

To: Michael Knight[Michael.Knight@ofgem.gov.uk]
Cc: Jane Pierce[Jane.Pierce@ofgem.gov.uk]; Alison Hardie[Alison.Hardie@ofgem.gov.uk]; Gareth John[Gareth.John@ofgem.gov.uk]; Chris Poulton[Chris.Poulton@ofgem.gov.uk]; Edmund Ward[Edmund.Ward@ofgem.gov.uk]; Teri Clifton[teri.clifton@ofgem.gov.uk]; James Kilmartin[James.Kilmartin@ofgem.gov.uk]
From: Stuart Forsyth
Sent: 2016-12-13T14:03:40Z
Importance: Normal
Subject: RE: Re. Northern Ireland RHI (IO) (IO) [OFFICIAL Internal Only]
Received: 2016-12-13T14:03:42Z

Thanks Michael

I'll make that amendment and go back to the journalist with this response. Have added the word 'releasing' to the first sentence"
 A spokesman for Ofgem E-Serve said: "With regard to releasing data we hold on participants in the Non-Domestic Renewable Heat Incentive scheme in Northern Ireland there is a complex interplay between different legislation, including the Environmental Information Regulations 2004 and the Freedom of Information Act 2000.

"We also may need to consider the time and cost of manually separating personal data from the information we hold, the maintenance of any exceptions or exemptions, and the specific statutory prohibitions on the disclosure of information.

"You may submit a Freedom of Information request by which we will be able to establish which, if any information, we may be able to release into the public domain."

Further information on FOI requests can be found on our website <https://www.ofgem.gov.uk/about-us/transparency/freedom-information> and can be submitted via email at: foi@ofgem.gov.uk

Regards
 Stuart

From: Michael Knight
Sent: 13 December 2016 13:56
To: Stuart Forsyth
Subject: RE: Re. Northern Ireland RHI (IO) (IO) [OFFICIAL Internal Only]

I am happy, if it is possible could we say "...We may also need to consider the time and cost of manually...." . The reason being that in some cases we will decide that it is permissible for us to disclose personal data (for example in some circumstances to police services) – or, in some cases we will be able to separate out the personal data from a request automatically (for example by excluding "address" data fields from sets of data).

Also and just for your information we tend to use "freedom of information" internally to refer to the disclosure regimes that exist under any or all of the Data Protection and Freedom of Information Acts 1998 and 2000, and under the Environmental Information Regulations 2004. So it is not unusual for us to receive freedom of information requests and then answer them under one of the other regimes.

Best wishes Michael.

From: Stuart Forsyth
Sent: 13 December 2016 13:41
To: Michael Knight
Subject: FW: Re. Northern Ireland RHI (IO) (IO) [OFFICIAL Internal Only]

Hi Michael
 Would you be happy with Alison's addition below? And the bit I've added about FOI info?
 Regards
 Stuart

From: Alison Hardie
Sent: 13 December 2016 13:34
To: Michael Knight; Stuart Forsyth; James Robinson
Cc: Jane Pierce; Edmund Ward; Teri Clifton; Gareth John; FOI
Subject: RE: Re. Northern Ireland RHI (IO) (IO) [OFFICIAL Internal Only]

Hi – I think this is a good line but I have added in a few words about the time/cost element which I think is important to include.

From: Michael Knight
Sent: 13 December 2016 11:27
To: Stuart Forsyth; James Robinson; Alison Hardie
Cc: Jane Pierce; Edmund Ward; Teri Clifton; Gareth John; FOI
Subject: RE: Re. Northern Ireland RHI (IO) (IO) [OFFICIAL Internal Only]

No comments from me, your paragraph summarises our position nicely. I recommend including a reference to our external website and guidance on information requests.

With regard to the DfE position, yes, specific consent is always a route through to disclosure for personal and non-personal data. There are 1,900 participants on the NI scheme though so seeking consent would be a formidable logistical exercise.