

Public Interest Test –EIR

Reference Number – DAERA/26-603

Requested Information

Water samples results, follow up monitoring and copies of reports for multiple water pollution incidents within the Kellswater catchment.

Exemption / Exception under consideration

Regulation 12(4)(e) – Internal Communications

Reasons why the public interest would favour disclosure:

- Regulation 12(2) requires DAERA to apply a presumption in favour of disclosure.
- DAERA is committed to conducting its business in a manner that is as open and transparent as possible.

Reasons why the public interest would favour withholding:

- The Department requires appropriate time and space to consider matters internally and to develop its thinking in confidence.
- Submissions to the Minister are internal communications prepared by civil servants, setting out relevant facts, analysis, advice and guidance to support ministerial consideration and decision-making.
- Disclosure of internal departmental communications could inhibit the Department's ability to conduct its work effectively and to provide full and frank advice.
- Disclosure would be likely to prejudice the confidentiality of the Department's internal proceedings, particularly where the information includes commercially confidential material provided in confidence.

Conclusion

Following consideration of the Public Interest Test the Department has decided that on balance, the public interest in maintaining the exemption does outweigh the public interest in disclosing the available information. The Department has decided that, on balance, the information held by the Department as requested in question (2) regarding policy, procedures and staff guidelines or any other correspondence, briefings, or assessments by DAERA should not be disclosed.

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