PBNI Probation Board for Northern Ireland

REQUESTS FOR INFORMATION



YOUR RIGHT TO KNOW

Did you know that you can request access to your personal information and other types of information held by the Probation Board for Northern Ireland (PBNI)?

Under the Data Protection Act 2018 (DPA) you can request access to your personal information held by PBNI.

Under the Freedom of Information Act 2000 (FOI) you have a right of access to recorded information to help you better understand how PBNI works, how it spends public money, and how and why it makes its decisions.

Under the Environmental Information Regulations 2004 (EIR) you can request information which relates to the environment.

Personal information (Data Protection Act 2018)

The Data Protection Act 2018 gives you a series of rights around access to your personal information.

Subject to certain conditions*, you have a right:

- to obtain confirmation that your personal information is being processed, and have access to it;
- to have your personal information rectified if it is inaccurate or incomplete;
- to have your personal information erased and to prevent processing, in specific circumstances;
- to object to processing, halt or suspend the processing of your personal information while it is being checked; and
- A right to “data portability” in certain circumstances which means a right to move, copy or transfer personal information easily from one IT environment to another in a safe and secure way.

Other types of information (FOI & EIR)

Subject to certain conditions*, the Freedom of Information Act 2000 provides access to information such as records or documents held by PBNI of non-personal nature.

Again subject to certain conditions*, the Environmental Information Regulations 2004 also give access rights to environmental information. Of less direct relevance to PBNI, this would cover information on, for example, land development, pollution, energy production and waste management.

* Where legislation permits, rights of access to information in each area can be limited in certain circumstances for example: where sharing would cause a threat to public safety; would obstruct a criminal process; or in certain circumstances if it was not in the public interest.

How to make a request

Requests can be made verbally or in writing to your local PBNI office. You may also send requests via email:

• Personal information: dpa@probation-ni.gov.uk

• Other information (FOI/EIR): foi@probation-ni.gov.uk

You should provide your name, address and a detailed description of the information you wish to receive.

Requests for your personal information may require your Date of Birth and may require proof of identity before information is released to you, e.g. a copy of your birth certificate, driving license or passport.

Before making a request

However, before you decide to make a Freedom of Information request, please check that the information isn't already available on our website. PBNI has already identified information which you can access automatically through its Model Publication Scheme available on the website www.pbni.org.uk.

If the information is not available on the website or if you wish to obtain access to information you will need to make a request to PBNI in writing or verbally as outlined above.

Do I need to pay?

There is no charge for requests for information. However, where a request is manifestly unfounded or excessive, we may charge a reasonable fee to cover the administrative costs of complying with that request.

PBNI has the right to refuse to respond to an FOI request that is estimated to cost more than £450 to process. However, if it is an EIR information request which costs more than £450 PBNI has to process it, if you are prepared to pay the costs, unless the information is covered by an exception.

How long will it take?

Personal information requests: up to 28 calendar days (extensions possible for complex requests). It will help us to process your request more quickly if you can be as specific as possible about what information you want. Sometimes we might have to contact you in order to clarify exactly what information you are interested in.

Other information (FOI/EIR): 20 working days.

What happens if Probation does not have the information I want?

We may not hold the information you request and the legislation does not require us to gather information that is not already there. However, it is possible that another public authority may hold the information and where possible we will assist you with the contact details. It is also possible that we may have had the information at one time but that it has been lawfully destroyed, in which case we will tell you.

What if I am refused information?

If we decide not to disclose some information, we must explain to you why it is being withheld.

What if I am not satisfied?

If you think your request has not been answered properly, that the response has taken too long, or you have been charged too much, you can make a complaint to the PBNI Data Protection Officer by email DPO@probation-ni.gov.uk, by phone (028) 9052 2522 or write to:

PBNI Data Protection Officer
80-90 North Street
Belfast
BT1 1LD

Your complaint should be registered in writing within two calendar months of the date of PBNI's response. If, after PBNI has dealt with your complaint, you are still not happy with the response, you can appeal against the decision to the Information Commissioner who will decide if your request has been handled properly.

For information on how to make a complaint to the Information Commissioner please go to www.ico.org.uk.

You can contact the Information Commissioner at:

The Information Commissioner's Office
4th Floor,
No. 3 Circle Square
5 Hawkshaw Street
Manchester
M1 7BL
Tel: 0303 123 1113.

Further advice

If you require any further advice or assistance in requesting access to information please speak to your local office and someone can assist you. Or you can contact:

The Communications Unit (Compliance Section),
PBNI HQ,
80/90 North Street,
Belfast
BT1 1LD

Tel: 028 90 522522

This information leaflet can be provided in a different format or language upon request to the Communications Unit.

If you have hearing difficulties, you can call us through Relay UK. Find out how at Relayuk.bt.com

Probation Board for Northern Ireland Information Request Form

Your details

Name: _____

Address: _____

_____

_____

Email: _____

Date of Birth*_____

Tel: _____

*Only required when making a request for personal information.

Proof of Identification: Requests for your personal information may require your Date of Birth and may require proof of identity before information is released to you, e.g. a copy of your birth certificate, driving licence or passport.

What information do you wish to receive?

_____

_____

_____

_____

Signature:

Date:

Please return the completed form to your local PBNI office in the first instance.

Notes: It will help avoid delay in responding if your request is as specific as possible. If you need additional space please use another sheet of paper. It will not normally be possible to be given access to personal information of another person unless you have obtained the written consent of that person.