



FREEDOM OF INFORMATION ACT 1997
SECTION 15 MANUAL

for

IRISH WATER SAFETY
CUMANN SÁBHÁILTEACHT UISCE=





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1.

INTRODUCTION

The Freedom of Information Act 1997, hereinafter referred to as the FOI Act establishes three new statutory rights:

- 1 a legal right for each person to access information held by public bodies;
- 2 a legal right for each person to have official information relating to him/herself amended where it is incomplete, incorrect or misleading;
- 3 a legal right to obtain reasons for decisions affecting oneself.

The Act asserts the right of a member of the public to obtain access to official information to the greatest extent possible consistent with public interest and the right to privacy of individuals.

This manual is prepared in accordance with the publication requirements set out in section 15 of the Act and is known as the “Section 15 Manual”

The contents of this manual are designed to allow ease of access to official information held by Irish Water Safety. This manual outlines the structures and functions of the Association as well as details of the services provided and classes of records held.

2.

ROUTINELY AVAILABLE INFORMATION

Irish Water Safety is an information giving/generating body and much of the organisation's output is in the form of leaflets and posters, which is freely available to all members of the public. General information concerning the structure and decision-making processes of Irish Water Safety is currently available on our website at www.iws.ie and by calling or writing to: -

Irish Water Safety
The Long Walk
Galway
Ireland

Tel: (091) 56 44 00
Fax: (091) 56 47 00
Email: info@iws.ie

Such information will continue to be made available without need to use the FOI Act and the Association will strive to make as much information available as possible, without infringing on the rights of any other organisation or individual. However, access to information is subject to certain exemptions and involves specific procedures and time limits.

This manual is intended to be a guide to the structure of Irish Water Safety so as to help members of the public to **access information NOT routinely available through other sources**. This manual will be subject to review on an ongoing basis.

3.

APPLICATIONS UNDER THE ACT

Under the Freedom of Information Act, anybody is entitled to apply for access to information not otherwise publicly available. Each person has a right to:

- Access to records held by the Office
- Correction of personal information, held by the Office where it is inaccurate, incomplete or misleading
- Access to reasons for decisions made by the Office directly affecting individuals

The following records come within the scope of the Act: -

- All records relating to personal information held by the Department/Office irrespective of when created
- All other records created from commencement date i.e. 21st April 1998
- Any other records necessary to the understanding of a current record
- Personnel records of serving staff created from 21st April 1995 and those created prior to that date where being used, or proposed to be used, in a way that adversely affects or may affect the person involved.

Irish Water Safety is obliged to respond to all requests within the strict time limits laid down by the FOI Act i.e. 4 weeks

Applications for information under the FOI Act should be addressed to: -

Freedom of Information Officer
Irish Water Safety
The Long Walk
Galway

Tel: (091) 56 44 00

Fax: (091) 56 47 00

Email: info@iws.ie

Applications must be in writing and should clearly indicate that the information is sought under the **Freedom of Information Act**.

N.B. Please give as much detail as possible in any request in order to allow our staff to identify the record and process your application as speedily as possible. Our staff will be happy to give any assistance possible in identifying any records required. If information is required in a particular format e.g. photocopy, computer disk etc then this must be clearly stated in the application.

Failure to give adequate information in the application may result in that application being refused and returned to the applicant.

3.1 Fees

Fees may be charged as follows: -

- In respect of personal records, no fees will be charged in respect of the cost of copying the records requested unless a large number of records are involved.
- In respect of other (non-personal) information fees may be charged for the time spent in efficiently locating and copying records, based on a standard hourly rate. No charges will apply in respect of the time spent by Irish Water Safety in considering requests.

Section 47 of the Act provides for fees, these fees are currently set in accordance with Statutory Instruments No.'s 139 of 1998 and 13 of 1997 as follows:

£16.50 per hour – search and retrieval

3p per sheet for a photocopy

40p for a 3.5-inch computer diskette

£8 per CD-Rom

A deposit may be payable where the total fee is likely to exceed £40 (€51). IWS staff will assist members of the public to amend their request so as to reduce or eliminate the amount of the request. In order to aid in this the Association will include as much information as possible on its Internet site, which is located at www.iws.ie.

Charges may be waived – only in the following circumstances:

- Where the cost of collecting and accounting for the fee would exceed the amount of the fee,
- Where the information would be of particular assistance to the understanding of an issue of national importance, or
- In the case of personal information, where such charges would not be reasonable having regard to the means of the requester.

The Association will, when requested, forward information via e-mail and CD-Rom– only where any documents can be transmitted in their whole form. Where documents are amended to take account of any other information e.g. sensitive commercial information, such documents will only be forwarded in hard copy format.

4.

RIGHTS OF REVIEW AND APPEAL

The FOI Act sets out a series of exemptions to protect sensitive information where its disclosure may damage key interest of the State or third parties. Where Irish Water Safety 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 appeals mechanisms are as follows:

4.1 Internal Review:

An internal review of an initial decision may be sought if

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

The Chief Executive of Irish Water Safety will carry out internal reviews. Intended reviews should be addressed to:

Chief Executive
Irish Water Safety
The Long Walk
Galway

Tel: (091) 56 44 00
Fax: (091) 56 47 00
Email: info@iws.ie

A request for an internal review must be submitted within 4 weeks of the initial decision. This review must be completed within 3 weeks. Internal review must normally be completed before an appeal may be made to the Information Commissioner.

4.2 Review by the Commissioner:

Following completion of the internal review process, an individual may seek an independent review of the decision from the Information Commissioner. If you have not received a reply to your application for internal review within 3 weeks, this is deemed to be a refusal and the matter may be appealed directly to the Commissioner.

Appeals in writing may 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: [**ombudsman@ombudsman.irlgov.ie**](mailto:ombudsman@ombudsman.irlgov.ie)

5.

MISSION STATEMENT

IWS strives to deliver instruction, advice and guidelines and to change people's attitudes, behaviours and practices on water safety in order to enable them to prevent / avoid water related accidents.

RÁITEAS NA COMHAIRLE

Chun timpistí uisce a sheachaint tá comhairle, múineadh agus treoirínte dhá chur ar fáil ag an gCumann Sábháilteacht Uisce chun meoin, iompar agus cleachtas an phobail a athrú ó thaobh sábháilteacht uisce dhe.

6.

STRUCTURE & ORGANISATION

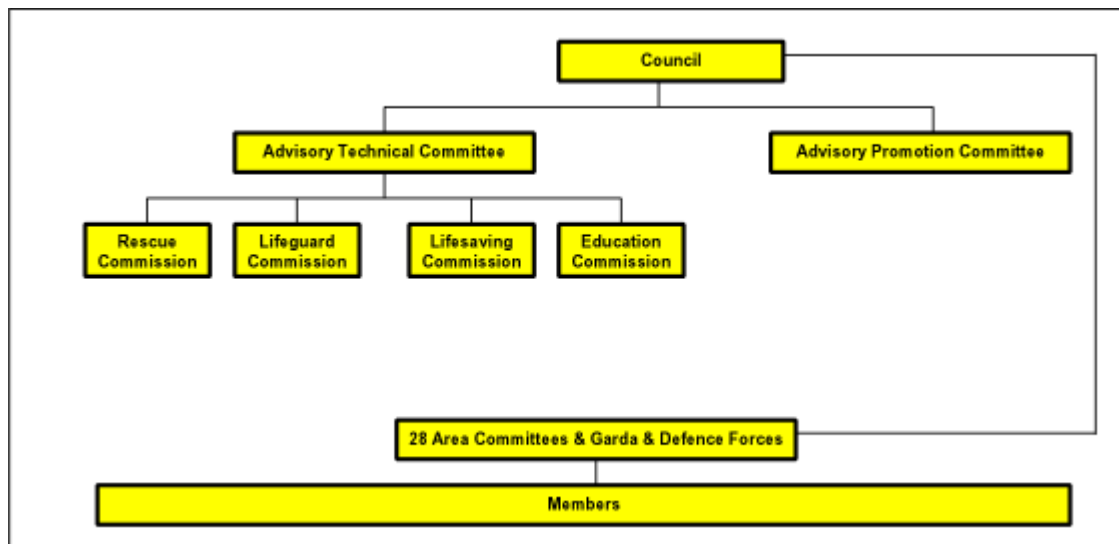
Irish Water Safety is a Non-Commercial Semi-State organisation established to promote water safety in Ireland with headquarters in Galway, Ireland.

6.1 The Council

Irish Water Safety was established in November 1999 under Establishment Order SI 361 of 1999 and is made up of 12 members (as well as the Chief Executive and Secretary). It is comprised of seven (7) members appointed by the Minister for the Environment and Local Government, and five (5) appointed members. A list of our current members can be located on our website at www.iws.ie/council.asp.

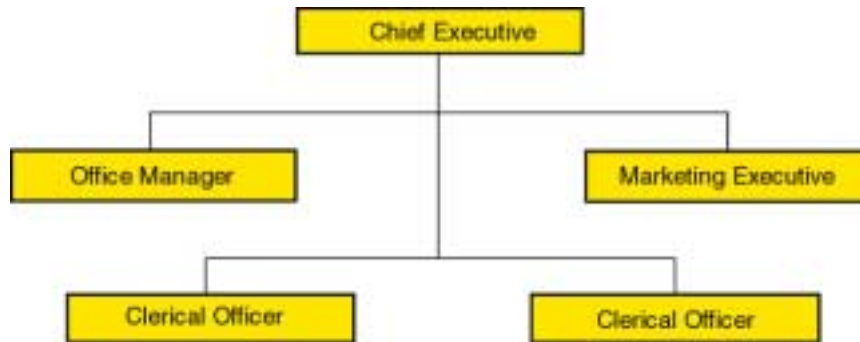
The board carry out many duties during their term of office including policy decisions on matters of strategy and overall finance.

The Council also forms two sub-committees – The Advisory Technical and Advisory Promotion Committees. These committees include various members of the Council and other representatives with specific expertise in either area. The committees review ongoing activities in each relevant area and make recommendations to the main Council regarding policy and projects to be carried out. A detailed list of each Committee and their specific activities can be viewed at <http://www.iws.ie/council.asp>. There are four sub-commissions that report to the Advisory Technical Committee and their specific functions and members are outlined on the website.



6.2 Full-time Staff

Irish Water Safety also has full-time staff to implement policy as laid down by the Council. There are five authorised members of staff consisting of a Chief Executive (AP1), an Office Manager (HEO), Marketing Executive (HEO), and two Clerical Officers (CO).



6.3 Work of Irish Water Safety

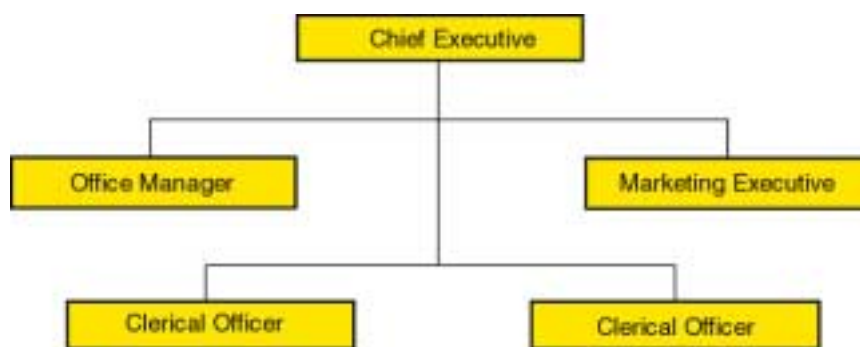
Established in November 1999 under the Local Government Services (Corporate Bodies) Act 1971. The function of Irish Water Safety is to promote water safety through education, training programmes and publicity campaigns. Conferences, seminars and publicity campaigns are undertaken to increase public awareness. Instruction is provided in swimming, lifesaving techniques, and resuscitation drills through water safety weeks in rivers, lakes and beaches during the summer months and in pools during the winter months.

VAT Inspections are undertaken on Inshore Rescue boats and stations on behalf of the Revenue Commissioners and instruction is provided on RIB handling for inshore rescue boats. Surveys are conducted on beach, river and lakefronts for Local Authorities with ensuing safety recommendations. IWS also provides an in-service aquatics course for primary schoolteachers on an annual basis.

7.

IRISH WATER SAFETY BY DIVISION

Irish Water Safety is principally comprised of two divisions due to the small number of staff. The following is a brief outline of the various areas of the Association, their structure, organisation and the information available.



7.1 The Duties of the Staff:

Chief Executive Officer

The Chief Executive shall carry on and manage and control generally the administration and business of the association and to carry out such other functions as may be from time to time assigned to him by the Council.

Marketing Executive

Public Relations
Editor of Newsletter
Webmaster of Website
Merchandising
Member of Advisory Promotion Committee
Statistical Analyst
Sponsorship Management

Office Manager

FOI Officer
Financial Controller
Personnel Management
Secretary to Advisory Technical Committee
Systems Administrator
Secretary to Council
Internal Auditor (area committees)

Clerical Officers

Data Processing
Reception
Mail Handling
General Correspondence
Certificate Processing

7.2 Secretariat

Secretariat has responsibility for the financial and legal functions of the Council and to insure that all legal requirements such as The Prompt Payment of Accounts Act 1997 are adhered to. Secretariat is also responsible for resources including human resource management as well as maintenance of PC network.

7.2.1 Structure of Secretariat

The Office Manager and two Clerical Officers currently staff secretariat Division.

7.2.2 Information Available

Any relevant information relating to Secretariat may be requested from

Office Manager
Irish Water Safety
The Long Walk
Galway

7.2.3 Classes of Records

Financial	Includes all accounts records, salary, and pension details
Council	Including Council Minutes, Commissions and sub-committee minutes and Members Details
Procurement	Includes details viz. purchase of equipment and services on behalf of the Council. Also including Government & European guidelines concerning procurement by Irish Water Safety.
Tax/Social Welfare	Includes all Tax matters including VAT, PAYE and Professional Withholding Tax. Also included are all matters concerning the collection and payment of PRSI.
Personal	Includes files of past and present personnel
Statistics	Secretariat provide relevant statistics as requested by various state bodies
Freedom of Information	Includes all requests and records created under FOI legislation.
Correspondence	Includes any requests for information made by members of the public, companies or other state bodies.
Certification	Examination return forms and all recipients of IWS awards.
Inspections	VAT Inspections and Survey details.

7.3 Marketing

As a major function of the Association, this area is responsible for the design, production and broadcasting of a variety of television, radio, print, and electronic advertisements designed to educate and advise the general public as to the safe use of Ireland's waterways. This area is also responsible for the design, production and publication of all leaflets, posters and booklets for the Council as well as the collation of all statistics relevant to water safety.

This area also develops and implements communications strategies to increase awareness and raise the profile of Irish Water Safety. It develops strong relationships with national and local media and organises and manages press conferences, launches, briefings and other media events on behalf of Irish Water Safety. Seeking corporate partners and servicing such partnerships falls to this area.

7.3.1 Structure of the Marketing Section

The Marketing Executive currently staffs this area.

This area has access to the various manpower resources available in Irish Water Safety including both Clerical Officers who are utilised on a project basis.

7.3.2 Information Available

Any relevant information relating to Marketing may be requested from

Marketing Executive
Irish Water Safety
The Long Walk
Galway

7.3.3 Classes of Records

Publishing	Includes details re. design, printing/publishing of leaflets/posters/booklets.
Statistics	Provides relevant statistics/research regarding success of various campaigns, and water related death statistics.
Library	Keeping of up-to-date records concerning current video and printed material kept on hand by the Association.
Correspondence	Includes any requests for information made by members of the public, companies or other state bodies.
Print	Includes up-to date press coverage concerning Irish Water Safety.

Media	Including details of any Interviews conducted by Irish Water Safety representatives
Sponsors	Including current sponsors. Various details regarding current, proposed and past sponsors may be deemed to be commercially sensitive and may not be disclosed as allowed under the terms of the Act.