

What is the right to know?

The Freedom of Information Act 2000 (FOI) and the Environmental Information Regulations 2004 (EIRs) came into effect on 1 January 2005. The legislation gives you the right to request information held by a wide range of public authorities.

What information can I obtain?

The legislation enables you to get information to help you to understand better how this Institute works, how we spend public money, and how and why we make our decisions. EIRs provide access specifically to "environmental information".

You can also get information under the Data Protection Act 2018 (DPA) which, amongst other things, gives individuals access to their own personal information. The DPA applies to private enterprise as well as public authorities.

How do I get information held by the Institute?

If you have access to the Internet, you can get information using the request form which can be found in the Access to Information section of the Institute website at www.afbini.gov.uk. Alternatively, you can write to us at the address on the back of this leaflet. Environmental information can be requested verbally or in writing.

How long does it take to get information?

The legislation requires us to respond to your request for information as soon as possible and not later than 20 working days after the date of receipt. The timescale may have to be extended if the information requested is very extensive and therefore takes a long time to

gather, or if we have to consider if providing it is in the public interest, or if we are waiting for you to pay a fee.

It will help us to process your request more quickly if you are as specific as possible about what information you want. Sometimes we might have to contact you in order to clarify exactly what information you are interested in.

What are exemptions?

Both the FOI Act and the EIRs contain a number of exemptions (in the EIRs they are called "exceptions") allowing the Institute to withhold information in certain circumstances. However, most of the information held by the Institute will not be subject to exemptions.

Is there a cost for getting information?

This depends on a number of factors including the volume of material requested. Responses to enquiries that cost the Institute less than £450¹ to process will normally be provided free of charge, although there may be a small charge for the costs of photocopying, printing and postage.

The Institute has the right to refuse to respond to a request that is estimated to cost more than £450 to process unless the request is for information covered by EIRs, in which case the Institute has to process the request if you are prepared to pay the costs. If the cost is greater than £450 and you agree to pay the costs, the Institute will provide you with the information unless it is covered by an exception.

¹Includes the cost of finding, sorting or redacting the material

What happens if the information I want is not available?

The legislation does not require us to gather or create information that is not already there. We will contact you and tell you what information we do hold that might help to answer your query or suggest another public authority which may hold the information you want.

Can I have any information at all?

The legislation allows you access to most of the information that a public body holds, but there are some things that are exempt from release.

For example:

- Information about national security, law enforcement or personal information (you can obtain your own personal information through the DPA)
- Personal information supplied by, or in relation to, third parties may be available only in certain circumstances.
- The Institute is not obliged to send you information that is already available elsewhere e.g. in our publication scheme on our website at www.afbini.gov.uk

What if I am refused information?

If we decided not to disclose some information because it is exempt, we will explain to you why it is being withheld.

