**FOI Central Policy Unit**

**NOTICE 15**

**INFORMAL CONSULTATION BETWEEN FOI BODIES ON FOOT OF FOI REQUESTS**

1. An FOI request may sometimes be made to one FOI body in which another FOI body will have an interest. While there is generally no legal requirement for the FOI body in receipt of the request to consult in such circumstances, good administrative practice would suggest that an FOI body with an interest in or whose functions are affected by the request should be informed of the FOI request and, where possible, consulted during the decision-making process.

2. This will allow the relevant decision maker the opportunity to inform him/herself of all relevant factors to be taken into account before arriving at a decision, including the appropriateness of the Act’s exemptions.

3. If a decision maker ultimately decides to grant or to refuse to grant the request, it is recommended that any other FOI body affected by the decision should be informed as a matter of courtesy.

4. It is recommended that each FOI body should put in place procedures to support informal consultation with other FOI bodies. To support this process, it is recommended that the file sent by the FOI Unit to the relevant decision maker should include a reference to the importance of undertaking prior consultation if another FOI body is considered to have an interest in the subject matter of the request. It may assist this process if an initial assessment of the anticipated interest, if any, of other FOI bodies in a request is carried out by the FOI Unit on receipt.

1. These guidelines are also relevant to FOI requests concerning the records of third parties in cases where the formal consultation procedure under section 38 of the Act is not required.
2. Bodies which are under the aegis of a department may engage in correspondence with their parent department. It is important that working relationships are developed between these bodies and the parent department in order that consistent decision making is made concerning requests for information held by both bodies.

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