

Reference: 2025-072

Thank you for your email in which you requested the following information under the Freedom of Information Act 2000 (FOIA):

- 1. The number of inward secondments that have worked in your department during the period from 05/07/2024 to the present.**
- 2. For each of these secondments during this period, please provide:**
 - a) The organisation the individual was seconded from.**
 - b) The date they commenced their secondment.**
 - c) The date they concluded/will conclude their secondment.**
 - d) Whether your department paid the secondee/reimbursed their organisation.**
 - e) A brief summary of the remit of the secondee.**

Response

The SFO holds this information. However, this is exempt from release under section 40(2) of the FOIA, as it constitutes personal data relating to identifiable individuals.

Section 40(2) states that personal data which is not the personal data of the requester (i.e. third-party personal data) should not be disclosed if this would contravene the data protection principles. This would constitute a breach of the first data protection principle outlined in the General Data Protection Regulation (GDPR), which states that “personal data shall be processed lawfully, fairly and in a transparent manner in relation to the data subject”.

How the exemption is engaged

We maintain that releasing information about individual members of staff to the world at large could not reasonably be interpreted as “fair” processing because the Data Subject would have a reasonable expectation that their personal data would not be disclosed in this way.

Section 40(2) of the FOIA is an absolute exemption and we are therefore not required to consider the public interest in releasing the information requested.