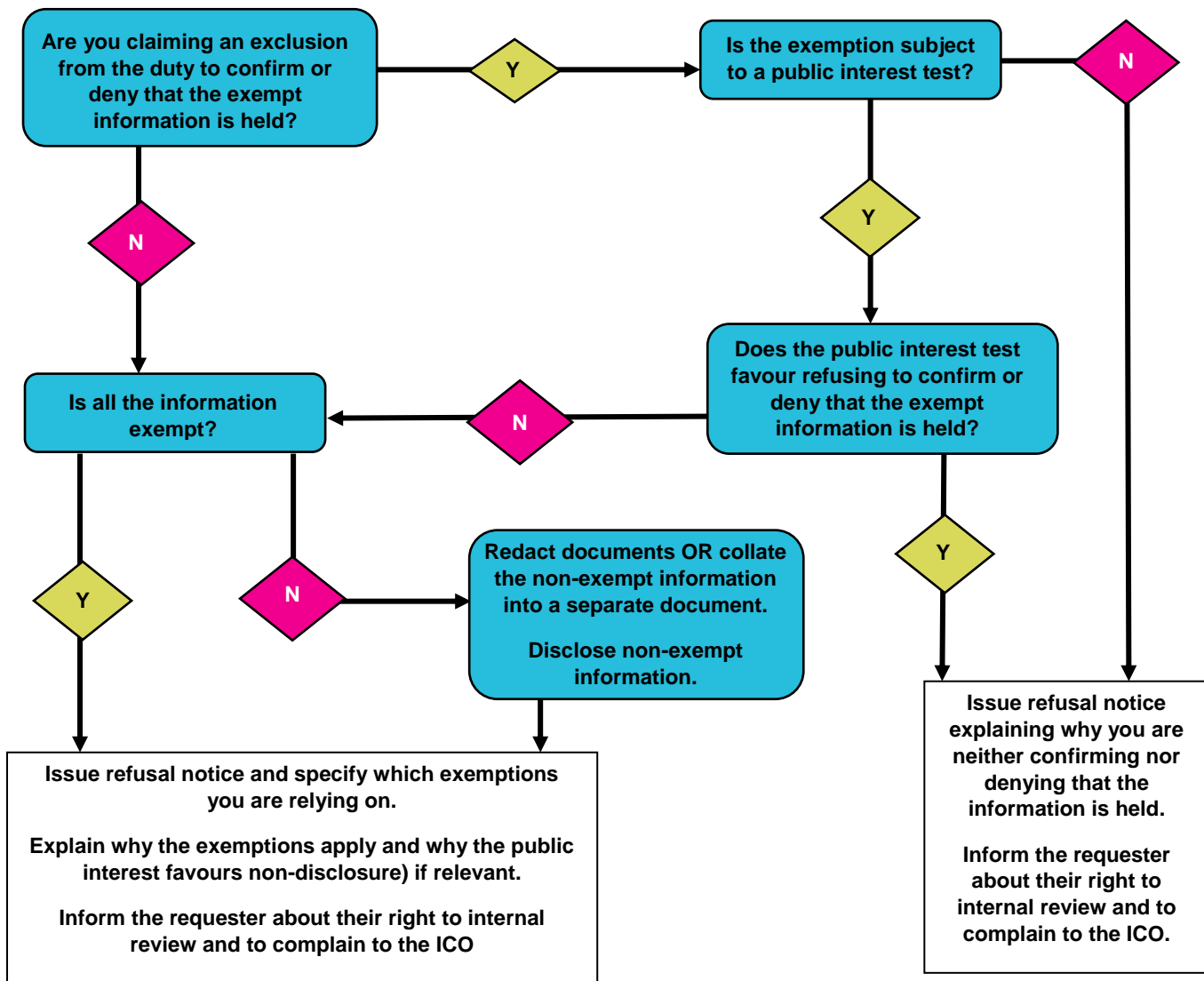




RELEASING INFORMATION



REFUSING A REQUEST



Appendix 2 - Subject Access Request Form

Under the General Data Protection Regulation, you are entitled as a data subject to obtain from Armagh City, Banbridge and Craigavon Borough Council, confirmation as to whether or not we are processing personal data concerning you, as well as to request details about the purposes, categories and disclosures of such data.

You can use this form to request information about, and access to any personal data we hold about you. Details on where to return the completed form can be found at the end of this document.

1. Personal Details:

| | | | |
|----------------------|--|--------|--|
| Data Subject's Name: | | DOB: | |
| Home Telephone No: | | Email: | |

Data Subject's Address:

Any other information that may help us to locate your personal data:

2. Specific Details of the Information Requested:

3. Representatives: (Only complete if you are acting as the representative for a data subject)

[Please note: We may still need to contact the Data Subject where proof of authorisation or identity are required]

| | | | |
|------------------------|--|-------------------------------|--|
| Representative's Name: | | Relationship to Data Subject: | |
| Telephone No: | | Email: | |

Representative's Address:

I confirm that I am the authorised representative of the named data subject:

Representative's Name:

Signature:

4. Confirmation:

Data Subject's Name:
[print name]

Signature:

Date:

5. Completed Forms:

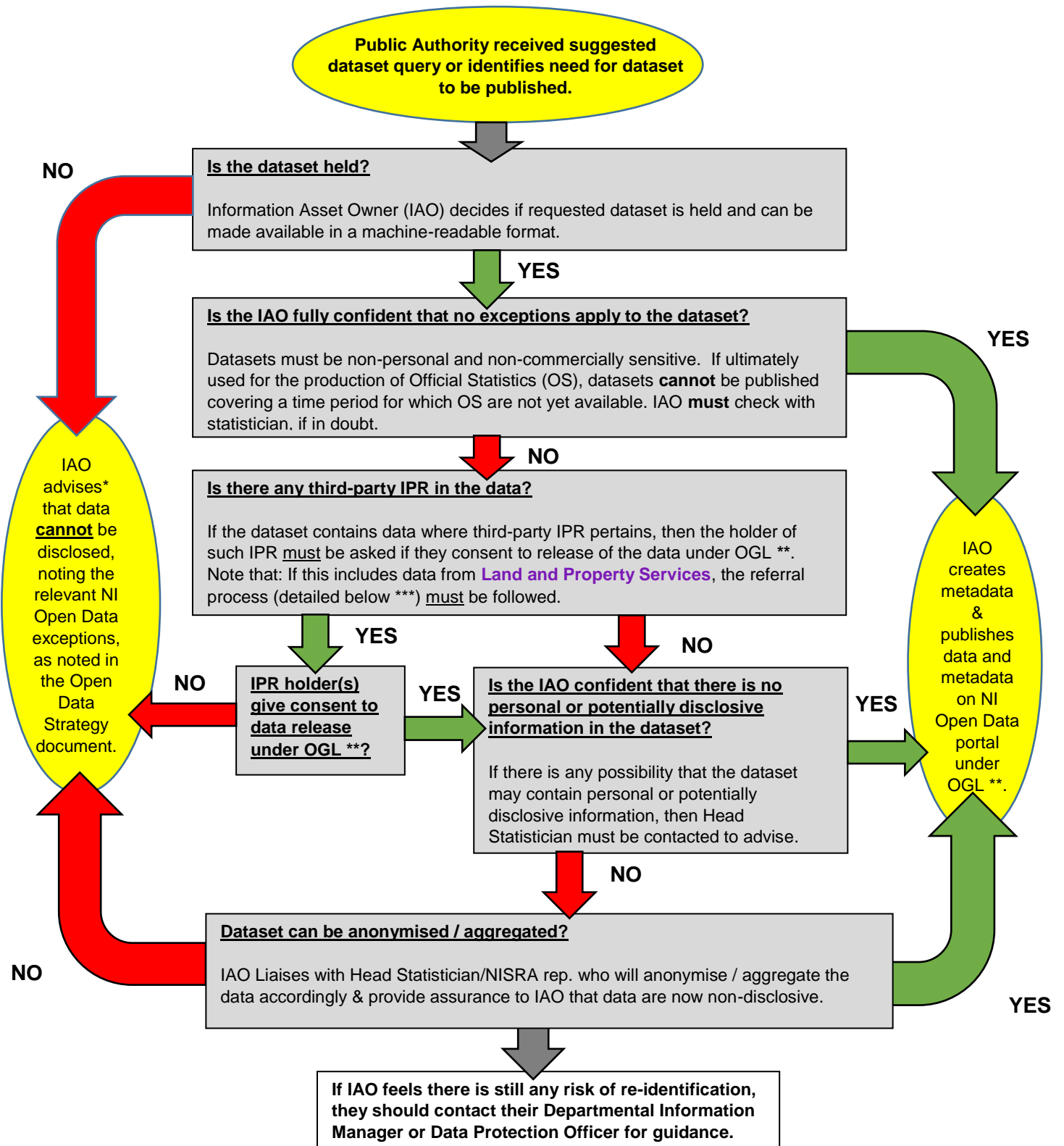
For postal requests, please return this form to:

Data Protection Officer
Armagh City Banbridge and Craigavon Borough Council
PO Box 66
Lakeview Road
Craigavon
Co. Armagh
BT64 1AL

For email requests, please return this form to:

Armagh City Banbridge and Craigavon Borough Council Data Protection Officer
data.protection@armaghibanbridgecraigavon.gov.uk

Appendix 3 – OpenDataNI Dataset Checking Decision Tree



* replies via email to open data inbox (OpenData@finance-ni.gov.uk).
 **Open Government Licence.

*** For data that includes Land and Property Services IPR: The dataset must be referred to **LPS IPR Branch – Derived Data Evaluation Panel** for assessment and then to determine whether the data may be released under OGL **.
Contact details for LPS IPR Branch: coyright@finance-ni.gov.uk.

Appendix 4 – Policy Screening Form

Policy Scoping

Policy Title: Access to Information Policy

Brief Description of Policy (please attach copy if available). Please state if it is a new, existing or amended policy.

The Access to Information provides guidance on how to answer Freedom of Information and Environmental Information Regulation requests.

Intended aims/outcomes. What is the policy trying to achieve?

The aim of the policy is to outline the procedures to be followed when dealing with requests for information. The purpose of the policy is to ensure that the provisions of the Freedom of Information Act 2000 and the Environmental Information Regulations 2004 are adhered to and in particular that:

- A significant amount of routinely published information about the Council is made available to the public as a matter of course through the Publication Scheme;
- Other information not included in the Publication Scheme is readily available on request and such a request is dealt with in a timely manner; and
- In cases where information is covered by an exemption or exception, consideration is given as to whether or not the information should be released

Policy Framework

Has the policy been developed in response to statutory requirements, legal advice or on the basis of any other professional advice? Does this affect the discretion available to Council to amend the policy?

The policy has been developed in compliance with the Freedom of Information legislation. It follows best practice guidelines issued by the Information Commissioner's Office.

Are there any Section 75 categories, which might be expected to benefit from the policy? If so, please outline.

The policy is intended to benefit all customers regardless of equality group they fall within. The policy reflects the requirements of the Freedom of Information legislation.

Who initiated or wrote the policy (if Council decision, please state). Who is responsible for implementing the policy?

| | |
|--|--|
| <p>Who initiated or wrote policy?</p> <p>Senior Records Manager (Armagh City, Banbridge and Craigavon Borough Council).</p> | <p>Who is responsible for implementation?</p> <p>Council is responsible for implementation.</p> |
|--|--|

Are there any factors which might contribute to or detract from the implementation of the policy (e.g. financial, legislative, other)?

No

Main stakeholders in relation to the policy

Please list main stakeholders affected by the policy (e.g. staff, service users, other statutory bodies, community or voluntary sector, private sector)

Staff, service users.

Are there any other policies with a bearing on this policy? If so, please identify them and how they impact on this policy.

Data Protection policy.
Records Management policy.
Retention and Disposal Schedule.

Available Evidence

Council should ensure that its screening decisions are informed by relevant data. What evidence/information (both qualitative and quantitative) have you gathered to inform this policy? Specify details for each of the Section 75 categories.

| Section 75 category | Evidence |
|-------------------------|--|
| Religious belief | <p>The policy has been written with the Freedom of Information legislation in mind. It does not have a specific impact on any equality category.</p> |
| Political opinion | |
| Racial group | |
| Age | |
| Marital status | |
| Sexual orientation | |
| Men and women generally | |
| Disability | |
| Dependants | |

Needs, experiences and priorities

Taking into account the information gathered above, what are the different needs, experiences and priorities of each of the following categories in relation to this particular policy/decision?

| Section 75 category | Needs, experiences and priorities |
|-------------------------|--|
| Religious belief | There are no specific impacts on any of the equality categories. |
| Political opinion | |
| Racial group | |
| Age | |
| Marital status | |
| Sexual orientation | |
| Men and women generally | |
| Disability | |
| Dependants | |

Screening Questions

1. What is the likely impact on equality of opportunity for those affected by this policy for each of the Section 75 categories?

| Category | Policy Impact | Level of impact (Major/minor/none) |
|-------------------------|---------------|------------------------------------|
| Religious belief | | None |
| Political opinion | | None |
| Racial group | | None |
| Age | | None |
| Marital status | | None |
| Sexual orientation | | None |
| Men and women generally | | None |
| Disability | | None |
| Dependents | | None |

2. Are there opportunities to better promote equality of opportunity for people within the Section 75 categories?

| Category | If yes, provide details | If no, provide reasons |
|-------------------------|-------------------------|------------------------|
| Religious belief | | No |
| Political opinion | | No |
| Racial group | | No |
| Age | | No |
| Marital status | | No |
| Sexual orientation | | No |
| Men and women generally | | No |
| Disability | | No |
| Dependents | | No |

3. To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion, or racial group?

| Category | Details of Policy Impact | Level of impact (major/minor/none) |
|-------------------|--------------------------|------------------------------------|
| Religious belief | | None |
| Political opinion | | None |
| Racial group | | None |

4. Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?

| Category | If yes, provide details | If no, provide reasons |
|-------------------|-------------------------|------------------------|
| Religious belief | | No |
| Political opinion | | No |
| Racial group | | No |

Multiple Identity

Generally speaking, people fall into more than one Section 75 category (for example: disabled minority ethnic people; disabled women; young Protestant men; young lesbian, gay and bisexual people). Provide details of data on the impact of the policy on people with multiple identities. Specify relevant s75 categories concerned.

This policy will affect all customers and employees equally regardless of what equality category they fall within.

Disability Discrimination (NI) Order 2006

Is there an opportunity for the policy to promote positive attitudes towards disabled people?

N/A

Is there an opportunity for the policy to encourage participation by disabled people in public life?

N/A

Screening Decision

A: NO IMPACT IDENTIFIED ON ANY CATEGORY – EQIA UNNECESSARY

Please identify reasons for this below

The aim of the policy is to outline the procedures to be followed when dealing with requests for information. The purpose of the policy is to ensure that the provisions of the Freedom of Information Act 2000 and the Environmental Information Regulations 2004 are adhered to. The policy has no bearing in terms of its likely impact on equality of opportunity or good relations for people within the equality and good relations categories.

B: MINOR IMPACT IDENTIFIED – EQIA NOT CONSIDERED NECESSARY AS IMPACT CAN BE ELIMINATED OR MITIGATED

Where the impact is likely to be minor, you should consider if the policy can be mitigated or an alternative policy introduced. If so, an EQIA may not be considered necessary. You must indicate the reasons for this decision below, together with details of measures to mitigate the adverse impact or the alternative policy proposed.

C: MAJOR IMPACT IDENTIFIED – EQIA REQUIRED

If the decision is to conduct an equality impact assessment, please provide details of the reasons.

Timetabling and Prioritising

If the policy has been screened in for equality impact assessment, please answer the following questions to determine its priority for timetabling the equality impact assessment.

On a scale of 1-3 with 1 being the lowest priority and 3 being the highest, assess the policy in terms of its priority for equality impact assessment.

| Priority criterion | Rating (1-3) |
|--|--------------|
| Effect on equality of opportunity and good relations | |
| Social need | |
| Effect on people's daily lives | |

The total rating score should be used to prioritise the policy in rank order with other policies screened in for equality impact assessment. This list of priorities will assist the council in timetabling its EQIAs.

Is the policy affected by timetables established by other relevant public authorities? If yes, please give details.

Monitoring

Effective monitoring will help the authority identify any future adverse impact arising from the policy. It is recommended that where a policy has been amended or an alternative policy introduced to mitigate adverse impact, monitoring be undertaken on a broader basis to identify any impact (positive or adverse).

Further information on monitoring is available in the Equality Commission's guidance on monitoring (www.equalityni.org).

Identify how the impact of the policy is to be monitored

Further changes may be required to the policy should legislation change.

Approval and Authorisation

A copy of the screening form for each policy screened should be signed off by the senior manager responsible for that policy. The screening recommendation should be reported to the relevant Committee/Council when the policy is submitted for approval.

| Screened by | Position/Job title | Date |
|--------------|------------------------|-----------------|
| Joan Farley | Senior Records Manager | 30 October 2018 |
| Approved by | Position/Job Title | Date |
| Roger Wilson | Chief Executive | 30 October 2018 |

Please forward a copy of the completed policy and form to:

mary.hanna@armaghbanbridgecraigavon.gov.uk

who will ensure these are made available on the Council's website.

The above officer is also responsible for issuing reports on a quarterly basis on those policies "screened out for EQIA". This allows stakeholders who disagree with this recommendation to submit their views. In the event of any stakeholder disagreeing with the decision to screen out any policy, the screening exercise will be reviewed.

Appendix 5 – Rural Needs Impact Assessment

SECTION 1

Defining the activity subject to Section 1(1) of the Rural Needs Act (NI) 2016

1A. Name of Public Authority

Armagh City, Banbridge and Craigavon Borough Council.

1B. Please provide a short title which describes the activity being undertaken by the Public Authority that is subject to Section 1(1) of the Rural Needs Act (NI) 2016

Access to Information Policy.

1C. Please indicate which category the activity specified in Section 1B above relates to

| | | | | | | |
|-----------------------------|----------|--------------------------|--------|-------------------------------------|------|--------------------------|
| Developing a | Strategy | <input type="checkbox"/> | Policy | <input type="checkbox"/> | Plan | <input type="checkbox"/> |
| Adopting a | Strategy | <input type="checkbox"/> | Policy | <input type="checkbox"/> | Plan | <input type="checkbox"/> |
| Implementing a | Strategy | <input type="checkbox"/> | Policy | <input type="checkbox"/> | Plan | <input type="checkbox"/> |
| Revising a | Strategy | <input type="checkbox"/> | Policy | <input checked="" type="checkbox"/> | Plan | <input type="checkbox"/> |
| Designing a Public Service | | <input type="checkbox"/> | | | | |
| Delivering a Public Service | | <input type="checkbox"/> | | | | |

1D. Please provide the official title (if any) of the Strategy, Policy, Plan or Public Service document or initiative relating to the category indicated in Section 1C above

Access to Information Policy.

1E. Please provide the aims and/or objectives of the Strategy, Policy, Plan or Public Service

This policy aims to ensure all Freedom of Information and Environmental Information Regulation requests receive appropriate handling and provide timely access to information held by the Council in line with legislative requirements and Council's statutory obligations in order to promote openness, transparency and accountability in the public sector. It provides guidance and direction to Council and staff on how to handle requests for access to information under these legislative frameworks.

1F. Which definition of 'rural' is the Public Authority using in respect of the Policy, Strategy, Plan or Public Service?

Population Settlements of less than 5,000 (Default definition)

Other Definition (Provide details and the rationale below)

A definition of 'rural' is not applicable

Details of alternative definition of 'rural' used

Rationale for using alternative definition of 'rural' used

SECTION 2

Understanding the impact of the Policy, Strategy, Plan or Public Service

2A. Is the Policy, Strategy Plan or Public Service intended to impact on people in rural areas?

YES

NO

If the response is **NO** GO TO Section **2E**

2B. Please explain how the Policy, Strategy, Plan or Public Service is intended to impact on people in rural areas

N/A.

2C. If the Policy, Strategy, Plan or Public Service is intended to impact on people in rural areas differently from people in urban areas, please explain how it will impact people in rural areas differently.

N/A.

2D. Please indicate which of the following rural policy areas the Policy, Strategy, Plan or Public Service is intended to impact on

| | |
|---|--------------------------|
| Rural Businesses | <input type="checkbox"/> |
| Rural Tourism | <input type="checkbox"/> |
| Rural Housing | <input type="checkbox"/> |
| Jobs or Employment in Rural Areas | <input type="checkbox"/> |
| Education or Training in Rural Areas | <input type="checkbox"/> |
| Broadband or Mobile Communications in Rural Areas | <input type="checkbox"/> |
| Transport Services or Infrastructure in Rural Areas | <input type="checkbox"/> |
| Health or Social Care Services in Rural Areas | <input type="checkbox"/> |
| Poverty in Rural Areas | <input type="checkbox"/> |
| Deprivation in Rural Areas | <input type="checkbox"/> |
| Rural Crime or Community Safety | <input type="checkbox"/> |
| Rural Development | <input type="checkbox"/> |
| Other (Please state) <input type="text"/> | |

If the response to Section 2A was YES GO TO Section 3A

2E. Please explain why the Policy, Strategy, Plan or Public Service is NOT intended to impact on people in rural areas

This is a technical policy written to ensure compliance with statutory requirements and good practice. It is not intended to impact on people in rural areas.

SECTION 3

Identifying the Social and Economic Needs of Persons in Rural Areas

3A. Has the Public Authority taken steps to identify the social and economic needs of people in rural areas that are relevant to the Policy, Strategy, Plan or Public Service?

YES NO If the response is **NO** GO TO Section **3E**

3B. Please indicate which of the following methods or information sources were used by the Public Authority to identify the social and economic needs of people in rural areas

| | | | |
|---------------------------------------|--------------------------|----------------------|--------------------------|
| Consultation with rural stakeholders | <input type="checkbox"/> | Published statistics | <input type="checkbox"/> |
| Consultation with other organisations | <input type="checkbox"/> | Research papers | <input type="checkbox"/> |
| Surveys or questionnaires | <input type="checkbox"/> | Other publications | <input type="checkbox"/> |

3C. Please provide details of the methods and information sources used to identify the social and economic needs of people in rural areas including relevant dates, names of organisations, titles of publications, website references, details of surveys or consultations undertaken etc.

3D. Please provide details of the social and economic needs of people in rural areas which have been identified by the Public Authority?

If the response to Section 3A was YES GO TO Section 4A

3E. Please explain why no steps were taken by the Public Authority to identify the social and economic needs of people in rural areas??

This is a technical policy written to ensure compliance with statutory requirements and good practice. It is not intended to impact on people in rural areas.

SECTION 4

Considering the Social and Economic Needs of Persons in Rural Areas

4A. Please provide details of the issues considered in relation to the social and economic needs of people in rural areas identified by the Public Authority.

N/A

SECTION 5

Influencing the Policy, Strategy, Plan or Public Service

5A. Has the development, adoption, implementation or revision of the Policy, Strategy or Plan, or the design or delivery of the Public Service, been influenced by the rural needs identified?

If the response to **5A** was **YES** COMPLETE 5B then GO TO Section **6A**

YES

NO

If the response is **NO** GO TO Section **5C**

5B. Please explain how the development, adoption, implementation or revision of the Policy, Strategy or Plan, or the design or delivery of the Public Service, has been influenced by the rural needs identified

5C. Please explain why the development, adoption, implementation or revision of the Policy, Strategy or Plan, or the design or the delivery of the Public Service, has NOT been influenced by the rural needs identified

This is a technical policy written to ensure compliance with statutory requirements and good practice. It is not intended to impact on people in rural areas.

**SECTION 6
Documenting and Recording**

6A. Please tick below to confirm that the Rural Needs Impact Assessment will be recorded on the Public Authority's Annual Monitoring Return and the RNIA Template retained by the Public Authority

I confirm that details of the Rural Needs Impact Assessment will be recorded and the RNIA Template retained

| | |
|---|--|
| Rural Needs Impact Assessment undertaken by: | Joan Farley |
| Position: | Senior Records Manager |
| Department: | Governance and Democratic Services |
| Signature: | |
| Date: | |
| Rural Needs Impact Assessment approved by: | Eamonn Kelly |
| Position: | Head of Governance and Democratic Services |
| Department/Directorate: | Performance |
| Date: | |