



Our Ref: FOI 0003-2025  
Right To Know  
requests@righttoknow.ie

**Re: Freedom of Information - Request for Access to Records.**

Dear RTK,

I refer to your request dated 9 January 2025 made under the Freedom of Information Act 2014, for records held by this office. I refer also to the acknowledgement of your request of 10 January 2025, and the extension of time letter issued on 5 September 2025.

On the 22 January 2025, my colleague wrote to you in relation to an estimation of the fees that were involved in your request and I am now writing to you to advise you that the final cost is €100. This amount is calculated on the following basis, 5 hours of staff time to locate and draw together the records covered by your request (at €20.00 per hour). The actual cost of your request is therefore under the appropriate minimum amount provided for in Section 27(3) (d) of the Act and as such there will be no charges in relation to your request. FOI unit will be in contact to arrange the refund of €56, in the meantime can you please click on the attached link and complete the details for our Finance Unit.

[https://opw.mangoapps.com/tracker/share/MTM1Mjl6OjU4MzA6Ojc2NDU=?source=gs&id=7645&project\\_id=204377](https://opw.mangoapps.com/tracker/share/MTM1Mjl6OjU4MzA6Ojc2NDU=?source=gs&id=7645&project_id=204377)

Your original request sought access to the following records as set out below:

*Under FOI to request the following*

*1) National Flood Forecasting & Warning Service Steering Group - agendas, minutes and related meeting presentations or reports provided to or by the Group since established*

*2) Any minutes, agendas or reports/presentations to/from the related Flood Forecasting Communications Working Group since it was established.*

You refined your request as follows:

*RTK would like to reduce the scope of the request to recent years, in this case 2023-2025 YTD.*

**Background:**

The following is a brief description of the records which relate to Stage I and Stage II of the National Flood Forecasting and Warning Service (NFFWS).



The Steering Group on the NFFWS has progressed and delivered Stage I (establishment phase) of the multi-stage development of the NFFWS which has been focused on National and Catchment level fluvial (river) and coastal flood forecasting. A Flood Forecasting Centre has been established in Met Éireann, with flood forecasts, flood advisory services, hydrological observations and Daily Flood Guidance Statements being provided to local authorities and other state agencies.

Arising from new governance arrangements at cabinet committee level for emergency management, a new sub-group of the Government Task Force (GTF) on Emergency Planning dealing with the National Flood Forecast Warning Service (NFFWS) has been established and is chaired by the Office of Emergency Planning. The aim of the sub-group is to deliver Stage II of the NFFWS. It is envisaged that Stage II of the NFFWS will build on the Stage I deliverables and will further enhance the NFFWS leading to improved granularity and accuracy of forecasts, the installation of new rainfall and river water flow gauges, improvements to the rainfall radar network and re-calibration of models after notable flood events amongst others.

## **Decision**

I made a decision on your request on 3 October 2025 which is as follows.

Firstly, your request sought records relating to the Communications Working Group. The Communications Working Group did not meet during the period in question and there were no records identified relevant to your request.

In relation to the NFFWS Steering Group I have identified a significant number of records in relation to agendas, minutes and related meeting presentations or reports provided to or by the Group which relate to your request which are listed on the attached schedule.

In relation to records numbered 1-4,6,10,12,13,15,16,18-22,24-35,37,39-48,52,57,58,60,61,70,71,79,82,86,87,100 on the attached schedule, I have decided that you should be granted full release and I attach via file transfer a numbered copy of each record.

In relation to records numbered 49, 50, 53-56, 94-99 I am refusing to grant access as these records involve the disclosure of discussions of one or more meetings of the Government and must be refused with reference to Section 28(1)(a) and(c):

*A head may refuse to grant an FOI request if the record concerned—*

*(a) has been, or is proposed to be, submitted to the Government for its consideration by a Minister of the Government or the Attorney General and was created for that purpose,*

...

*(c) contains information (including advice) for a member of the Government, the Attorney General, a Minister of State, the Secretary General to the Government for use by him or her solely for the purpose of the transaction of any business of*



*the Government at a meeting of the Government.*

Records numbered 49, 50, 53-56 relate to a memorandum for Government on Stage I of the development of the NFFWS and an accompanying report.

Records numbered 94-99 relates to a draft Memorandum for Government concerning NFFWS Stage II . Stage II of the NFFWS is an ongoing deliberative process with Stage II proposals to be submitted to Government for decision.

The above mentioned records relating to Stage I and Stage II of the NFFWS relate to documents and submissions prepared for the purpose of updating Government on the progress of the NFFWS. The disclosure of such documentation would adversely affect the confidentiality of Government proceedings and accordingly access must be refused.

In relation to records numbered 5,7-9,11,14,17,23,36,38,51,59,62-69,72-75,76,77,78,80,81,83,84,85,88,89,90,91,92,93,94-99,101-103,104-106, I am refusing to grant access/part grant access as they relate to matters currently under deliberation and is refused by reference to Section 29(1) of the FOI Act 2014 which states:

*“A head may refuse to grant an FOI request –*

- a) If the record concerned contains matter relating to the deliberative process of an FOI body (including opinions, advice, recommendations, and the results of consultations, considered by the body, the head of the body, or a member of the body or the staff of the body for the purpose of those processes), and*
- b) The granting of the request would in the opinion of the head, be contrary to the public interest”.*

As no decision or outcome has yet been reached in relation to Stage II, I consider that the information contained in these records relate to deliberations which are still incomplete and not yet fully developed. Records numbered 5,7,14,36,65-68,72-75,83,85,88,89,91-93,102-106 contain information considered in the evaluating of different options with a view to agreeing a course of action and records numbered 8,9,11,17,23,38,51,59,62-64,69,76-78,80-81,84,90,101 relate to discussions and involves the consideration of various matters with a view to making decisions for Stage II. Records numbered 94-99 relate to a draft Memorandum for Government concerning Stage II of the NFFWS.. Stage II is an ongoing deliberative process with Stage II proposals to be submitted to Government for decision. I have considered the public interest issues and have taken account of the factors in favour of release including the right of the public to have access to information and I am satisfied that the release would be harmful to the Stage II development process as if released in the current format it would be misleading regarding the potential outcome/decisions and it is therefore my view that this information should not be released.



In relation to records numbered 5,7,8,9,11,14,17,23,36,38,51,59,62-69,72-78,80,81,83-85,88-93,101-106, I am refusing to grant access/part grant access as they relate to discussions/material on issues that may disclose positions taken, or to be taken and is refused by reference to Section 30(1)(c) of the FOI Act 2014 which states:

*A head may refuse to grant an FOI request if access to the record concerned could, in the opinion of the head, reasonably be expected to—*

*c) disclose positions taken, or to be taken, or plans, procedures, criteria or instructions used or followed, or to be used or followed, for the purpose of any negotiations carried on or being, or to be, carried on by or on behalf of the Government or an FOI body.*

*(2) Subsection (1) shall not apply in relation to a case in which in the opinion of the head concerned, the public interest would, on balance, be better served by granting than by refusing to grant the FOI request concerned.*

As outlined above, the development of Stage II is ongoing and involves a number of departments/organisations. The development of the NFFWS requires detailed discussions which need to take place in a protected space in order that all departments/organisations can engage in an open manner. The above records, which have not left the internal sphere of the Steering Group relate to communications for the purpose of developing Stage II of the service with the aim of reaching mutual Steering Group agreement. I have considered the public interest issues and have taken account of the factors in favour of release including the right of the public to have access to information and I am satisfied that the release of these records could impair the integrity and viability of the decision-making process and it is therefore my view that this information should not be released.

All non-personal Freedom of Information (FOI) requests will be recorded on an FOI disclosure log which will be published in due course.

You have sought access to the records by means of electronic format and I consider this an appropriate form of access in this case. Accordingly, a copy of the records being released will issue by file transfer including a copy of the schedule to these records

If you are unhappy with this decision you may appeal it. In the event that you need to make such an appeal, you can do so by writing to the Freedom of Information Unit, The Office of Public Works, Jonathan Swift Street, Trim, County Meath, C15 NX36, or by e-mail to [foiunit@opw.ie](mailto:foiunit@opw.ie). Your correspondence should include a fee of €30 or €10 for a medical card holder for processing the appeal. Should you wish to make payment by electronic means please contact [foiunit@opw.ie](mailto:foiunit@opw.ie). Payment may also be made by way of bank draft, money postal order, or personal cheque made payable to "The Office of Public Works" you should make your appeal within 4 weeks from the date of this notification, where a day is defined as a working day excluding, the weekend and public holidays.



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 body.

Should you wish to discuss the above, please contact me at [Karen.higgins@opw.ie](mailto:Karen.higgins@opw.ie) or by telephone at 046 9423102.

Yours sincerely,

*Karen Higgins*

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Karen Higgins  
Decision Maker  
Flood Risk Management Policy Unit  
03 October 2025

DRAFT