



Department
for Environment
Food & Rural Affairs

T: 03459 33 55 77
helpline@defra.gsi.gov.uk
www.gov.uk/defra

Our ref: RFI 7791

8 October 2015

Dear [REDACTED]

REQUEST FOR INFORMATION: Instant Messenger Systems

Thank you for your request for information, which we received on 11 September 2015, about guidance on Instant Messenger systems in Defra. As you know, we (Defra) have handled your request under the Freedom of Information Act 2000 (FOIA).

Following careful consideration, we have decided not to disclose some of this information.

You requested information in the following terms:

- 1) Any guidance, manuals or other instructions issued to civil servants or other Government staff relating to the use of any "Instant Messenger" systems incorporated in the computer/email systems used by the department.
- 2) Any guidance, manuals or other instructions issued to civil servants or other Government staff relating to how records from any "Instant Messenger" systems are stored and whether they fall within the scope of the Freedom of Information Act.
- 3) Are any "Instant Messenger" systems included on email accounts provided to the Secretary of State, ministers and/or special advisers? If so, please provide figures for how frequently it is used.

With regard to parts 1) and 2) of your request, we confirm that Defra holds the requested information. Defra has issued such guidance to its staff, which mentions storing and saving of messages sent and received by Instant Messenger. We attach a copy of the guidance.

We are withholding the names of staff in the guidance under the exemption at sections 40(2) and 40(3)(a)(i) of the FOIA, as the information constitutes personal data relating to persons other than you. These sections provide that personal data relating to other persons is exempt information if disclosure would breach any of the data protection principles in the Data Protection Act 1998 (DPA). The names of the staff are the personal data of those individuals and we consider that disclosure of this information is likely to breach the first data protection principle in Schedule 1 to the DPA, which relates to the fair and lawful processing of personal data. Disclosure would not constitute 'fair' processing of the personal data because the information relates to non-SCS (Senior Civil Service) members of staff who are not public facing officials and they would not reasonably have expected their names to be made public.



In response to part 3) of your request, 'Instant Messenger' is included on email accounts provided to the Secretary of State, ministers and special advisers. Defra does not hold the information that you have requested about frequency of use.

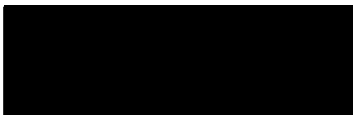
Information disclosed in response to this FOIA request is releasable to the public. In keeping with the spirit and effect of the FOIA and the government's Transparency Agenda, this letter and the information disclosed to you may be placed on [GOV.UK](https://www.gov.uk), together with any related information that will provide a key to its wider context. No information identifying you will be placed on the GOV.UK website.


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

We 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,

A large black rectangular redaction box covering the signature area.


Information Rights Team
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) 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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Copyright in other documents may rest with a third party. For information about obtaining permission from a third party see the [Intellectual Property Office's website](#).

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 [REDACTED] Head of Information Standards, Area 4D, Nobel House, 17 Smith Square, London, SW1P 3JR (email: InformationRequests@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