

CDOIF

Freedom of information

- Background
- Data Protection Act
- Freedom of Information Act
- Environmental Information Regulations
- What we do as a CA
- How we do it
- Future work as CA

- DPA about personal information
- accuracy of it.
- damage if personal information revealed something about a 'data subject' that should have been kept private.
e.g. political opinions, religious or similar beliefs.

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- FOI 2000
- FOI opened things up
- right of access to information held by public bodies.
- right of access to all types of recorded information.
- available to anyone without restrictions on nationality or geographical location or the age of the information.

- Complex legislation 88 Sections 8 sch.
- Aim of being open.
- All about procedures to be followed.
- Complete package: general right of public access, duties on all players, transparency, exempt info, enforcement, consequential impacts.

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- Exemptions. Balance ‘public interest’ disclosure vs. non disclosure
- About to be published anyway
- Obtainable elsewhere,
- Some absolute, National security communication ministers and royalty.
- Some qualified in terms of damage to legal process as to what can be released.

- EIR 2004 EU driven
- Piggy backed on FOI but more pervasive
- Some absolute exemptions under FOI but if they relate to the environment all are subject to the 'public interest' test.
- SRs always have an environmental impact.

- Areas where we can refuse to disclose:
- International relations, national security, public safety.
- Preservation of commercial interest
- Protection of the environment
- Apply the test: the public interest is better served by withholding rather than releasing.
- CA applies the test of ‘manifestly unreasonable’ to EIR requests.

- Not a casual process
- Guided by [own internal guidance based on it] by CPNI.
 - Identities site personnel
 - Inventories and location other than generic description
 - Impact of an attack
 - E Plans
 - Security measures.

- Aim to give a generic picture of a site
- Other sources:
 - operator's own websites,
 - Google earth.
 - Buncefield reports
 - Industry guidance