

FREEDOM OF INFORMATION ACT 1997
FREEDOM OF INFORMATION (AMENDMENT) ACT 2003



SECTION 15 REFERENCE BOOK

A Guide to the Structure, Functions, Powers, Duties and
Records of the
Local Government Computer Services Board



Section 15 of the Freedom of Information Acts requires each public body to prepare and publish a manual setting out a general description of:

- Its structure and organisation;
- Its functions, powers, duties;
- The services it provides for the public and how these may be availed of;
- A general description of the rules and guidelines used in implementing its schemes and programmes (required to be published under section 16);
- The classes of records held and the arrangements for enabling the public to access such records;
- The names and designations of members of the staff of the body responsible for carrying out these arrangements;
- The rights of review and appeal against the decisions of the body.

INDEX CONTENTS



- 1** Introduction
- 2** Functions of the LGCSB
- 3** Structure and Organisation of the LGCSB and Classes of Records Held
- 4** How to get Information under the Freedom of Information Act 1997 and Freedom of Information (Amendment) Act 2003
- 5** Glossary of Frequently Used Terms

The Freedom of Information (FOI) Act 1997, as amended by the Freedom of Information Act 2003 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

The Acts assert the rights of members of the public to obtain access to official information to the greatest extent possible consistent with the public interest and the right to privacy of individuals.

This reference book has been prepared and published in accordance with the requirements of section 15 of the Acts. Its purpose is to facilitate access to official information held by the LGCSB by outlining the structures and functions of the LGCSB; the services provided and how they may be availed of; the classes of records held and how a request to the LGCSB under the FOI Acts can be made.

I Routinely Available Information

The LGCSB is committed to making available to the public, information to the widest extent possible, consistent with the need to protect the right to privacy of the individual and the obligations placed on the LGCSB to protect certain types of information. This reference book provides information in relation to the functions and activities of the LGCSB and sets out how information can be accessed.

The Freedom of Information Acts are designed to allow public access to information held by public bodies which is NOT routinely available through other means. Access to information under the Acts is subject to certain exemptions and involves specific procedures and time limits.

The LGCSB makes information available to the public in relation to its functions and activities through its Annual Report. Information about the LGCSB can also be obtained through the web site at www.lgcsb.ie. The 'Login' button on the website is for our extranet pre-defined users. The above information will continue to be made available without the need to use the FOI Acts

FUNCTIONS OF THE LGCSB 2

The Local Government Computer Services Board was established by the Minister for the Environment and Local Government in September 1975 by an order made under the Local Government Services (Corporate Bodies) Act 1971 (Statutory Instrument No. 212 of 1975 and amended by the LGCSB Establishment Order (Amendment) 2004.

The functions of the LGCSB are:

- to organise, administer and provide or arrange for the provision of a service for the supply of computer facilities (including facilities relating to the preparation of data for input to a computer, computer programming, systems analysis and design, and the operation of data processing facilities) for Local Authorities;
- to co-ordinate and secure compatibility in the use of computers by Local Authorities generally, with a view to securing the most effective use of available resources;
- in matters related to its functions under paragraphs (a) and (b) to;
 - provide or arrange for the provision of training and education
 - carry out, promote or assist in the carrying out of research, and
 - furnish advice, information and assistance to the Minister and to local authorities.
- the LGCSB is permitted to host websites for bodies as specified in the amended order;
- the LGCSB is permitted to sell software products that have already been developed for local authorities;
- the LGCSB is permitted, subject to specified conditions, to provide consultancy services in respect of a product developed or employed by the LGCSB.

I Mission Statement

It is our aim that through the quality, commitment and continuous development of our staff, the LGCSB will be the partner of choice for Local Government initiatives in the delivery of quality services through the optimum application of information and communications technologies within the National Information Society framework.

Our role is to provide vision, advice, guidance and support in the use of Information & Communications Technologies; and in doing so, to enhance the roles, processes, systems and service delivery of Local Government.

The unique structure of governance of LGCSB ensures that County Managers, representatives of the Department of the Environment, Heritage and Local Government and other central Government agencies work in partnership at Board level to identify the needs of the sector. Our partnership approach with our customers on all aspects of strategies creates an in-depth and shared understanding which ensures that LGCSB remains fully aware of and focused on issues of strategic importance to Local Authorities.

Structure and Organisation of the LGCSB and Classes of Records Held **3**

LOCAL GOVERNMENT COMPUTER SERVICES BOARD

The LGCSB employs approximately 100 staff. The majority of the staff are located in the Dublin office. There is also a regional office in Limerick.

The LGCSB divisions are structured as follows:-

- Business Consultancy
- Operations-Technical
- Infrastructure
- Strategic Portfolio
- Internal Corporate Services
- Operations-Customer Services
- Research & Architecture

Classes of Records Held

- Budgets
- Financial Accounts
- Management Accounts
- Audit Files
- General Procurement – Quotes/Orders
- Debtors/Creditors
- Salaries
- Taxation Documentation
- Project Costing

Classes of Records Held

- Personnel Files
- Recruitment and Selection Files
- Statistical Returns
- Superannuation Documentation
- Employment of Consultants Documentation
- Student Placements
- Training Plans/Profiles
- PMDS Documentation
- Legislation

Classes of Records Held

- Minutes of the Board
- Executive Board Papers
- Strategic Management Papers
- Legal Documents
- Declarations of Interests
- Minutes of Committees
- Freedom of Information Manuals - Sections 15 & 16
- Freedom of Information Requests
- Partnership

Annual Report
 Tender Documents
 Building Administration
 Health and Safety Documentation
 Insurances

Classes of Records Held

Technical Specifications
 Technical User Guides
 Technical Standards
 Policy Notes
 Correspondence with Local Authorities
 Correspondence with other Government Bodies

I Board Members 2008/2009

The LGCSB Establishment Order, Statutory Instrument Number 212 of 1975 sets out:

The Board shall consist of not more than eight and not less than six qualified persons appointed by the Council in accordance with the requirements of this article, not more than two serving officers of the Department of Local Government appointed by the Minister and one serving officer of the Department of the Public Service appointed by the Minister for the Public Service.

At the end of each financial year (31st December), the Board is required to make a report to the Council of the Board and the Minister for the Environment and Local Government, of its activities during the preceding financial year.

Appointed by the City & County Managers Association

Mr. P. Carey (Chairman)	County Manager	Laois Co.Co.
Mr. Owen Keegan	County Manager	D.L.R Co.Co.
Mr. T. Mackey	City Manager	Limerick City Council
Mr. P. Maguire	Asst. City Manager	Dublin City Council
Mr. T. Caffrey	County Manager	Longford Co.Co.
Mr. J. Horan	County Manager	South Dublin Co.Co.
Mr. E. Breen	County Manager	Wexford Co.Co.
Mr. P. Gallagher	County Manager	Offaly County Council

Appointed by the DoEHLG

Mr. L. Kelly	Principal Officer	DoEHLG
Mr. P. McDonald	Principal Officer	DoEHLG

Appointed by the Minister of Finance

Mr. E. Holland	Asst. Principal Officer	Dept. of Finance
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How to Get Information Under the Freedom of Information Act 1997 and Freedom of Information Act 2003 **4**

LOCAL GOVERNMENT COMPUTER SERVICES BOARD

Under the Freedom of Information Acts, anyone is entitled to apply to the LGCSB for access to information that is held by it and not otherwise publicly available. Each person has a right to:

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

The following records come within the scope of the Acts:

- all records relating to personal information held by the LGCSB irrespective of when created
- all other records created from the commencement of the FOI Acts - 21st April 1998
- any records necessary to the understanding of a current record even if created prior to 21st April 1998

The right of access does not apply to 'exempt records' which are specified in detail in the Acts.

Requests for information under the FOI Acts should be addressed to:

Ms. Jackie Russell,
Administrative Officer,
Local Government Computer Services Board,
Phoenix House,
Conyngham Road,
Dublin 8.

Phone: (01) 6097000
Fax: (01) 6097001
e-mail jrussell@lgcsb.ie

Applications must be in writing and should indicate that the information is sought under the Freedom of Information Acts. If information is desired in a particular form e.g. computer disk, photocopy etc. this should be specified in the application. Please give as much detail as possible to enable the record to be identified. If difficulty is experienced in identifying the precise record required, LGCSB staff will be happy to assist in the formulation of the request. The LGCSB is obliged to respond to FOI requests within four weeks. Requests will be acknowledged within two weeks.

I Rights of Review and Appeal

The Acts set out a series of exemptions to protect sensitive information where its disclosure may damage key interests of the State or of third parties. Where a public body invokes these provisions to with-hold information, the decision may be appealed. Decisions in relation to deferral of access, charges, forms of access etc. may also be the subject of appeal. Details of the appeals mechanisms are set out below:

Internal Review

Applicants may seek an internal review of the initial decision. This review will be carried out by an official at a higher level if:

- a) the applicant is dissatisfied with the initial response received e.g. refusal of information, form of access, charges etc. or
- b) the applicant has not received a reply within four weeks of the initial application – this is deemed to be a refusal of the request and allows the applicant to proceed to internal review.

Requests for an internal review should be submitted in writing to the FOI Officer. A request for internal review must be submitted within four weeks of the initial decision. The LGCSB must complete the review within three weeks. An internal review must normally be completed before an appeal may be made to the Information Commissioner.

Review by the Information Commissioner

Following completion of the internal review, an applicant may seek an independent review of the decision from the Information Commissioner. An applicant may also appeal to the Commissioner if the LGCSB does not reply to their request for an internal review of the original decision within three weeks.

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

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

Phone: (01) 6395689

Fax: (01) 6395674

e-mail: info@oic.ie

Is there a charge for getting information under the FOI Acts?

There is no application fee for requests for personal information relating to the requester.

In the case of requests for non-personal information a fee of €15 (or €10 for medical card holders) must accompany the request for information. There may also be further charges for the time spent retrieving records (€20.95 per hour) and for any photocopying costs (4 cent per sheet). Such charges are very unlikely to be applied in the case of personal information relating to the requester.

There is no charge for applications to have incomplete, incorrect or misleading personal information corrected.

A fee of €75 must accompany most applications for internal review of a decision of a public body (€25 if

the applicant is covered by a medical card). There is no fee for internal review applications concerning only personal information relating to oneself or in relation to a decision to impose a fee or deposit.

A fee of €150 must accompany most applications for review by the Information Commissioner (€50 if the applicant is covered by a medical card) or in relation to a review concerning certain third party information. There is no fee for review applications concerning only personal information relating to oneself or in relation to decisions to impose fees or deposits.

Policy with regard to confidentiality and Freedom of Information

The LGCSB undertakes to hold any information provided to it by individuals or others on a confidential basis, subject to the LGCSB's obligations under law, including the Freedom of Information Acts. If, for any reason, it is wished that information provided to the LGCSB should not be disclosed because of its sensitive nature, then it is incumbent upon the person or body when supplying the information to make clear this wish and to specify the reasons for the information's sensitivity. The LGCSB will consult with any individual or body so supplying sensitive information before making a decision on any freedom of information request received.

GLOSSARY OF FREQUENTLY USED TERMS **5**

LOCAL GOVERNMENT COMPUTER SERVICES BOARD

LGCSB - Local Government Computer Services Board

DoEHLG - Department of the Environment, Heritage and Local Government

FOI - Freedom of Information

Co Co - County Council

PMDS - Performance Management Development System