

To: Michael Knight[Michael.Knight@ofgem.gov.uk]
Cc: Jane Pierce[Jane.Pierce@ofgem.gov.uk]; Teri Clifton[teri.clifton@ofgem.gov.uk]; Gareth John[Gareth.John@ofgem.gov.uk]
From: Edmund Ward
Sent: 2017-01-10T13:27:49Z
Importance: Normal
Subject: RLA: Media enquiries and releasing information [OFFICIAL Internal Only]
Received: 2017-01-10T13:27:50Z

Michael,

Chris has raised a question on what data we should share on request by the media – see chain below.

[I appreciate this may be a wider question than RHI - so please advise if better raised with Alison/ELT – but grateful for your input given the current media enquiries on NIRHI and the relationship with DfE.]

Current practice as I understand it is that, where:

- we get requests for media responses, which may reference scheme level data (e.g. payments by SIC, compliance cases/referrals by year etc); and
- we hold that data; and
- that the data does not contain personal data or personally identifiable information, (i.e. crudely, it passes the 'if we were to receive an FOI/EIR we would release it' test)

then we will consider sharing as part of media requests.

On the other hand, where we receive a detailed/formal FOI request from the media (or anyone else) that might involve consideration or disclosure of personal information, and we are not the data owner or release would not be straightforward (e.g. lists of NI NDRHI participants), we would expect to defer to DfE as the data owner.

Are there risks that we should be considering/mitigating, or other approaches that should be considered?

[I note that, from a handling approach, it would not be preferable to respond to every media request with an instruction to 'submit an EIR' and that is what drives the current process as I understand it].

In particular, would it be reasonable (or are there particular risks) to set out the above to DfE so we are both clear on our current approach?

Advice on the specific queries above would be appreciated.

Kind regards,

Edmund

From: Jane Pierce

Sent: 09 January 2017 17:08

To: Gareth John; Edmund Ward; Teri Clifton

Subject: RE: NI RHI sector data [OFFICIAL Internal Only]

We hold the data, so I am not sure we can just tell them to go to BEI. However, a legal view would be helpful.

From: Gareth John

Sent: 09 January 2017 16:07

To: Edmund Ward; Jane Pierce; Teri Clifton

Subject: FW: NI RHI sector data [OFFICIAL Internal Only]

It's a good point – but I assume we have to provide under an FOI – what is the legal view on this and what's the view on legal involvement?

Also if we have provided both counts and £s as per below. – and some have a count of 1 – then without much digging – customers maybe identifiable? – eg postal services?

From: Chris Poulton

Sent: 09 January 2017 15:59

To: Stuart Forsyth

Cc: Edmund Ward; Jane Pierce; Alison Hardie; Gareth John; Teri Clifton; James Kilmartin

Subject: Re: NI RHI sector data [OFFICIAL Internal Only]

Can I ask a question:

- don't we supply all this to dfe
- don't they retain the function on reporting

If it's an FOI that ultimately we have to get approval from dfe to meet (as the data owner) should it not be directed to them?