

Freedom of Information Act

Section 15 and 16 Reference Book

April 2010

Preface

Background

The Forfás Section “15 and 16 Reference Book - a Guide to the functions, records, rules and practices of Forfás” - is compiled in accordance with the Freedom of Information Act 1997, as amended by the Freedom of Information Act 2003. All references in this book to the Freedom of Information Act or Acts refer to the 1997 Act as amended by the 2003 Act.

Purpose of Reference Book

In accordance with **Section 15** of the Act, the purpose of this reference book is to facilitate access to official information held by Forfás:

- (1) By outlining the role, functions and structure of Forfás
- (2) Detailing the activities carried out by Forfás
- (3) Providing information on the classes of records we hold
- (4) Providing information on the Forfás FOI processes and procedures together with information on how to make a request to Forfás under the FOI Act.

Section 16 of the Act provides that this book should contain:

- the rules, procedures, practices, guidelines and interpretations used by Forfás, and an index of any precedents kept, for the purposes of decisions under any enactment or scheme administered by Forfás with respect to rights, privileges, benefits, obligations, penalties or other sanctions to which members of the public are or may be entitled or subject under the said enactment or scheme
- ‘appropriate information in relation to the manner or intended manner of administration of any such enactment or scheme’.

How to use this Reference Book

Part 1 of this Book explains how to access information from Forfás under FOI and the fees that apply.

Part 2 of this Book outlines the role, functions and activities of Forfás together with its organisational structure. It also provides breakdown of the organisation by Division and Section as appropriate.

Availability of this Reference Book

Electronic copies are available on the Forfás website at www.forfas.ie

Printed copies are available on request.

About Forfás

Forfás was established in 1994 as an agency of the Department of Enterprise, Trade and Employment, in the context of an economic environment which was substantially different from that in which Ireland's enterprises now operate. Forfás' role, however, remains as relevant in today's competitive and constantly changing global marketplace as it was when it was established.

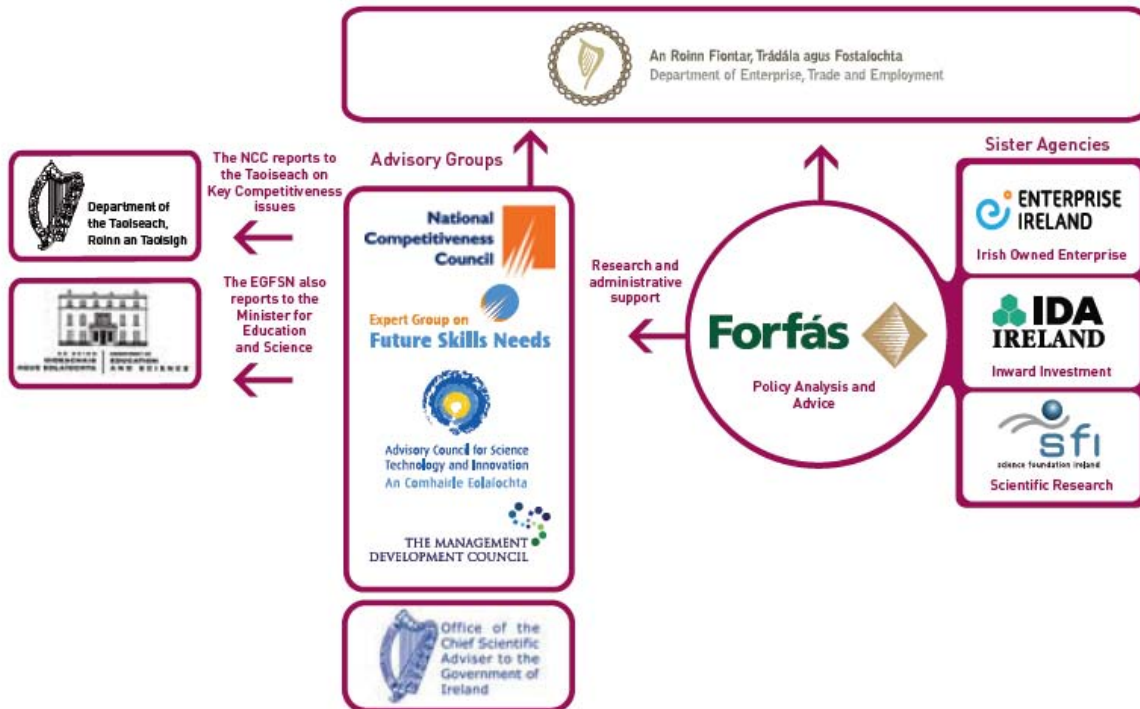
Forfás' policy functions are to:

- Provide independent and rigorous research, advice and support in the areas of enterprise and science policy. This work informs the Department of Enterprise, Trade and Employment and wider Government in their responses to the fast-changing needs of global business environment
- Ensure the coherence of policies across the development agencies supporting enterprise;
- Evaluate enterprise policy interventions
- Provide research and administrative support to independent advisory groups which currently include the:
 - Advisory Council for Science, Technology and Innovation (ASC)
 - Expert Group on Future Skills Needs (EGFSN)
 - Management Development Council (MDC)
 - National Competitiveness Council (NCC)

Additional functions include the:

- Accreditation services of the Irish National Accreditation Board (INAB)
- Managing the national awareness programme, Discover Science and Engineering
- Provision of certain shared corporate services for IDA Ireland, Enterprise Ireland and
- Science Foundation Ireland, and
- Hosting the Office of the Chief Scientific Adviser to the Government.

Forfás, Sister Agencies and Advisory Groups



Vision

Forfás will:

- Successfully identify and understand the issues facing enterprise and science
- Propose policies that address opportunities and challenges, and
- Influence policy-makers to develop an environment that stimulates and supports sustainable economic development and national prosperity

Mission

To contribute to the future success of Ireland's economy as an agency of the Department of Enterprise, Trade and Employment, by providing ambitious, coherent and widely understood enterprise and science policy advice that supports growth.

Highlights 1994 - 2008

To date Forfás' expertise has been applied in a wide range of areas to inform the policies required to advance Ireland's ongoing economic and enterprise development including:

- The development of an evolving vision for the future of Irish enterprise through a sequence of reports: *Shaping Our Future* (1996) *Enterprise 2010* (2000), *Ahead of the Curve, Ireland's place in the Global Economy* (Enterprise Strategy Group (2004)) and *Small Business is Big Business: Report of the Small Business Forum* (2006) and *Catching the Wave: A Services Strategy for Ireland* (Services Strategy Group (2008))
- The establishment of Science Foundation Ireland, recognising the importance of scientific research for the long-term competitiveness of Irish enterprise as identified through the Technology Foresight process (1999)
- Science, Technology and Innovation (ST I) research and policy advice, most recently analysis and advice to the Departments of Enterprise, Trade and Employment and Education and Science leading to the €8.3 billion investment provided for ST I in the National Development Plan and following on from the Forfás R&D Action Plan, *Building Ireland's Knowledge Economy* (2004) and Forfás' work with the cross-departmental team preparing the Government's Strategy for SST I (2006)
- The establishment of and support for a new science governance system (including the establishment of the Office of the Chief Scientific Adviser to the Government and the Advisory Council on Science, Technology and Innovation) to ensure coherence in the State's increased scientific research investment
- The development of the Discover Science and Engineering programme which promotes awareness of science and engineering
- Informing Government actions and education and training providers to address labour market development and skills needs for enterprise in Ireland through support to the Expert Group on Future Skills Needs and including the development of *Tomorrow's Skills: Towards a National Skills Strategy* (March 2007)
- Informing Government measures to improve framework conditions for Irish enterprise, particularly infrastructure investment priorities including road and port transport investment, waste management and electricity and gas, specifically as inputs to the National Development Plan and drawing from Forfás' work in support of the National Competitiveness Council in highlighting issues affecting our international competitiveness
- Changes to the tax system stemming from Forfás' advice on how the tax system could best support enterprise competitiveness

- Independent analytical support and advice on Ireland's negotiating position in international trade negotiations, most recently for the Doha round on industrial goods and services
- Ensuring that emissions trading and greenhouse gas negotiations do not impact on Ireland's competitiveness
- Strengthening the culture of evaluation and constant improvement in agency interventions to support enterprise development, through Forfás programme reviews and evaluations.

Access to Information

Routinely Available Information

Forfás currently makes information routinely available to the public in relation to its functions and activities. Such information will continue to be available informally without the need to use the FOI Act. A comprehensive list of all current publications is available on request from the Communications Department at 6073020. All Forfás publications are also available to download from our website on www.forfas.ie

The FOI Act is designed to allow the public access to information held by public bodies which is NOT routinely available through other sources. Access to information under the Act is subject to certain exemptions and involves particular procedures and time limits.

Applications under the FOI Act

Under the FOI Act, anyone is entitled to apply for access to information not otherwise publicly available. Each person has a right to:

- access records held by Forfás (Section 7 of the FOI Act)
- correction of personal information relating to oneself held by Forfás where it is inaccurate, incomplete or misleading (Section 17 of the FOI Act)
- access reasons for decisions made by Forfás directly affecting oneself (Section 18 of the FOI Act)

The following records come within the scope of the Act:

- All records relating to personal information held by Forfás irrespective of when created
- Records in respect of Section 18 (right to obtain reasons for decisions affecting oneself) from 21st January 2001
- All other records created since 21st April, 1998
- Any records created prior to 21st April 1998 where these records are necessary to the understanding of a current record.

Forfás is obliged to acknowledge receipt of requests within 2 weeks and is normally obliged to make a decision on a request within 4 weeks. Applications under the FOI Act should be addressed to:

Freedom of Information Officer
Wilton Park House
Wilton Place
Dublin 2
Phone: 01 6073073
Email: foi@forfas.ie

Request for Access to Records (Section 7)

- 1 The request should normally be in writing and must be accompanied by an application fee. The standard application fee is currently set at €15 with a reduced fee of €10 applying if a requester is covered by a medical card. Payment should be made by way of bank draft, money order, postal order or personal cheque made payable to Forfás. There is no application fee for a request relating to personal information. Fees for the search and retrieval and photocopying of records may also be charged. (See Fee Chart below).
- 2 It should indicate clearly that the information is sought under the Freedom of Information Act. It is not necessary to use legal terminology, a simple reference to the FOI Act is sufficient.
- 3 Forfás will endeavour to assist any member of the public who is having difficulty making a request. Guidance notes on the provision of assistance by public bodies to facilitate persons with a disability to exercise their rights under the FOI Act have been circulated by the Minister for Finance and Forfás will comply fully with these.
- 4 If information is required in a particular form, i.e. photocopy computer disk, etc. This should also be mentioned in an application.
- 5 Please give as much detail as possible to enable the staff of Forfás to identify the records requested. Where possible, please try to indicate the time period in respect of which you wish to access records e.g. records created between May 1998 and December, 1998. Also, if possible, try to specify the areas of Forfás which you feel would be most relevant to your request. If you have any difficulty in preparing your application, the FOI Officer will be happy to assist you in this regard.
- 6 Please provide a day-time telephone number, if possible, so that you may be contacted quickly if it is necessary to clarify details of your request.
- 7 You may be required to provide proof of your identity, especially when seeking personal information, or seeking to amend personal information. You may, therefore, be asked to produce your Birth Certificate, Driving Licence, Passport or other form of identity.
- 8 Please ensure that the correct application fee is submitted in respect of all non-personal requests. If claiming a reduced application fee, the request must also be accompanied by the Medical Card registration number, address of the issuing Health Board and your consent to the verification of these details with the relevant Health Board.
- 9 Please note that you do not have to give any reason for requesting access to the record, nor does any person have the right to demand such reasons.

Request to have personal information amended (Section 17)

A request to amend information must:

- Be submitted in writing addressed to the FOI Officer at the address indicated above
- Give details of the information which you believe is incorrect, incomplete or misleading
- Specify the amendments which you wish to have made
- Be accompanied by appropriate information in support of your application.

Reasons for decisions (Section 18)

Applications must be submitted in writing addressed to the FOI Officer at the address indicated above.

The FOI Officer is available to provide assistance to members of the public who seek advice on making a request, having personal information amended or requesting reasons for decisions directly affecting them.

FOI Decision Making in Forfás

Decisions on applications are made by nominated staff, known as 'Decision Makers'. These staff will normally be Level E (similar to the Assistant Principal Officer Grade of the Civil Service, in other words, Junior Management).

The FOI Officer acknowledges receipt of an FOI application not later than 2 weeks following its receipt and forwards it to the Decision Maker in the Section which holds the relevant records. The Decision Maker proceeds to deal with the request, liaises with the requester as appropriate and makes the decision on the matter. You should normally receive a decision within 4 weeks (a week is defined under the FOI Act as 5 consecutive week-days, excluding Saturdays, Sundays and public holidays).

Rights of Review and Appeal

The Act sets out a series of exemptions to protect sensitive information where its disclosure may be damaging to key interests of the State or of third parties. Where Forfás invokes these provisions to withhold information, the decision may be appealed. Decisions in relation to deferral of access, charges, forms of access, etc. may also be the subject of an appeal. Details of the review and appeals mechanisms are as follows:

▪ Internal Review (section 14)

You may seek an internal review of the initial decision if:

- you are dissatisfied with the initial response received i.e. refusal of information, form of access, charges, etc., or
- you have not received a reply within 4 weeks of the date of receipt of your initial request. This is deemed to be a refusal of your request and allows you to proceed to internal review.

Decisions on requests for appeal will be made by an Appeals Board comprising three Senior Managers. Members of this Appeals Board will be at a grade higher than the Decision Makers, normally Level F (similar to the Principal Officer Grade of the Civil Service, in other words Senior Management).

Fees are applicable in relation to appeals for internal review of non-personal requests. (See Fee Chart below). Requests for internal review should be submitted in writing to the Freedom of Information Officer at the above address.

A request for an internal review must be submitted within 4 weeks of the initial decision. Forfás will complete the review within 3 weeks. An internal review must normally be completed before an appeal can be made to the Information Commissioner.

▪ **External Review by the Information Commissioner (section 34)**

You may seek an independent review of the internal review decision if:

- you are dissatisfied with the response received i.e. refusal of information, etc. or
- you have not received a reply to your application for internal review within 3 weeks, this is deemed to be a refusal and you may appeal the matter to the Commissioner.

Fees are applicable in relation to an application for a review of non-personal requests by the Information Commissioner. (See Fee Chart below). Appeals in writing must be made directly to the Information Commissioner at the following address:

Office of the Information Commissioner
18 Lower Leeson Street
Dublin 2
Phone : 01 6785222
Fax : 01 6610570
E-mail foi@ombudsman.irlgov.ie

Fees

There are basically two types of fees under the FOI Act:-

- Fees that accompany a non-personal request for a record under Section 7 (or subsequent application for review) (**Application Fees**)
- Fees/deposits in relation to search and retrieval and photocopying costs of records released (**Search and Retrieval Fees**)

Application Fees

Type of Request/Application	<u>Standard Fee*</u>	<u>Reduced Fee * **</u>
<u>Request for a non-personal record</u>	€15	€10
Initial Request	€75	€25
Internal Review		
Review by Information Commissioner	€150	€50
<u>Request for a personal record</u>	No charge	No charge
<u>Application under section 17 for amendment of a record containing incorrect, incomplete or misleading personal information</u>	No charge	No charge
<u>Application under section 18 for the reasons for a decision affecting the individual</u>	No charge	No charge

* Fee will not apply where a person appeals a decision to charge a fee or deposit, or a fee or deposit of a particular amount under section 47 of the FOI Act

** Reduced fee will apply in respect of persons covered by a medical card and third parties who appeal a decision of a public body to release their information on public interest grounds

Search and Retrieval Fees (including photocopying charges)

Under section 47 of the FOI Act, fees **must be charged** for search and retrieval of records as follows:

- **Non-personal information**: fees apply in respect of the time spent in efficiently locating and retrieving records released, based on a standard hourly rate of €20.95
- Separate charges apply in respect of the reproduction of records in other formats (see below)
- **Personal information**: fees for search and retrieval of personal information do not apply unless a very large number of records are involved
- Photocopying charges of €0.04 per page also apply

A deposit may be payable where the total fee for search and retrieval of records is likely to exceed €50.79. In these circumstances, Forfás will, if requested, assist the member of the public to amend the request so as to reduce or eliminate the amount of the deposit. **No charges apply in respect of the time spent by public bodies in considering requests.**

Charges for search and retrieval and photocopying may be waived:

- Where the cost of collecting and accounting for the fee would exceed the amount of the fee (this will apply in respect of fees less than €6.35)
- Where the information would be of particular assistance to the understanding of an issue of national importance
- In the case of photocopying personal information, where it would not be reasonable having regard to the means of the requester and the nature of the records sought

Section 47 of the FOI Act sets out the rules for applying search and retrieval and photocopying charges. These charges are currently set as follows in accordance with Statutory Instruments 264 of 2003, 139 of 1998, and 13 of 1997:

- €20.95 per hour - search and retrieval
- €0.04 per sheet for a photocopy
- €0.51 for a 3½ inch computer diskette
- €10.16 for a CD-ROM
- €6.35 for a Radiograph (X-Ray)

Forfás Management Structure

Jane Williams
Chief Executive

June Corbett
3121

3137

Declan Hughes
3120

Helena Acheson
3019

Martin Shanahan
3133

Adrienne Duff
3251

Martin Craig
3074

Peter Brabazon
3008

Marie Bourke
3148

Michael O’Leary
3034

Adrian Devitt
3087

Maria Ginnity
3193

John Dooley
3146

Eoin Gahan
3239

Andrew Stockman
3224

Karen Hynes
3186

Eamonn Kearney
3125

**IRISH NATIONAL
ACCREDITATION
BOARD**

**COMPETITIVENESS
DIVISION**

**ENTERPRISE POLICY
DIVISION**

**SCIENCE ,TECHNOLOGY,
INNOVATION & HUMAN
CAPITAL POLICY DIVISION**

**HUMAN RESOURCES
&
SECRETARY’S
OFFICE**

This chart does not necessarily reflect the grading, employment status or seniority of staff

Competitiveness Division Divisional Manager - Declan Hughes

Key Functions: The Competitiveness Division supports the Board of Forfás in providing advice to the Minister for Enterprise, Trade and Employment, the Development Agencies and other Government Departments. It is comprised of the following three departments:

National Competitiveness, Sustainability and Infrastructure Department - Department Manager - Adrian Devitt

The Department acts as a central resource for policy advice on issues relating to national competitiveness, environmental policy and infrastructure. The Department provides research and secretariat to the National Competitiveness Council, and much of its work programme stems from issues raised by the Council. Its main research focus relates to monitoring Ireland's competitiveness, developing policy recommendations to address issues arising, and undertaking specific pieces of research to investigate key competitiveness issues in greater depth (e.g. costs, productivity, education, spatial policy, etc). Secondly, we work closely with the Department of Enterprise, Trade and Employment on environmental, climate-change and sustainable-development issues as they pertain to the enterprise sector. This work feeds into Ireland's commitments under environmental agreements such as the Kyoto Protocol. Thirdly, the department provides research on the development of required economic and social infrastructures for enterprise development to the Forfás board. The Department works closely with other parts of Forfás and the wider public policy system to achieve its goals.

Regulation, Trade & Policy Foresight Department - Department Manager - Eoin Gahan

This Department is responsible for policy advice on regulation, including regulatory processes, regulatory impact analysis and competition policy, and e-Government issues. Trade policy and trade-related issues, including trade facilitation, form a second important area of work. The Department is also responsible for policy foresight, including the identification of long-term economic, regulatory, environmental and social trends, nationally and internationally, and their potential implications for enterprise policy in Ireland

Enterprise Policy Division Divisional Manager - Helena Acheson

Key Functions: The Enterprise Policy Departments of this division support the Board of Forfás in providing advice to the Minister for Enterprise, Trade and Employment on general enterprise development and related issues.

Tax / Finance/ Employment and Surveys Department - Department Manager - Andrew Stockman

- Monitors international tax developments and their impact on the competitiveness of enterprise in Ireland. Seeks new tax initiatives which might contribute to competitiveness and create opportunities for growth
- Monitors and advises on equity/loan finance for entrepreneurship and SME activities and current practice in other countries for addressing market failure in this area
- Conducts the Annual Business Survey of Economic Impact (ABSEI) and the Annual Employment Survey which track a number of indicators of economic performance and contribution to the economy (sales, exports and expenditure) and employment within the client base of the enterprise development agencies. Undertaking, on behalf of the CSO, Eurostat and the OECD, surveys in the area of science, technology and innovation
- Employment rights and industrial relations policy

Enterprise Policy & Communications Department -Department Manager - Maria Ginnity

This department is responsible for the formulation of policy advice on areas of enterprise development relating to sectoral and cluster development, emerging global business models, technological developments underpinning eBusiness and internationally traded activities. In addition this department has responsibility for contributing to regional policy with the aim of stimulating enterprise development throughout the country. The department is also responsible for working with the DETE and agencies on State Aids, evaluations of agency programmes, and negotiating guidelines.

It also manages external communications for Forfás and the associated advisory bodies, has responsibility for internal communications and for driving a knowledge management culture within the organisation.

Discover Science & Engineering:-Department Manager - Peter Brabazon

The overall objective of the Discover Science & Engineering Programme (DSE) is to bring together under one brand many of the existing national science, technology and engineering awareness activities and to expand these in a way that will eliminate duplication and provide a more focused and effective communications strategy.

Key Functions: The Science, Technology, Innovation and Human Capital Policy Division supports the Board of Forfás in providing advice to the Minister for Enterprise, Trade and Employment on the development and implementation of science, technology, innovation and human capital policy for economic and social well-being. The division also provides research and secretariat support to the Advisory Science Council, the Expert Group on Future Skills Needs and the Management Development Council

Science & Technology Policy Department

- **Department Manager - John Dooley**

In line with Forfás' role as the national body charged with the development and implementation of trans-sectoral research for economic and social well-being, the Department's roles are as follows:

- To provide policy advice on key national science and technology policy issues, for the Forfás Board, DETE and the Advisory Council for STI;
- To provide policy advice on EU and international science and technology issues and on the internationalisation of the research base and to facilitate co-ordination of Ireland's participation in international programmes;
- To support the work of the Office of the Chief Science Adviser and the Inter-Departmental Committee for STI to advise Government on the national and international science, technology and innovation policy.

Innovation Policy Department

- **Department Manager - Karen Hynes**

This Department is responsible for:

- Providing policy support and advice on enterprise focused research, development and innovation
- Providing strategic technology intelligence (incorporating i.e.. technology foresight and assessment and evaluations)
- Evaluating national science and technology programmes on behalf of the Department of Enterprise, Trade & Employment.

Human Capital and Labour Market Policy Department

- **Department Manager - Marie Bourke**

This Department is responsible for the formulation of policy advice on a range of education, skills and labour market issues. This Department provides secretariat and research support to the Expert Group on Future Skills Needs and manages its work programme. The Expert Group on Future Skills Needs is mandated by the Minister for Enterprise Trade and Employment and the Minister for Education and Science to act as the central national resource on future skill needs, labour supply issues and training policy for enterprise. The Department also provides secretariat and research support to the Management Development Council. The Council's objective is to increase the incidence and effectiveness of management development within Irish SMEs.

The Irish National Accreditation Board Department Manager - Adrienne Duff

Key Functions: The Irish National Accreditation Board (INAB) forms part of the standards setting and co-ordination infrastructure established by states within the European Economic Area (EEA), to enable the proper functioning of the internal market. Accreditation plays a key role in ensuring access of Irish products to the EU Single Market through international acceptance of certificates issued under INAB accreditation.

The National Accreditation Board, is the Irish national body with responsibility for accreditation in accordance with the harmonised EN 45000 series of European Standards and the relevant International Organisation of Standardisation (ISO) standards and guides. The National Accreditation Board has responsibility for accreditation in the following fields:

- Testing and Calibration Laboratories
- Certification Bodies for Product, Management Systems and Personnel Certification
- Environmental Verifiers under the EU Eco-Management and Audit Scheme (EMAS)
- National “Competent Body” (registration body) for EMAS
- Inspection Bodies
- Acting as the National Monitoring Authority for GLP (Good Laboratory Practice) in Ireland in accordance with Statutory Instrument No. 4 of 1991
- E-Commerce
- INAB is also the national statutory monitoring authority for the OECD Good Laboratory Practices (GLP) Scheme.

Competitiveness Division Divisional Manager - Declan Hughes

Finance Department - Department Manager - Martin Craig

Mission Statement: To provide a professional finance and accounting service to Forfas and Departmental Programmes under its control

Key Functions: The Finance Department is responsible for managing the organisation's financial resources and control of its budget, preparing accounts for audit, liaising with the Department of Enterprise, Trade and Employment on all financial, including budgetary, matters. Its responsibilities include: Developing and agreeing annual financial allocations and multi annual budgets with the Department of Enterprise, Trade and Employment. Reviewing the financial controls and procedures in operation in Forfás to ensure that they remain appropriate for the size of the organisation and are being observed. Make all properly approved and authorised payments to suppliers, staff and pensioners within prescribed timescales, Provide regular management information and reports to the Department of Enterprise, Trade and Employment, the Board and its committees. Prepare the Annual Accounts for audit and provide the Comptroller and Auditor General staff with all information required to ensure completion of the audit within the statutory timeframe. Ensure all statutory returns are made within prescribed deadlines.

Systems/IT/Facilities Departments - Department Manager - Eamonn Kearney

Mission Statement: To support our clients IT needs, through the provision of efficient, cost effective and secure information technology and communications services

Key Functions: The primary objective of Systems Department is the provision of information technology services to staff of Forfás in WPH and these services include:

- Application development, installation and support, together with support for packaged solutions to meet Forfás user requirements
- Office automation and e-mail facilities.
- Network installation and management
- Purchasing, installing and maintaining IT equipment and infrastructures
- Implementing security procedures to minimise the risks to our data and equipment
- Providing Help Desk and support services
- Monitoring of new technological developments to ensure the most appropriate and cost effective solutions
- Internet and Intranet infrastructure and service
- Business Information System -Managing a comprehensive enterprise database, based on extracts of data from the developmental agencies.

Facilities Department - Department Manager - Eamonn Kearney

Mission Statement: To provide efficient and cost effective office accommodation, property portfolio management and associated services to staff and clients in accordance with current best practices

Key Functions: The Facilities Department provides a professional service that enables Forfás to function to its maximum and to administer, on behalf of IDA Ireland, Enterprise Ireland, Science foundation Ireland & CSA's office within Wilton Park House, a number of organisational support services. These services include:

- | | | |
|----------------------------------|----------------------|----------------------------|
| ▪ Post / Couriers | ▪ Purchasing | ▪ Property Management |
| ▪ Goods Inwards (stationery etc) | ▪ Registry of Assets | ▪ Maintenance of Buildings |
| ▪ Catering | ▪ Telecommunications | ▪ Cleaning/Security |

Human Resources Department Manager - Michael O'Leary

Mission Statement: To contribute to the success of Forfás and the individual by providing a proactive and quality human resource service with respect, courtesy and integrity

Key Functions: HR Department is responsible for the following areas of activity:

- Providing a HR service (manpower planning, recruitment, staff development, career counselling, etc) to the management and staff of Forfás
- Co-ordinating all issues related to pay and conditions, employment contracts, insurance and staff benefit schemes etc) in consultation with the HR managers and staff in Enterprise Ireland, IDA Ireland and Science Foundation Ireland
- Contribute to making Forfás a great place to work
- Co-ordinating and managing the pension schemes, related schemes and superannuation policy and procedure issues
- Cross agency co-ordination is achieved through a cross agency Superannuation Co-ordination Committee
- Dealing with cross-agency HR and industrial relations issues in consultation with HR Departments and Trade Unions of our sister Agencies
- Developing appropriate HR policies and procedures which value and respect staff as individuals and respond to their needs both during employment and into retirement
- Providing good communications to ensure staff awareness of HR developments e.g. HR Online, Staff Updates, up to date organisation chart

Secretary's Office
Department Manager - Michael O'Leary

Mission Statement: We are committed to delivering a proactive and professional service for our stakeholders in a range of key activities such as: Secretariat, Corporate Governance, Government Liaison and Legal and Legislative Requirements

Key Functions/Range of Activities

- Secretariat service to Forfás Board, Sub-boards and Committees and a range of internal committees
- Reporting requirements under corporate governance
- Compliance issues for Board Members and staff under the Ethics Acts and the Code of Practice for the Governance of State Bodies
- Compliance with the requirements for the appointment, induction, retirement and cessation of Board and Committee members
- Facilitate risk assessment and risk management process
- Co-ordinate the internal audit service
- Liaison with Department of Enterprise, Trade & Employment and other Government Departments
- Management and co-ordination of the FOI Enterprise Network Group, including advice on the interpretation and application of FOI legislation
- FOI advisory service to staff on FOI issues: Public Procurement, Recruitment and Selection and Records Management
- Legal co-ordination and liaison service

Section 16

Section 16 of the FOI Act requires public bodies to publish the following information

'the rules, procedures, practices, guidelines and interpretations used by the body, and an index of any precedents kept by the body, for the purposes of decisions, determinations or recommendations, under or for the purposes of any enactment or scheme administered by the body with respect to rights, privileges, benefits, obligations, penalties or other sanctions to which members of the public are or may be entitled or subject under the enactment or scheme,....'

The following sections A - E describe the information which Forfás has made available in accordance with Section 16.

A. Accounts Department

The Accounts Department in Forfás follow procedures as specified in the following legislation:-

Industrial Development Act, 1993

Paragraph 7 of the First Schedule requires Forfás to keep, in such form as may be approved by the Minister for Enterprise, Trade and Employment with the consent of the Minister for Finance, all proper and usual accounts of money received and expended by it. The accounts of Forfás are submitted annually for audit to the Comptroller and Auditor General. The audited accounts are presented to the Minister.

The Prompt Payment of Accounts Act, 1997 (as amended by Late Payment in Commercial Transactions Regulations 2002)

This Act, and amendment, provides for prompt payment for the supply of goods and services and specifies the timeframes allowed. The Act and amendment also set out the circumstances in which the payment of an interest penalty is required.

B. Irish National Accreditation Board

The Irish National Accreditation Board (INAB) was established in 1985 to accredit calibration and testing laboratories. It is a division of Forfás and is the sole national body responsible for accreditation in accordance with the EN 45000 series of European standards and the relevant International ISO standards and guides. The functions of the INAB have expanded since 1985 to include accreditation of certification bodies, inspection bodies, attestation bodies, E-commerce and national GLP compliance monitoring for EU/OECD GLP principles.

One of the main objectives of the INAB is to ensure international acceptance of certificates issued by our accredited organisations. The INAB achieves this objective through its Multilateral Agreements (MLAs) with the European and worldwide accreditation body organisations. The INAB as a signatory to these multilateral agreements is subject to routine rigorous evaluations by multi-national peer evaluation teams. The purpose of these regular on-site evaluations is to verify the INAB's continued compliance with international standards ISO guides 58 and 62. In compliance with these standards INAB maintains a Quality Manual which describes the overall functions and policy of INAB. In addition INAB maintains a number of internal procedures and regulations supporting the policies and functions set out in the Quality Manual. The quality manual and internal procedures and regulations are available on request from INAB. Furthermore INAB maintains a series of publications concerning the operation and implementation of its functions which are available on the INAB website at www.inab.ie or in hard copy by request.

C. Human Resources

The Human Resources Department is responsible for implementing / co-ordinating a wide range of regulations governing the terms and conditions of employment and personnel-related policies and procedures for staff in Forfás, Enterprise Ireland, IDA Ireland and Science Foundation Ireland. Remuneration arrangements are determined from time to time by the Department of Enterprise, Trade and Employment and the Department of Finance. Employment policies and practices are developed in line with employment legislation and negotiations from time to time with recognised Trade Unions. Policies and Procedures in place include the following areas and appropriate records are maintained:

- Recruitment and Selection
- Employment Contracts
- Disciplinary and Grievance procedures
- Equality Treatment
- Health & Safety Policy
- Bullying and Sexual Harassment
- Disability

Further information about any of the above areas is available from the Human Resources Department.

D. Procurement

Forfás complies with the following legislation

- State Bodies Guidelines (April 1994)
- Irish Government Contracts Regulations Public Procurement (2004 Edition)
- EU Public Procurement Directives in respect of Supply, Works and Services Contracts

Copies of the above publications can be obtained from the Government Publications Office

E. Secretary's Office

The Secretary's Office is responsible for the provision and maintenance of the following procedures/guidelines:-

- Code of Practice for the Governance of State Bodies
- Code of Business Conduct for Board and Committee Members
- Code of Conduct for Employees
- Ethics in Public Office Acts 1995 and 2001
- Standards in Public Offices Act 2001
- Forfás Client Charter

Copies of the above are available on request from the Secretary's Office, Forfás.

Frequently Asked Questions

This page contains the answers to Frequently Asked Questions about **FOI**. If you cannot find the answer to your question here or require further information please contact:

Freedom of Information Officer
Forfás
2nd Floor, Wilton Park House
Wilton Place
Dublin 2
Phone (01) 6073073
Fax: (01) 6073287
E-mail: foi@forfas.ie

Q - What is FOI/How does FOI work?

A - The FOI Act provides that, from 21 April 1998, FOI every person has legal rights to seek access to information not routinely available. Everyone now has a right:

- to access official records created after 21 April 1998 which are held by all Government Departments or other public bodies listed in the 3rd Schedule of the FOI Act;
- to have personal details on official records corrected or updated where such information is incomplete, incorrect or misleading; and
- to be given reasons for decisions taken by public bodies that affect them.

Q - Do I need to make an FOI request to get information from Forfás?

A - No- It is not always necessary to make an FOI request to get information from Forfás. A considerable amount of material is already made available to the public through our many publications, press releases, website and in response to general enquiries. If you have any queries, please contact our Communications Department at 6073243 or email info@forfas.ie

Q - How do I make an FOI request?

A - Requests for information under the FOI Act must be made in writing to Forfás and, in the case of non-personal information, must be accompanied by an application fee (See Fee Chart below) and should refer to the Act. If information is required in a particular form (e.g. photocopy, computer disk, etc) this should be specified in the application. Requests should be as specific as possible to enable the information sought to be identified. Where possible, please try to indicate the time frame for which you wish to access the records, e.g. records created between June 2003 and December 2003. Forfás is obliged to acknowledge the request within 2 weeks of its receipt and normally the applicant will be notified of the decision on a request within 4 weeks of receipt of the request.

Q - Will I be charged for requesting information under the FOI Act?

A - A standard application fee (See Fee Chart below) must accompany applications with the exception of those applications requesting Personal Information. Please note that if claiming a reduced application fee, the request must be accompanied by the Medical Card registration number, issuing Health Board name and your consent to the verification of these details with that Health Board.

Charges may be applied for the time spent finding records and for any photocopying costs incurred by Forfás in providing you with the material requested. It is very unlikely that any fees will be charged in respect of personal records, except where a very large number of records are involved.

Fees are currently set as follows in accordance with Statutory Instrument Nos 13 of 1997, 139 of 1998 as amended by 522 of 1998, and 264 of 2003 - see Fees chart below.

Q - Can I get help in making an FOI request?

A - Yes, if you require help in identifying the records required, Forfás will be happy to assist you in the formulation of your request. Assistance will also be provided to persons with a disability to exercise their rights under the FOI Act (e.g. accepting oral requests from requesters who are unable to read, print and/or write due to their disability, enabling the requester to inspect or have records explained to him/her). For any assistance please contact the FOI Officer using the contact details above.

Q - Can I get access to any information that I seek?

A - The following records come within the scope of the FOI Act.

- all records relating to personal information held by Forfás irrespective of when they were created
- all other records created from the commencement of the FOI Act (21 April 1998)
- any records necessary to the understanding of a current record even if created prior to 21 April 1998

However, in order to allow Forfás to properly conduct its business, it will sometimes be necessary to exempt from release certain records or parts of records. These decisions will be made on a case by case basis. There are 12 exemption provisions set out in the Act.

Among the key exemptions are records relating to:

- Financial and economic interests of the state and public bodies
- Confidential and commercially sensitive information,
- Personal information (other than information relating to the person making the request).
- Deliberations of public bodies, functions and negotiations of public bodies

Q - What's the next step if I am unhappy with a decision on my request?

A - If you are dissatisfied with the decision, you can seek to have it re-examined by the Forfás FOI Appeals Board. Applications for an internal review of a decision should be addressed to the Freedom of Information Officer - contact details above.

If you are unhappy with the decision of the Appeals Board, you have the right to appeal its decision to the Information Commissioner, at the following address:

Office of the Information Commissioner
18 Lower Leeson Street
Dublin 2
Phone: (01) 6785222
FAX (01) 6610570
email: ombudsmans@ombudmans.irlgov.ie

Q - Is there a fee for my request?

Type of Request/Application	<u>Standard Fee*</u>	<u>Reduced Fee * **</u>
<u>Request for a non-personal record</u>	€15	€10
Initial Request	€75	€25
Internal Review		
Review by Information Commissioner	€150	€50
<u>Request for a personal record</u>	No charge	No charge
<u>Application under section 17 for amendment of a record containing incorrect, incomplete or misleading personal information</u>	No charge	No charge
<u>Application under section 18 for the reasons for a decision affecting the individual</u>	No charge	No charge

* Fee will not apply where a person appeals a decision to charge a fee or deposit, or a fee or deposit of a particular amount under section 47 of the FOI Act

** Reduced fee will apply in respect of persons covered by a medical card and third parties who appeal a decision of a public body to release their information on public interest grounds

Fees for search and retrieval and copying of records released

The level of fees are currently set as follows in accordance with Statutory Instrument No 139 of 1998 as amended by No 522 of 1998

- Search and retrieval: €20.95 per hour*
- Copying charges **
 - Photocopy per sheet: €0.04
 - Floppy disk: €0.51
 - CD Rom: €10.16
 - Radiograph: €6.35