

EIR Request (received 10 February 2021) - Reference: DFI/2021-0056

Under FOI/EIR please can you provide us with all correspondence, records of meetings, and notes of telephone conversations between the Department for Infrastructure and the Northern Ireland Public Services Ombudsman's office in relation to the issue of "legacy complaints" referred to in Section 6 (page 7) of the Strategic Planning Group minutes of 16 January 2020?

Response (issued 09 March 2021)

Thank you for your email dated 10 February 2021. You have requested, under the Freedom of Information Act 2000 and Environmental Information Regulations 2004, the above information held by the Department for Infrastructure (DfI) Planning.

In considering your request on behalf of the Department I have determined that the information requested falls under the aegis of the Environmental Information Regulations 2004 (EIR), as opposed to Freedom of Information Act 2000.

A guide explaining the Environmental Information Regulations can be found at:

<https://ico.org.uk/for-organisations/guide-to-the-environmental-information-regulations/what-are-the-eir/>.

In response to your request, following the completion of a public interest test, I have released the following information, as requested, consisting of 4 letters with some elements redacted as set out below:

1. 20 December 2019 - Paul McFadden to Katrina Godfrey. This has been considered and exempted under Section 44(1)(a) of the Freedom of Information Act 2000 ("the FOIA 2000") and in accordance with Section 49 and Section 30(5) of the Public Services Ombudsman Act (Northern Ireland) 2016 ("the 2016 Act"), as it relates to references to a listed authority under investigation.

A letter associated with the correspondence dated 20 December 2019 has not been released under Section 44(1)(a) of the FOIA 2000 and in accordance with Section 49 and Section 30(5) of the 2016 Act, as it relates to information obtained in the course of an investigation and the letter is part of the investigative process. Regulation 12(5)(d) of the Environmental Information Regulations 2004 which relates to the 'confidentiality of the proceedings of that or any other public authority where such confidentiality is provided by law' is also applicable in this instance.

2. 12 February 2020 - Katrina Godfrey to Paul McFadden. This has been considered and exempted under Section 44(1)(a) of the FOIA 2000 in accordance with Section 49 and Section 30(5) of (“the 2016 Act”), as it relates to references to a listed authority under investigation.
3. 27 May 2020 - Paul McFadden to Katrina Godfrey. This has been considered and exempted under Section 44(1)(a) of the FOIA 2000 in accordance with Section 49 and Section 30(5) of (“the 2016 Act”).
4. 06 July 2020 - Katrina Godfrey to Paul McFadden. This has been considered and exempted under Section 44(1)(a) of the FOIA 2000 in accordance with Section 49 and Section 30(5) of (“the 2016 Act”).

Copyright notice

The supply of information under the Freedom of Information Act or the Environmental Information Regulations does not give the recipient or organisation that receives it the automatic right to reuse it in any way that would infringe copyright. Information supplied continues to be protected by copyright. You are free to use it for your own purposes, including for private study and non-commercial research, and for any other purpose authorised by an exception in current copyright law. Documents (except photographs) can also be used in the UK without requiring permission for the purposes of news reporting. Any other re-use, for example commercial publication, would require the permission of the copyright holder.

Most documents provided by a government department or agency will be protected by Crown Copyright. Most Crown Copyright information can be re-used under the [Open Government Licence](#). For information about the OGL and about re-using Crown Copyright information, please see [The National Archives website](#).

Copyright in other documents may rest with a third party. For information about obtaining permission from a third party please see the [Intellectual Property Office's website](#).