



Department
for Environment
Food & Rural Affairs

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London SW1P 3JR
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helpline@defra.gsi.gov.uk
www.defra.gov.uk

Our ref: RFI 7097
8 January 2014

Dear [REDACTED],

REQUEST FOR INFORMATION: BREACHES OF THE CIVIL SERVICE CODE

Thank you for your request for information about breaches of the Civil Service Code, which we received on 8 December 2014. As you know, we have handled your request under the Freedom of Information Act 2000 (FOIA).

You requested information in the following terms:

- (1) Please identify the status of your organisation (for example, Ministerial department, non-ministerial department, executive agency).
- (2) If concerns raised regarding alleged breaches of the Civil Service Code are handled by, or referred to, another body (for example a sponsoring department) please indicate this.
- (3) Please identify the number of departmental nominated officers in your organisation; please also indicate the level of seniority or grade of the individual(s). If this question is not relevant to your organisation please indicate this.
- (4) If the nominated officer(s) have another role within the organisation, please provide a general indication of what this role is (for example welfare or pastoral).
- (5) Whether concerns raised regarding alleged breaches of the Civil Service Code to a person in the management chain are tracked/monitored/recorded by your organisation, if so please identify whether this information is held centrally.
- (6) Whether concerns raised regarding alleged breaches of the Civil Service Code to departmental nominated officers are tracked/monitored/recorded by your organisation, if so please identify whether this information is held centrally.
- (7) Please provide details of the number of individuals who have raised concerns regarding alleged breaches of the Civil Service Code in your organisation between 10/01/2010-31/12/2013, in particular:
 - i. Please provide details of whether each individual raised the concern on an anonymous, confidential, or self-identified basis.
 - ii. Please indicate whether the concern was raised to a line manager or nominated officer.
 - iii. Please provide a brief summary of the types of concerns raised.



- iv. Please indicate whether or not the matter complained of was subsequently referred to the Civil Service Commission or a regulatory or enforcement organisation.
- v. Please identify (if appropriate) whether any subsequent action was taken.

The information you requested is as follows:

- (1) Defra is a Ministerial Department.
- (2) Concerns raised directly to Core Defra regarding alleged breaches of the Civil Service Code are dealt with internally and not handled by or referred to other bodies.
- (3) There are three nominated officers for core Defra, all three are Senior Civil Servants (SCS):
 - Director General (SCS Pay Band 3)
 - Deputy Director (SCS Pay Band 1)
 - Chief Statistician (SCS Pay Band 1)
- (4) The three nominated officers have business roles in the following areas. They do not have a welfare or pastoral role other than their normal management responsibilities.
 - Policy Delivery Group.
 - Sustainable Land Management and Livestock Farming Analysis and Evidence.
 - Office of Head of Profession for Statistics.
- (5) Before February 2013, concerns raised regarding alleged breaches of the Civil service Code to a person in the management chain were not tracked/monitored/recorded by core Defra. From February 2013, cases have been recorded centrally and tracked through to completion.
- (6) As mentioned in response to (5), before February 2013, concerns raised regarding alleged breaches of the Civil service Code were not tracked/monitored/recorded by core Defra. From February 2013, cases have been recorded centrally and tracked through to completion.
- (7) As stated at 5 and 6, concerns raised regarding alleged breaches of the Civil service Code in core Defra prior to February 2013 were not tracked/monitored/recorded. Therefore, information comprising the number of individuals who have raised concerns regarding alleged breaches of the Civil Service Code in core Defra between 10/01/2010 and 31/01/2013 (inclusive), if held by the department, is not held centrally.

We want to be as open as possible in answering requests. The FOIA itself also requires us to help people obtain the information they are looking for. Unfortunately, as the information for the period of 10/01/2010 to 31/01/2013, if held by the department, is not held centrally, locating and extracting the information that you have requested would involve a significant cost and diversion of resources from the Department's other work as we would have to canvass all teams throughout the department.

Section 12(1) of the FOIA allows us to refuse a request for information if we estimate that the cost of complying with the request would exceed the appropriate limit, which currently stands at £600. On the basis of our estimates, we consider that the cost would exceed this limit and, as such, we are refusing your request.

Section 12(2) provides that we are not required to confirm whether Defra holds the information requested if by doing so we would exceed the appropriate cost limit of £600. This is the case for the information that you have requested, and so please note that this response should not be taken as confirmation that the information is held by Defra. However, if you were to make a new request for a narrower category of information, it may be that we could comply with that request within the appropriate limit, although I cannot guarantee that this will be the case.

The best way we can help you is to ask you to consider narrowing down your request to focus more clearly on the precise information you are seeking. You might, for example, be able to name a particular team in Defra in which you are interested. This is merely a suggestion to enable you to consider narrowing down your request so that it potentially falls within the cost limit. You may have other suggestions for narrowing down your request, or you may be content with the information that we have been able to provide above in response to your request and not wish to pursue this aspect of your request further.

Please note that if you modify your request in respect of the information that you have requested for the 10/01/2010-31/01/2013 period, we will handle it as a new request and so the 20-working-day deadline for responding to requests would then commence from the date that we receive the modified request.

We can inform you that no alleged breaches of the Civil Service Code have been reported since February 2013.

In keeping with the spirit and effect of the FOIA and the government's Transparency Agenda, all information is assumed to be releasable to the public unless exempt. Therefore, the information released to you may now be published on our website together with any related information that will provide a key to its wider context.


I attach Annex A, which explains the copyright that applies to the information being released to you.

I also attach Annex B giving contact details should you be unhappy with the service you have received.

If you have any queries about this letter, please contact me.

Yours sincerely,




Defra FOIA and EIRs Team
Email informationrequests@defra.gsi.gov.uk

Annex A

Copyright

The information supplied to you continues to be protected by copyright. You are free to use it for your own purposes, including for private study and non-commercial research, and for any other purpose authorised by an exception in current copyright law. Documents (except photographs or logos) can be also used in the UK without requiring permission for the purposes of news reporting. Any other re-use, for example commercial publication, would require the permission of the copyright holder.

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Annex B

Complaints

If you are unhappy with the service you have received in relation to your request you may make a complaint or appeal against our decision under section 17(7) of the FOIA or under regulation 18 of the EIRs, as applicable, within 40 working days of the date of this letter. Please write to Mike Kaye, Head of Information Standards, Area 4D, Nobel House, 17 Smith Square, London, SW1P 3JR (email: requestforinfo@defra.gsi.gov.uk) and he will arrange for an internal review of your case. Details of Defra's complaints procedure are on our [website](#).

If you are not content with the outcome of the internal review, section 50 of the FOIA and regulation 18 of the EIRs gives you the right to apply directly to the Information Commissioner for a decision. Please note that generally the Information Commissioner cannot make a decision unless you have first exhausted Defra's own complaints procedure. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF