



Department
of Energy &
Climate Change

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**Department of Energy & Climate
Change**

3 Whitehall Place,
London SW1A 2AW
www.decc.gov.uk

Our ref: FOI2014/28415

12 January 2015

Dear **Redacted**

Re: Freedom of Information Request

Thank you for your email of 11 December 2014 in which you asked for the following:

"I would like to make a Freedom of Information request regarding the Minister of State for Energy and Climate Change Matthew Hancock.

Specifically, I would like a list of all staff who work for Mr Hancock within the department, and how much their annual salary is."

Under the Freedom of Information Act 2000 ('the Act'), you have the right to:

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

I am writing to advise you that, following a search of our paper and electronic records, I have established that the information you requested is held by this Department. However we have concluded that this information should be withheld in accordance with Sections 35(1)(d) and 40(2) of the Act.

Section 35(1)(d) – the operation of any ministerial private office

This exemption applies to information which relates to the operation of a ministerial private office. In considering this exemption we have balanced the public interest in withholding the information against the public interest in disclosing the information. We recognise that there is a general public interest in



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ensuring that private offices operate efficiently, that they use resources appropriately, and in ensuring that ministers are provided with the administrative support in order for them to do their jobs effectively. This includes having the right staffing arrangements for the Minister in order for him to conduct business effectively. We considered this exemption carefully and we have concluded that the public interest falls with withholding the information.

Section 40 – personal data

Section 40(2) provides an absolute exemption for personal data which then falls to be dealt with under the Data Protection Act. Personal data of third parties can only be disclosed in accordance with the data protection principles. In particular, the first data protection principle requires that disclosure must be fair and lawful and must comply with one of the conditions in Schedule 2 of the Data Protection Act. The Minister's office is staffed by a team of Private Secretaries who are junior members of staff. We do not think that it is fair to release their names and salaries and do not think that any of the relevant conditions apply.

Appeals procedure

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 the Information Rights Unit (foi@decc.gsi.gov.uk).

Information Rights Unit (DECC Shared Service)
Department for Business, Innovation & Skills
1 Victoria Street
London
SW1H 0ET

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

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely,

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