

Department of Energy & Climate Change

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25 October 2011

Our ref: 11/1295 – Initial FOI Request

Thank you for your letter of 27 September 2011 requesting the following information:

- (1) Data on ethnic minority appraisal outcomes, broken down further than a catch-all ethnic minority category; and*
- (2) Data on AO outcomes, disaggregated from the EO information.*

Freedom of Information Act 2000

Your request has been handled under the Freedom of Information Act 2000 ('the Act'), in which you have the right to:

- know whether we hold the information you have requested and;
- be provided with that information (subject to any exemptions under the Act which may apply).

I have also considered the Data Protection Act 1998 and additional guidance.

I can confirm that the department holds information relevant to your requests.

Information relating to part 1 of your request is withheld.

Section 41 of the FOI Act (information provided in confidence) provides an absolute exemption for information that we have obtained from any other person where disclosing it would constitute an actionable breach of confidence by that or any other person. DECC staff provided personal information concerning their ethnic background and this information is subject to a duty of confidence.

In addition the Civil Service Code of Practice on Recording the Ethnicity of Staff (Section B, Point 7) states that any output from departmental staff records which includes information on ethnicity will always be in the form of counts, tabulations or other statistical summaries. If the numbers on statistical summaries are so small that it would be easy to identify the ethnicity of

individuals exact numbers are not provided. This is usually where numbers are fewer than 5 members of staff.

Further information on these guidelines is available at:

http://www.civilservice.gov.uk/wp-content/uploads/2011/09/06-civil-service-code_tcm6-2579.rtf

Disclosure of this information at the level of detail you requested is likely to discourage staff from providing such information in the future and inhibit the department's ability to monitor ethnic diversity.

In light of the points above I consider that this information is exempt from publication in the detail you have requested.

With regard to part 2 of your request, I am able to provide you with this information.

The following table summarises the disaggregated results as requested:

| % of grade to receive | | Appraisal Box Markings | | | |
|-----------------------|----|------------------------|-----|-----|-----|
| | | 1 | 2 | 3 | 4 |
| Grade | AO | 6% | 25% | 55% | 14% |
| | EO | 9% | 24% | 58% | 10% |

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review.

Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to Anna Jenkins, Head of HR, 55 Whitehall, London, SW1A 2EY.

Please remember to quote the reference number above in any future communications.