



**Freedom of Information
Sections 15 and 16 Reference Book**

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Introduction

Background

This Léargas FOI Sections 15 and 16 Reference Book – A Guide to the functions, records, rules and practices of Léargas The Exchange Bureau, 31 May 2006 is compiled in accordance with the Freedom of Information Acts 1997, as amended by the Freedom of Information Act 2003. All references in this manual to the Freedom of Information Act or Acts refer to the 1997 Act as amended by the 2003 Act.

The Freedom of Information (FOI) Acts, effective from 21st April 1998, establish three new statutory rights:

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

The Acts assert the right of members of the public to obtain access to official information to the greatest extent possible consistent with the public interest and the right to privacy of individuals.

Purpose of the Reference Book

This reference book has been prepared and published in accordance with the requirements of Sections 15 and 16 of the FOI Acts.

In accordance with **Section 15** of the Act, the purpose of this reference book is to facilitate access to official information held by Léargas, by outlining the structure and functions of this organisation, details of the services we provide and how they may be availed of, information on the classes of records we hold, and information on how to make a request to the Department under the Freedom of Information Acts, 1997 and 2003.

Section 16 of the FOI Act requires us to publish a book containing:

- the rules, procedures, practices, guidelines and interpretations used by the body, and an index of any precedents kept, for the purposes of decisions under any enactment or scheme administered by us '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' together with
- 'appropriate information in relation to the manner or intended manner of administration of any such enactment or scheme.'

How to use this Reference Book

This book is divided into two main parts.

Part 1 of the Book - [Access to Information](#) - explains how to access information from us under and any fees that may arise.

Part 2 of the Book - [Our Role and Structure](#) - outlines the role of Léargas and its organisational structure. This part gives a breakdown of our internal structure and organisation. Information is provided under the following headings:

- **Role** – outlines the main work we do.
- **Structure** – gives details of our personnel structure.
- **Work we do** – provides a synopsis of our main activities.
- **Classes of records held** – details the under which the we hold records.
- **Contact points**– how to contact us for assistance.
- **Rules and Practices** – this information is provided in accordance with Section 16 of the FOI Act as amended. Where we provide any scheme impacting on the public within the meaning of Section 16 of the Act, as outlined under the heading Purpose of Reference Book earlier, then the rules and practices that we use in delivery of this scheme are outlined or referenced under the Rules and Practices heading.

Appendices

- Appendix 1 – Léargas Organisational Structure
- Appendix 2 – FOI application form to request access to records under the Act from Léargas.

Availability of this Book

Copies of this publication can be downloaded free of charge from the Léargas website: www.leargas.ie/foi

PART 1 – ACCESS TO INFORMATION

There are two ways to get information: you can easily access routinely available information or—if necessary—you can make an application under the FOI Act.

Routinely Available Information

Guidelines, application forms and report forms for all of our programmes are available primarily on our website: www.leargas.ie

All of these documents can also be obtained, free of charge, directly from Léargas by calling (01) 873 1411.

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 to records held by us not covered by one of the exemptions in the Act.
- Correction of personal information relating to oneself held by us where it is inaccurate, incomplete or misleading.
- Access to reasons for decisions made by us directly affecting oneself.

The following records come within the scope of the Act:

- All records relating to personal information held by us irrespective of when created.
- All other records created from commencement date of the Act 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 they are being used or proposed to be used in a way which adversely affects or may affect the person involved.

We will normally be obliged to respond to a request within 4 weeks. A week is defined in the Act to mean 5 consecutive weekdays, excluding Saturdays and public holidays (Sundays are also excluded, as they are not week days).

Applications under the FOI Act should be addressed to:

Fionnuala Broughan,
FOI Officer,
Léargas,
189 Parnell St,
Dublin 1.
Tel.: (01) 873 1411;
Fax: (01) 873 1316;
email: foi@leargas.ie

Compiling your application

- (i) Your application should be in writing and, if applicable, accompanied by the appropriate fee (see "fees" below). The relevant fee should be paid by Bank Draft, Money Order, Postal Order or cheque drawn on a bank in the Republic of Ireland, made payable to Léargas, The Exchange Bureau.

You may use the form entitled 'Request for Information under the Freedom of Information Acts' which is widely available or OUR version of this form (see Appendix 1). This form is also available from www.leargas.ie/foi/RequestForm.doc

If you are not using the form outlined above, then your application should indicate that the information is sought under the Freedom of Information Act.

- (ii) If you require a reply in a particular format i.e. photocopy, computer disk, etc. please mention this in your application.
- (iii) Please be as detailed and as specific as possible when compiling your application as this will assist us in dealing with it. It can also result in lesser charges being incurred on search and retrieval in cases where these fall to be paid. Where possible please try to indicate the time period for which you wish to access records e.g. records created between May 2003 and December 2003. If you have any difficulty in preparing your application our staff will be happy to assist you in this regard.
- (iv) You may be required to prove your identity, especially when seeking personal information, so you may, therefore, be asked to produce your Birth Certificate, Driving Licence, Passport or other form of identity.
- (v) Please include a daytime telephone number, if possible, so that you may be contacted quickly if it is necessary to clarify details of your request.

We are happy to provide assistance to members of the public who seek advice on making a request.

Assistance to persons with a disability

We are available to provide assistance 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 or her).

FOI Decision Making in Léargas

The FOI Decision Maker is:
Fionnuala Broughan, Information Manager

The FOI Appeals Officer is:
Jim Mullin, Executive Director.

We acknowledge receipt of FOI applications not later than 2 weeks following their receipt and forward them to the FOI Decision Maker for decision. The Decision Maker proceeds to deal with the request, liaise with the requester as appropriate and make a decision on the matter.

Rights of Review and Appeal

The Act sets out a series of exemptions to protect sensitive information where its disclosure may damage key interests of the State or of third parties. Where a Public Body 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 appeal. Details of the appeals mechanisms are as follows:

Internal Review

You may seek internal review of the initial decision which will be carried out by an official at a higher level if:

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

Requests for internal review should be submitted in writing and, if applicable, accompanied by the appropriate fee, (see under Fees) to:

Jim Mullin,
FOI Appeals Officer,
Léargas,
189 Parnell St.,
Dublin 1

Telephone: (01) 873 1411
Fax: (01) 873 1316
email: foiappeals@leargas.ie
web: www.leargas.ie/foi

The relevant fee should be paid by Bank Draft, Money Order, Postal Order or cheque drawn on a bank in the Republic of Ireland, made payable to Léargas The Exchange Bureau.

Such a request for internal review must be submitted within 4 weeks of the initial decision. We must complete the review within 3 weeks. Internal review must normally be completed before an appeal may be made to the Office of the Information Commissioner.

Review by the Information Commissioner

Following completion of internal review, you may seek independent review of the decision from the Information Commissioner. Also if 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 Information Commissioner.

Appeals in writing, and, if applicable, accompanied by the appropriate fee, (see under Fees below) may be made directly to the Information Commissioner at the following address:

Office of the Information Commissioner
18 Lower Leeson Street,
Dublin 2

Telephone: (01) 639 5689
Fax: (01) 639 5676
E-mail: info@oic.ie
Website: <http://www.oic.ie>

Fees

Application fees

A standard application fee of **€15** must accompany an FOI request made under section 7 of the Act for a record or records **containing non-personal information**.

A reduced fee of **€10** applies if the person making such a request is covered by a medical card.

The following requests/applications are exempt from application fees:

- (a) A request under section 7 for a record or records containing only personal information related to the requester.
- (b) An application under section 17 (right of amendment of records relating to personal information).
- (c) An application under section 18 (right of person to information regarding acts of public bodies affecting the person).

Internal review fees

A standard application fee of **€75** must accompany an application for internal review under section 14 of the Act.

A reduced fee of **€25** applies if the person bringing the application is a medical card holder or a dependant of a medical card holder.

The following internal review applications are exempt:

- (a) An application in relation to a decision concerning records containing only personal information related to the applicant.
- (b) An application in relation a decision under section 17 (right of amendment of records relating to personal information).
- (c) An application in relation to a decision under section 18 (right of person to information regarding acts of public bodies affecting the person).
- (d) An application in relation to a decision to charge a fee or deposit, or a fee or deposit of a particular amount.
- (e) An appeal of a decision which is deemed to be refused because the original request was not replied to within the required time limits.

Review by Information Commissioner

A standard application fee of **€150** must accompany applications to the Information Commissioner for review of decisions made by public bodies under section 34 of the Act.

A reduced fee of **€50** applies if

- (a) the person bringing the application is a medical card holder or a dependant of a medical card holder or
- (b) the person is specified in section 29(2) i.e. a third party with the right to apply directly to the Information Commissioner where a public body decides to release their information on public interest grounds.

The following applications to the Information Commissioner do not require an application fee:

- (a) An application concerning records containing only personal information related to the applicant.
- (b) An application in relation a decision under section 17 (right of amendment of records relating to personal information).

- (c) An application in relation to a decision under section 18 (right of person to information regarding acts of public bodies affecting the person).
- (d) An application in relation to a decision to charge a fee or deposit exceeding €25.00 under section 47 in respect of search and retrieval and photocopying of records (decisions in relation to the charging of fees or deposits for search and retrieval and/or photocopying of less than €25 are not subject to review by the Information Commissioner).
- (d) An application in relation to a decision to charge a fee under section 47(6A), or a fee of a particular amount under section 47(6A), on the grounds that the records concerned do not contain only personal information related to the requester or the requester is not a medical card holder or a dependant of a medical card holder.
- (e) An appeal of an internal review decision which is deemed to be refused because that decision was not made within the required time limits.

Search and Retrieval and photocopying fees

Fees may also be charged for search and retrieval of records as follows:

- In respect of personal records, fees in respect of the cost of copying the records requested will apply.
- In respect of other (non-personal) information, fees may be charged in respect of the time spent in efficiently locating and copying records, based on a standard hourly rate of €20.95. No charges shall apply in respect of the time spent by public bodies in considering requests.

A deposit may be payable where the total fee is likely to exceed €50.79. In these circumstances, we will, if requested, assist the member of the public to amend the request so as to reduce or eliminate the amount of the deposit.

Charges may be waived in the following circumstances:

- where the cost of collecting and accounting for the fee would exceed the amount of the fee; or
- 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.

Section 47 of the FOI Act sets out the rules for applying search and retrieval fees. Fees are currently set as follows in accordance with Statutory Instruments Nos. 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)

PART 2 – OUR ROLE AND STRUCTURE

Our Mission Statement

To make an ongoing contribution to Ireland's capacity to provide innovative responses to the developing needs of our people in an increasingly interdependent world by:

- educating, developing and broadening the perspectives of Irish young people and those who work with them by exposing them to international and bilateral cooperation programmes
- contributing to innovation in formal and informal education and vocational training policy and systems through involvement in these programmes.

Our Values

In carrying out our Mission, we uphold the following core values:

- *Quality* – we aim to provide an effective, efficient and responsive service to all with whom we work
- *Partnership* – both within Léargas and in our work with others in the sector, our approach is one of collaboration and cooperation
- *Transparency* – in all our work we value openness, integrity and honesty
- *Inclusion* – we provide all our services fairly and equitably, with an emphasis on reaching disadvantaged groups and individuals
- *Development* – we bring a developmental focus to all the work that we do
- *Support* – we recognise that our staff are our key resource and we support their professional and personal development

Our Policy on Confidentiality

We undertake to treat as confidential any information provided to us in confidence by individuals or others, subject to the our obligations under law, including the Freedom of Information Act. If, for any reason, you wish that information provided to us should not be disclosed because of its sensitive nature, then you must, when supplying the information, make clear this wish and specify the reasons for the information's sensitivity. We will consult with you before making a decision on any Freedom of Information request received involving sensitive information which you may have supplied.

Detailed Information on our Structure and Organisation

Role

Léargas is Ireland's National Agency for the management of national, European and international co-operation programmes involving:

[Education and Lifelong Learning](#)
[Vocational Education and Training](#)
[Youth and Community Work](#)
[Guidance in Education.](#)

Léargas enables and supports people, organisations and systems to innovate and to harness the benefits of transnational partnership.

Through European, bilateral and international programmes, Léargas enables the development of intercultural awareness, facilitates change management, and assists in the development of new responses to the need for innovation in education and the workplace.

Structure

Léargas is divided into four teams:

The Education Services team runs most actions of the European Commission's [Socrates programme](#) in Ireland (this includes both the [Comenius](#) action, for schools, and the [Grundtvig](#) action for adult and further education) The team also manages the [East West](#) schools programme with schools in Britain. Other programmes/initiatives run by the Education team include the [eTwinning](#) programme, the [European Centre for Modern Languages](#), the [European Award for Languages](#), and the [European Day of Languages](#). Léargas also manages the [Education Equality Initiative](#).

The Vocational Education and Training team manages the [Leonardo da Vinci](#) programme of the European Commission. It also runs the [IAESTE](#) student exchange programme.

The Youth Work Service team administers the European Commission's [Youth programme](#); the [Causeway](#) programme which promotes North-South exchange in the areas of non-formal education; and—together with the Education Service—the [NcompasS](#) programme. [eurodesk](#) also operates within the Léargas Youth Work Service.

The Central Services team provides core services--financial management, administration, and information management--to the whole organisation.

Note: The National Centre for Guidance in Education ([NCGE](#)) operates under the aegis of Léargas. It supports and develops guidance practice in all areas of education. Guidance refers to a range of activities that assist people to make choices about their lives - career, educational, personal, and to carry out these choices.

A full organisation structure is provided in [Appendix 1](#) .

Work we do

The primary function of Léargas is that of managing programmes: providing technical support, administering funding, monitoring and evaluation. Here is a summary of the day-to-day services we provide for our current range of programmes:

- managing and supporting the application process
 - advertising application deadlines in accordance with guidelines
 - holding regional information workshops
 - holding one-to-one consultation meetings with interested applicant organisations
 - providing application forms and practical guidelines on completing same, with back up helpline
 - assisting with partner finding
 - providing a project outline form as a basis for discussion and technical advice
 - working intensively with organisations invited to submit a full proposal (application) both on a group and individual basis
 - providing a budget tool in Excel to ensure accurate, eligible budgets are presented
 - meeting non-selected projects individually to discuss/advise in relation to strengthening their application
- managing the selection process
 - working with selection committees to ensure a smooth and efficient selection process
- managing the contractualisation process
 - meeting selected participants/promoters/projects (as a group or individually) during the contracting process (inc. advice on how to adjust budgets and workplans)
 - ensuring contracts are in place and payments made on time
- providing technical support during the lifetime of a project, for example:
 - project management
 - contractual relationships
 - administrative and financial databases and other tools used in Léargas
 - administrative and financial handbooks provided as appropriate to programme participants
 - meeting with projects as needed to provide ongoing support
 - interim and final reports (including checklists of 'dos' and 'don'ts')
 - organising projects into thematic groups
 - dissemination/mainstreaming of results (see below)
 - attending transnational partner meetings held in Ireland
- monitoring ongoing projects to identify strengths/weaknesses and propose solutions to the latter; monitoring includes:
 - project evaluation
 - site visits
 - audits
- managing grants payment processes
- managing reporting procedures
 - ensuring projects report on time
 - collection, analysis and collation of quantitative and qualitative data
 - writing and releasing accurate interim and final narrative and financial reports to relevant authorities (both national and European) on time

- managing the dissemination and mainstreaming process
 - ensuring outcomes of projects and programmes are published and disseminated through various media as appropriate
 - ensuring outcomes are shared in local, regional, national and international settings
- managing the programme evaluation process
 - providing input to national and European fora on programme evaluation
 - providing input to policy
 - using outcomes of programme evaluation to develop other programmes and projects within Ireland and farther afield

Classes of records held

Programme information:

- Workplans and budgets for each programme
- Application forms
- Contact details for organisations and individuals
- Eligibility and assessment records
- Minutes of National Selection Committee meetings
- Signed contracts
- General correspondence
- Financial records (grants payments, invoices etc.)
- Narrative, financial, statistical and qualitative reports on projects and programmes
- Reports on monitoring and audit visits
- Responses to RFIs by National Authorities and other public bodies

Organisation information:

- General correspondence
- General administration records
- Financial records
- HR records
- Bids and tenders
- Operational and other contracts
- Minutes of Board meetings
- Observations and responses to National Authorities

Contact points

To contact Léargas, use the following contact points:

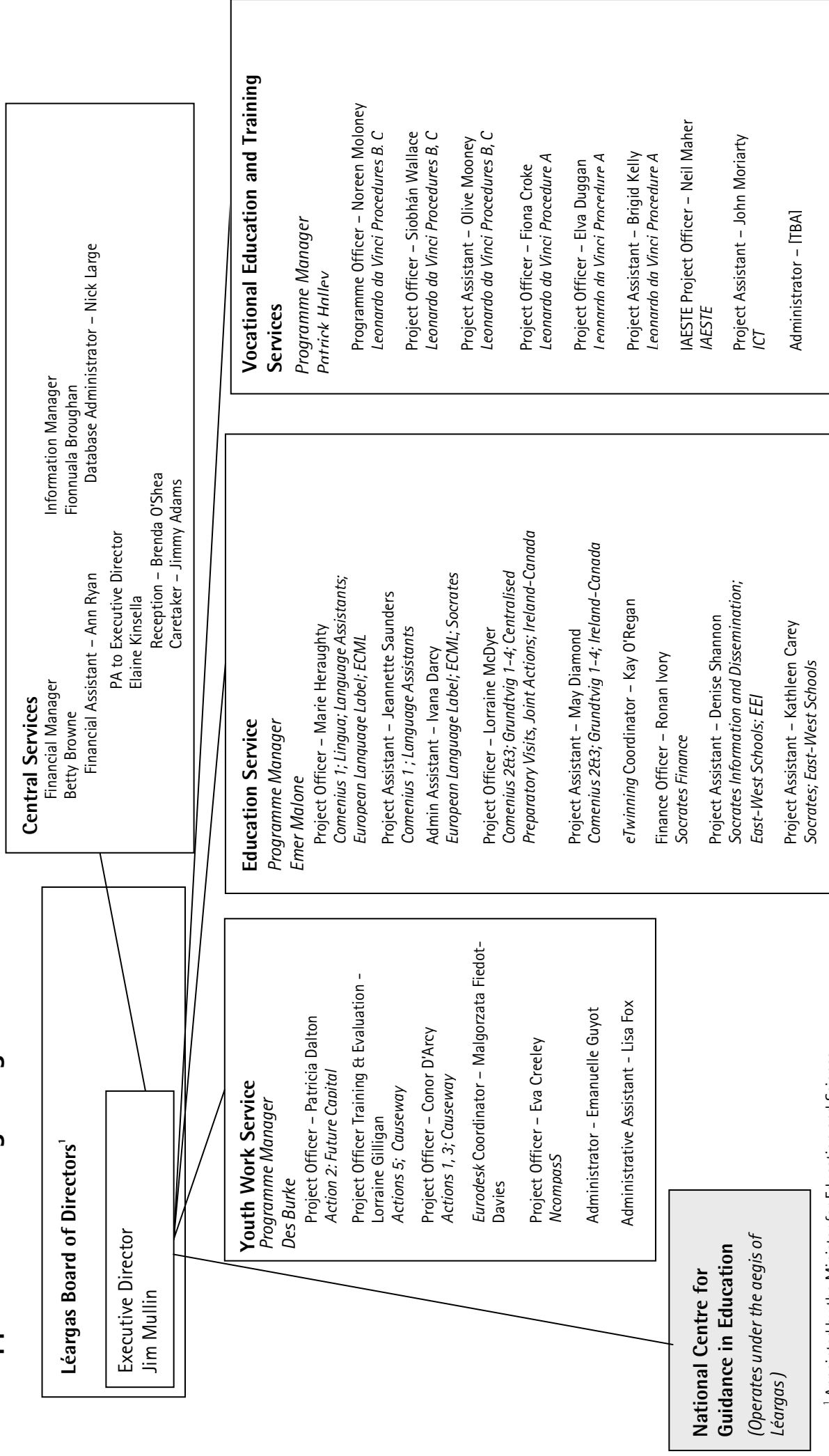
For information on:	Contact:
general matters regarding transnational exchange and cooperation programmes, or about Léargas itself	Léargas Information Manager 189 Parnell St Dublin 1 Tel.: (01) 873 1411 Fax: (01) 873 1316 info@leargas.ie
all schools, languages and adult education programmes	Léargas Education Service 189 Parnell St Dublin 1 Tel.: (01) 873 1411 Fax: (01) 873 1316 education@leargas.ie
all vocational education and training programmes	Léargas VET Services 189 Parnell St Dublin 1 Tel.: (01) 873 1411 Fax: (01) 873 1316 leonardo@leargas.ie
all youth, community and volunteering programmes	Léargas Youth Work Service 189 Parnell St Dublin 1 Tel.: (01) 873 1411 Fax: (01) 873 1316 youth@leargas.ie

Rules and Practices

The guidelines, rules and practices regarding the programmes we manage are either published on our website or are available directly from us. The table below provides a summary of where you can find relevant information on the programmes. If you cannot find what you're looking for on the website, please call Léargas at (01) 873 1411.

For rules and practices on:	Go to:
the Comenius action of the Socrates programme (including School projects, Language projects and Language Assistants),	http://www.leargas.ie/education/comenius/docs.html
the East-West schools programme,	http://www.leargas.ie/education/eastwest/ewforms.html
the European Centre for Modern Languages (workshops),	http://www.leargas.ie/education/ecml/index.html
the European Language Label,	http://www.leargas.ie/education/lingua/ell.html
the eTwinning schools initiative,	http://www.etwinning.ie/about.html
the Grundtvig actions of the Socrates programme,	http://www.leargas.ie/education/grundtvig/index.html (for general information on Grundtvig) http://www.leargas.ie/education/grundtvig/aform.html (for application forms and links to guidelines)
the Leonardo da Vinci programme,	http://www.leonardo-ireland.com/leonardo2/index.html (follow the links to more detailed information on eligibility, guidelines, and applications)
the IAESTE programme,	http://www.iaeste.ie/student.html (for guidelines and application forms for students)
the Youth programme,	http://www.leargas.ie/youth/publications.html
the Causeway programme,	http://www.causewayyouth.org/resources/res.html (for general resources) http://www.causewayyouth.org/resources/CausewayYouth.pdf (for more detailed information on the programme)
the NcompasS programme,	http://www.ncompass.org/activities/index.html (follow the links for each activity/initiative to find out about funding and selection criteria)

Appendix 1 – Léargas Organisational Structure



Appendix 2 – FOI Application Form¹

APPLICATION FOR INFORMATION UNDER THE FREEDOM OF INFORMATION ACTS, 1997 AND 2003

Date of Request:

Name of person requesting information:

Contact Numbers:

Home:

Work:

Type of Identification* (please select one; only send a copy please, do not send the original):

Birth Certificate Driver's Licence Passport Social Welfare Card

*Note: If your request is for personal information, you must provide some means of identification. If you don't provide ID, there will be a delay in processing your application.

Details of Request

Please give as much detail as possible about your request. Please include the dates within which the information you're requesting is relevant.

Name:

Address:

Request:

If a solicitor is acting on your behalf, please provide their contact details below:

Solicitor's Name:

Address:

Telephone:

Fax:

If you need help in completing the application form, please contact us at:

Freedom of Information Unit
Léargas
189 Parnell St
Dublin 1
(01) 873 1411

¹ This form is also available on our website at www.leargas.ie/foi