



An Roinn Gnóthaí Eachtracha agus Trádála Department of Foreign Affairs and Trade

25 April 2018

FOI/Req/18/078: 2017 Commissioned Consultancy Reports

Dear Requester,

I refer to the request which you have made under the Freedom of Information Act 2014 for access to records held by this Department, as follows:

A copy of the following consultancy reports: ASM - Audit of grants awarded under Emigrant Support Programme, Tierney & Associates, Risk & Governance Consultants - Systems review of Emigrant Support Programme

I refer also to the acknowledgement of your request which was sent to you on 9 April 2018.

I have identified four records that fall within the scope of your request and have listed same in the attached schedule. I have made the decision to refuse all four of these records.

In 2016, following a tender process carried out under a Multi Supplier Framework for the Provision of Audit and Accountancy Services to Government Departments, ASM Ltd (Belfast) was awarded the contract to undertake audits of specified organisations awarded grants under the Emigrant Support Programme. Following the 2017 Emigrant Support Programme audit schedule three reports were compiled, each covering a separate jurisdiction. Reports for Britain and Ireland are complete, while the report for Canada has yet to be finalised.

In 2017 Tierney & Associates delivered a report to the Irish Abroad Unit of the Department of Foreign Affairs and Trade on a Systems Review of the Emigrant Support Programme. Implementation of the recommendations of this review are currently ongoing and subject to consultation and review with the Department and stakeholders.

As required by the Freedom of Information Act 2014, I am obliged to make specific considerations as regards the public interest where access has been refused under specific sections of the Act.

Section 29 - Deliberations of FOI bodies

As the recommendations set out in the July 2017 report to the Irish Abroad Unit of the Department of Foreign Affairs and Trade on a Systems Review of the Emigrant Support Programme are currently under review by the Department and stakeholders prior to implementation, I believe that disclosure could obstruct the delivery of process in this case.

I have considered the right of the public to access information and I am satisfied that the balance favours refusal at this time.

Section 30 – Functions and negotiations of FOI bodies

For records exempted under Section 30 of the Act, I am satisfied that the premature release of the 2017 Audit of grants awarded under the Emigrant Support Programme material would prejudice the effectiveness of audits conducted on the Department's behalf and that it would also prejudice the availability of further similar information contained in future audits.

I have considered the right of the public to have access to information and the need for an open and accountable civil service. I am satisfied that the balance favours refusal rather than release.

Section 35 – Information received in confidence

With regard to information refused under Section 35 of the Act, this relates to information given in confidence on the understanding that it would be treated as confidential. This is also a mandatory exemption. I have considered your right to access information however I am satisfied that releasing the information would impair future sources of such information and impair the workings of this Department without any countervailing benefit to the broader public interest.

Section 36 – Commercially sensitive information

I have considered Section 36 of the Act in making my decision not to release certain information. Access to certain confidential information is essential in order to allow the Department of Foreign Affairs & Trade to execute its functions. In certain instances, such information may also be of a commercially sensitive nature. In this case, I am satisfied that these documents contain commercially sensitive information, the release of which could reasonably be expected to have adverse business consequences for the organisation.

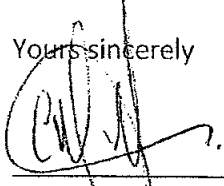
In weighing these adverse consequences against the public interest, I have again considered the right of the public to have access to information; the need for an open, transparent and accountable civil service and the need for decision-making processes to be adequately scrutinised. I am satisfied that the balance favours refusal rather than release on this occasion.

Right of Appeal

Should you wish to appeal this decision, you may do so in writing to the Freedom of Information Unit, Department of Foreign Affairs and Trade, 76-78 Harcourt Street, Dublin 2 or by email to foi@dfa.ie. A fee applies for an appeal for access to non-personal information; the level of this fee has been set at €30. For methods of payment, please contact FOI Unit at foi@dfa.ie, or 01-4082857.

You should make your appeal within 4 weeks (20 working days) from the date of this notification. However, the making of a late appeal may be permitted in appropriate circumstances. The appeal will involve a complete reconsideration of the matter by a more senior member of the staff of this Department.

Yours sincerely

A handwritten signature in black ink, appearing to read 'C. McManus', written over a horizontal line.

Catherine McManus
Deputy Director
Irish Abroad Unit