

QUARTER 1 FREEDOM OF INFORMATION RESPONSES

Year	Month	FOI Reference	Topic
2018	Jan	FOI/17/178	Archival file request: CJ 4/6052
2018	Jan	FOI/17/194	Correspondence with Ian Paisley MP
2018	Jan	FOI/17/195	1976 report on homosexuality in Belfast
2018	Jan	FOI/17/198	Government Car Service
2018	Jan	FOI/17/201	Archival file request: Release of paramilitary detainees
2018	Jan	FOI/17/202	Spending on consultancy services in relation to Brexit
2018	Jan	FOI/17/203	Archival file request: CJ 4/2826
2018	Jan	FOI/17/204	Evidence of wrongdoing against numerous entities and individuals
2018	Jan	FOI/17/205	IT infrastructure: use of the public cloud
2018	Jan	FOI/17/206	Ministerial meetings with Scottish MPs
2018	Jan	FOI/18/001	Sexual misconduct with a minor incidents
2018	Jan	FOI/18/002	Secondment opportunities
2018	Jan	FOI/18/003	Constitutional Research Group: correspondence and communications
2018	Jan	FOI/18/004	Staff sick leave data
2018	Jan	FOI/18/005	Departmental vehicles
2018	Jan	FOI/18/006	Staff feedback facilities
2018	Jan	FOI/18/007	Spending on plastic water bottles
2018	Jan	FOI/18/008	Hospital Accident & Emergency crisis in Northern Ireland Health Trusts
2018	Jan	FOI/18/009	Defrauding incidents
2018	Jan	FOI/18/010	Staff turnover
2018	Jan	FOI/18/014	Surveillance cameras: use and policy
2018	Jan	FOI/18/023	Compromise agreements
2018	Feb	FOI/17/200	No 32 Royal Squadron: ministerial use
2018	Feb	FOI/18/011	Spending on General Data Protection Regulation (GDPR) preparations
2018	Feb	FOI/18/012	Spending on public relations and communications
2018	Feb	FOI/18/015	Spending on consultancy firms

2018	Feb	FOI/18/017	Internal complaints and settlement payments
2018	Feb	FOI/18/019	Sexual harassment complaints
2018	Feb	FOI/18/020	Data breaches and cyber security incidents
2018	Feb	FOI/18/021	General Data Protection Regulation (GDPR) preparations
2018	Feb	FOI/18/022	Spending on ministerial boxes
2018	Feb	FOI/18/024	Complaints policy and procedures on data breaches
2018	Feb	FOI/18/025	Spending on Brexit preparations
2018	Feb	FOI/18/027	Correspondence on border infrastructure
2018	Feb	FOI/18/028	Ministerial directions
2018	Feb	FOI/18/029	Government credit cards
2018	Feb	FOI/18/030	Hillview Retail Park
2018	Feb	FOI/18/031	Use of disposable drinking cups
2018	Feb	FOI/18/032	Brexit consultancy contracts
2018	Feb	FOI/18/033	Spending on social media
2018	Feb	FOI/18/034	Brexit preparations: Northern Ireland and Ireland position paper
2018	Feb	FOI/18/035	Recruitment of Rights and Equality, Elections Policy and Legacy Casework Policy Advisers
2018	Feb	FOI/18/036	Royal Prerogative of Mercy pardons
2018	Feb	FOI/18/037	Public Interest Immunity Certificates (PII) requests
2018	Feb	FOI/18/038	Spending on European Union Flags
2018	Feb	FOI/18/043	Staff sick leave data
2018	Mar	FOI/18/013	Archival file request: Loyalist paramilitaries and security policies
2018	Mar	FOI/18/016	Removal of Stormont House artwork
2018	Mar	FOI/18/039	Kaspersky cyber security software
2018	Mar	FOI/18/040	Staff employed by third party agencies
2018	Mar	FOI/18/041	Social media policies
2018	Mar	FOI/18/042	Interdepartmental buying and selling of data
2018	Mar	FOI/18/044	Spending on taxis for ministers
2018	Mar	FOI/18/045	Sexual misconduct incidents

2018	Mar	FOI/18/046	Special Adviser involvement in FOI handling
2018	Mar	FOI/18/047	Special Adviser involvement in FOI handling
2018	Mar	FOI/18/048	Departmental vehicles
2018	Mar	FOI/18/049	Restoration of the Northern Ireland Executive Talks: table deal
2018	Mar	FOI/18/050	The history of the island of Ireland given to Secretary of State on assumption of office
2018	Mar	FOI/18/051	Ministerial directive to Chief Constables on Firearms Dealers
2018	Mar	FOI/18/052	Devolved government meetings between Northern Ireland political parties
2018	Mar	FOI/18/053	Ministerial correspondence on human rights in Northern Ireland
2018	Mar	FOI/18/054	Brexit preparations: Northern Ireland and Ireland position paper
2018	Mar	FOI/18/055	Lost and stolen IT equipment
2018	Mar	FOI/18/056	Correspondence on border infrastructure
2018	Mar	FOI/18/057	Archival file request: Robert Hindley and Lord Pakenham
2018	Mar	FOI/18/058	Spending on travel to Brexit Cabinet subcommittee meeting at Chequers
2018	Mar	FOI/18/059	Brexit impact reports
2018	Mar	FOI/18/060	Government recruitment of Northern Ireland citizens
2018	Mar	FOI/18/061	Sinn Fein visits to London
2018	Mar	FOI/18/062	Staff responsible for statistical or survey analysis
2018	Mar	FOI/18/063	Maternity leave data
2018	Mar	FOI/18/064	Spending on office stationery
2018	Mar	FOI/18/071	Good Friday Agreement: prisoner releases
2018	Mar	FOI/18/073	Sexual harassment and assault incidents: confidentiality clauses and financial compensation
2018	Mar	FOI/18/075	Correspondence concerning instances where minutes were not taken at meetings
2018	Mar	FOI/18/085	Spending on head-hunters and recruitment agencies

FOI Request Reference	FOI/17/178
Month Issued	January 2018
Request	<i>I request release of file CJ/6052 under FOIA 2000:</i>

	<p><i>Reference: CJ 4/6052</i> <i>Description: Provisional IRA intentions and activities in Great Britain</i> <i>Date: 1975 Jan 01 - 1975 Dec 31</i></p> <p><i>This file is retained by NIO under s3.4 of FOIA 2000.</i></p>
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>I can confirm that the department holds information that you have asked for, but in this case we will not be providing it to you as it is exempt from disclosure.</p> <p>Some of the information you have requested could be exempt under section 23(1) of the Freedom of Information Act, which relates to the bodies dealing with security matters, although it is also possible that the information relates to none of the bodies dealing with security matters. Sections 23(1) and 24(1) are being cited in the alternative as it is not appropriate, in the circumstances of the case, to say which of the two exemptions is actually engaged so as not to undermine national security or reveal the extent of any involvement, or not, of the bodies dealing with security matters. Section 23 is an absolute exemption and the Northern Ireland Office is not required to consider whether the public interest favours disclosure of this information.</p> <p>Any information that is not exempt from disclosure under section 23(1) could be exempt under section 24(1) of the Freedom of Information Act, which exempts information from disclosure if its exemption is required for the purpose of safeguarding national security. For the reasons given above under section 23, we cannot say which of the two exemptions is actually engaged, and to the extent to which section 24(1) is engaged we are not obliged to give any further explanation by virtue of section 17(4) because to do so would involve the disclosure of information which would itself be exempt. Section 24 is a qualified exemption and I have considered whether the balance of the public interest favours releasing or withholding this information. There is a general public interest in disclosure of information and I recognise that openness in government may increase public trust in and engagement with the government. I have weighed these public interests against a very strong public interest in safeguarding national security. It is important that this sensitive information is protected, as disclosure of information in this case, if held, would damage national security. Taking into account all the circumstances of this case I have determined that the balance of the public interest favours withholding this information.</p> <p>You can find out more about Sections 23 and 24 by reading the extract from the Act and some guidance points we consider when applying this exemption, attached at the end of this letter. You can also find more information by reading the full text of the Act, available at http://www.legislation.gov.uk/ukpga/2000/36/section/23</p>

EXPLANATION OF FOIA - SECTION 23 – INFORMATION SUPPLIED BY, OR RELATING TO, BODIES DEALING WITH SECURITY MATTERS

We have provided below additional information about Section 23 of the Freedom of Information Act. We have included some extracts from the legislation, as well as some of the guidance we use when applying it. We hope you find this information useful.

The legislation

Section 1: Right of Access to information held by public authorities

- (1) Any person making a request for information to a public authority is entitled—
- (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
 - (b) if that is the case, to have that information communicated to him.

Section 23: Information supplied by, or relating to, bodies dealing with security matters.

- (1) Information held by a public authority is exempt information if it was directly or indirectly supplied to the public authority by, or relates to, any of the bodies specified in subsection (3).
- (2) A certificate signed by a Minister of the Crown certifying that the information to which it applies was directly or indirectly supplied by, or relates to, any of the bodies specified in subsection (3) shall, subject to section 60, be conclusive evidence of that fact.
- (3) (3)The bodies referred to in subsections (1) and (2) are—
- (a) the Security Service,
 - (b) the Secret Intelligence Service,
 - (c) the Government Communications Headquarters,
 - (d) the special forces,
 - (e) the Tribunal established under section 65 of the Regulation of Investigatory Powers Act 2000,
 - (f) the Tribunal established under section 7 of the Interception of Communications Act 1985,
 - (g) the Tribunal established under section 5 of the Security Service Act 1989,
 - (h) the Tribunal established under section 9 of the Intelligence Services Act 1994,
 - (i) the Security Vetting Appeals Panel,
 - (j) the Security Commission,
 - (k) the National Criminal Intelligence Service,

- (l) the Service Authority for the National Criminal Intelligence Service.
- (m) the Serious Organised Crime Agency.
- (4) In subsection (3)(c) "the Government Communications Headquarters" includes any unit or part of a unit of the armed forces of the Crown which is for the time being required by the Secretary of State to assist the Government Communications Headquarters in carrying out its functions.
- (5) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would involve the disclosure of any information (whether or not already recorded) which was directly or indirectly supplied to the public authority by, or relates to, any of the bodies specified in subsection (3).

Guidance

The Security and Intelligence Agencies are not 'public authorities' for the purposes of the Act, therefore they are not under any duty themselves to disclose information under the Freedom of Information Act. It is only information supplied by them to public authorities, or information that relates to them and is held by public authorities, which needs to be, and is, addressed by section 23.

The section 23 exemption applies to information received from or related to the bodies listed at section 23(3) of the Freedom of Information Act. This includes the Security Service, the Secret Intelligence Service, Government Communications Headquarters and the Serious Organised Crime Agency.

The fact that a public authority does not hold information supplied by one of the Security Bodies can itself be information relating to those bodies. If information falls within the exemption in section 23, it will very often be important to consider whether it is necessary to rely on the exclusion of the duty to confirm or deny whether the information is held. A non-committal response can be useful as it will not disclose information as to whether a Security and Intelligence Agency is or is not involved in a certain area of work.

EXPLANATION OF FOIA - SECTION 24 – NATIONAL SECURITY

We have provided below additional information about Section 24 of the Freedom of Information Act. We have included some extracts from the legislation, as well as some of the guidance we use when applying it. We hope you find this information useful.

The legislation

Section 1: Right of Access to information held by public authorities

- (1) Any person making a request for information to a public authority is entitled—
 - (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
 - (b) if that is the case, to have that information communicated to him.

Section 24: National security.

- (1) Information which does not fall within section 23(1) is exempt information if exemption from section 1(1)(b) is required for the purpose of safeguarding national security.
- (2) The duty to confirm or deny does not arise if, or to the extent that, exemption from section 1(1)(a) is required for the purpose of safeguarding national security.
- (3) A certificate signed by a Minister of the Crown certifying that exemption from section 1(1)(b), or from section 1(1)(a) and (b), is, or at any time was, required for the purpose of safeguarding national security shall, subject to section 60, be conclusive evidence of that fact.
- (4) A certificate under subsection (3) may identify the information to which it applies by means of a general description and may be expressed to have prospective effect.

Guidance

The section 24 exemption applies to information that must not to be disclosed in order to safeguard national security.

The test to be applied when considering whether to claim a section 24 exemption is not whether the information relates to national security but whether the exemption is required for the purpose of safeguarding national security. That is, to claim the exemption it must be possible to identify an undesirable effect on national security, or the risk of such an undesirable effect, that would occur if the information were released.

When considering whether non-disclosure of a particular piece of information is required in order to safeguard national security, it is important to consider whether its release, could, if put together with other available information, cause damage ('the mosaic effect'). In justifying such an approach, decision-makers must be clear about what specific harmful effects are reasonably to be expected.

Taken together, the case law and the statements about national security form the basis for identifying the kind of information that falls into this category. For example that:

- The security of the nation includes its well-being and the protection of its defence and foreign policy interests, as well as its survival.

	<ul style="list-style-type: none"> • The nation does not refer only to the territory of the UK, but includes its citizens, wherever they may be, or its assets wherever they may be, as well as the UK's system of government. • There are a number of matters which UK law expressly recognises as constituting potential threats to, or otherwise being relevant to, the safety or well-being of the nation, including terrorism, espionage, subversion, the pursuit of the government's defence and foreign policies, and the economic well-being of the United Kingdom. But these matters are not exhaustive: the government would regard a wide range of other matters as being capable of constituting a threat to the safety or wellbeing of the nation. Examples include the proliferation of weapons of mass destruction and the protection of the Critical National Infrastructure, such as the water supply or national grid, from actions intended to cause catastrophic damage. However, these examples are not exhaustive and each piece of information should be considered individually.
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FOI Request Reference	FOI/17/194
Month Issued	January 2018
Request	<p><i>Under the Freedom of Information Act I am seeking copies of any emails between</i></p> <p><i>a) individual ministers in your department</i></p> <p><i>b) special advisers in your department</i></p> <p><i>And Ian Paisley MP.</i></p> <p><i>Please only search for emails sent/received between July 13 2016 and today, and include any individuals who were in the above posts during this period, whether or not they still are.</i></p> <p><i>I am NOT seeking any emails that solely relate to constituency casework, which I understand would remain confidential.</i></p>
Response	<p>Your request is being handled under the Freedom of Information Act 2000 (FOIA).</p> <p>The Northern Ireland Office have searched the relevant email accounts and found no record of any such correspondence.</p>

FOI Request Reference	FOI/17/195
Month Issued	January 2018
Request	<p><i>Under your stated obligations under the freedom of information act could you please release the following RUC report which the NIO may have held when it was published?</i></p> <ul style="list-style-type: none"> • <i>Homosexuality in the Greater Belfast (1976)</i>

	<i>The report was written in and around 1976 by Chief Superintendent Cunningham and Detective Sergeant David Armstrong.</i>
Response	Your request has been handled under the Freedom of Information Act 2000 (FOIA). The Northern Ireland Office does not hold any information within the scope of your request.

FOI Request Reference	FOI/17/198
Month Issued	January 2018
Request	<p><i>This is a request under the Freedom of Information (FOI) Act to ask:</i></p> <ol style="list-style-type: none"> <i>1) In the financial year 2014/15, how many journeys were made by ministers using the Government Car Service? Please break down the data by minister.</i> <i>2) In the financial year 2014/15, how many further journeys using the Government Car Service were made for the separate transportation of ministerial red boxes? Please break down the data by minister.</i> <i>3) In the financial year 2015/16, how many journeys were made by ministers using the Government Car Service? Please break down the data by minister.</i> <i>4) In the financial year 2015/16, how many further journeys using the Government Car Service were made for the separate transportation of ministerial red boxes? Please break down the data by minister.</i> <i>5) In the financial year 2016/17, how many journeys were made by ministers using the Government Car Service? Please break down the data by minister.</i> <i>6) In the financial year 2016/17, how many further journeys using the Government Car Service were made for the separate transportation of ministerial red boxes? Please break down the data by minister.</i> <i>7) In the financial year 2017/18 up to the 6th December 2017, how many journeys were made by ministers using the Government Car Service? Please break down by the data by minister.</i> <i>8) In the financial year 2017/18 up to the 6th December 2017, how many further journeys using the Government Car Service were made for the separate transportation of ministerial red boxes? Please break down the data by minister.</i>
Response	Your request has been handled under the Freedom of Information Act 2000 (FOIA). The law allows us to decline to answer FOI requests when we estimate it would cost us more than £600 (equivalent to 3.5 working days' worth of work, calculated at £25 per hour) to identify, locate, extract and then provide the information that has been asked for.

To comply with the request and to enable us to identify whether we hold any such material, officials would be required to open and read a large amount of records individually.
You should not infer from this that the Northern Ireland Office holds a large amount of information relating to the subjects you have asked about, only that we would need to search through a large amount of records in order to find out whether we hold any information relevant to your request.

You can find out more about Section 12(1) by reading the extract from the Act and some guidance points we consider when applying this exemption, attached at the end of this letter. You can also find more information by reading the full text of the Act, available at <http://www.legislation.gov.uk/ukpga/2000/36/section/12>.

Although we cannot answer your request at the moment, we might be able to answer a further refined request within the cost limit. You may wish to consider a shorter timeframe for the request or perhaps provide a series of key phrases for us to search. Please note that, as in this instance, a further refined request may still not fall within the FOIA cost limit.

ADDITIONAL INFORMATION ABOUT SECTION 12(1)

We have provided below additional information about Section 12 of the Freedom of Information Act. We have included some extracts from the legislation, as well as some of the guidance we use when applying it. We hope you find this information useful.

The legislation

Section 1: Right of Access to information held by public authorities

- (1) Any person making a request for information to a public authority is entitled—
- (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
 - (b) if that is the case, to have that information communicated to him.

Section 12: Cost of compliance exceeds appropriate limit

- (1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.
- (2) Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit.

- (3) In subsections (1) and (2) “the appropriate limit” means such amount as may be prescribed, and different amounts may be prescribed in relation to different cases.
- (4) The Secretary of State may by regulations provide that, in such circumstances as may be prescribed, where two or more requests for information are made to a public authority—
- (a) by one person, or
 - (b) by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign, the estimated cost of complying with any of the requests is to be taken to be the estimated total cost of complying with all of them.
- (5) The Secretary of State may by regulations make provision for the purposes of this section as to the costs to be estimated and as to the manner in which they are to be estimated.

Guidance

The appropriate limit

The 'appropriate limit', for the purposes of section 12 of the Freedom of Information Act has been set at:

- £600 for central government and Parliament.
- The hourly rate is set at £25 per person per hour.

The following activities may be taken into account when public authorities are estimating whether the appropriate limit has been exceeded.

- determining whether it holds the information requested
- locating the information or documents containing the information
- retrieving such information or documents
- extracting the information from the document containing it.

FOI Request Reference	FOI/17/201
Month Issued	January 2018
Request	<p><i>I was hoping to find some primary data in the National Archives. Therefore, I was hoping to view the following please;</i></p> <ul style="list-style-type: none"> • <i>CJ 4/6073: Release of detainees, including reinvolvement in terrorism and resettlement.</i> • <i>CJ 4/6074: Release of detainees, including reinvolvement in terrorism and resettlement.</i>

	<ul style="list-style-type: none"> • <i>CJ 4/3104: Provisional Irish Republican Army (PIRA) and other Republican paramilitary groups: reports of their activities and assessment.</i> • <i>CJ 4/7186: Reinvolverment of detainees in terrorism following release.</i>
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>I can confirm that the department holds information that you have asked for, but in this case we will not be providing it to you as it is exempt from disclosure.</p> <p>Some of the information you have requested could be exempt under section 23(1) of the Freedom of Information Act, which relates to the bodies dealing with security matters, although it is also possible that the information relates to none of the bodies dealing with security matters.</p> <p>Sections 23(1) and 24(1) are being cited in the alternative as it is not appropriate, in the circumstances of the case, to say which of the two exemptions is actually engaged so as not to undermine national security or reveal the extent of any involvement, or not, of the bodies dealing with security matters. Section 23 is an absolute exemption and the Northern Ireland Office is not required to consider whether the public interest favours disclosure of this information.</p> <p>Any information that is not exempt from disclosure under section 23(1) could be exempt under section 24(1) of the Freedom of Information Act, which exempts information from disclosure if its exemption is required for the purpose of safeguarding national security. For the reasons given above under section 23, we cannot say which of the two exemptions is actually engaged, and to the extent to which section 24(1) is engaged we are not obliged to give any further explanation by virtue of section 17(4) because to do so would involve the disclosure of information which would itself be exempt. Section 24 is a qualified exemption and I have considered whether the balance of the public interest favours releasing or withholding this information. There is a general public interest in disclosure of information and I recognise that openness in government may increase public trust in and engagement with the government. I have weighed these public interests against a very strong public interest in safeguarding national security. It is important that this sensitive information is protected, as disclosure of information in this case, if held, would damage national security. Taking into account all the circumstances of this case I have determined that the balance of the public interest favours withholding this information.</p> <p>You can find out more about Sections 23 and 24 by reading the extract from the Act and some guidance points we consider when applying this exemption, attached at the end of this letter. You can also find more information by reading the full text of the Act, available at http://www.legislation.gov.uk/ukpga/2000/36/section/23</p>

Some material is also exempt from release under Section 27. Section 27(1) of the Act exempts information from disclosure if its release would be likely to harm international relations.

The exemption is subject to a test of the balance of public interest. This means that, if information falls within the terms of the exemption, it is necessary to consider whether the public interest in all the circumstances of the particular case requires the information to be released or withheld. The information may only be withheld if the public interest in withholding outweighs the public interest in disclosure.

In deciding whether to disclose the information which is exempt under the legislation we have considered the following public interest reasons in favour of disclosing the information:

- greater transparency and openness can improve accountability and public trust; and
- to provide transparency over the meetings and activities of UK Government Ministers and officials in conducting government business.

We have balanced these arguments in favour of disclosure against other factors which support withholding the documentation:

- the need to ensure that HM Government is able to fully pursue the interests of the United Kingdom abroad; and
- that Ministers, officials and stakeholders should be able to engage in full and frank discussions with representatives of foreign governments.

For these reasons, we have concluded in this case that the harm that would result from disclosure of the exempt information outweighs the public interest arguments in favour of disclosure. It is essential that we are able to create a safe space to allow UK Government Ministers and officials to pursue the interests of the United Kingdom with representatives of foreign governments. Therefore we are satisfied that there continues to be strong public arguments against disclosure.

We are not obliged to provide information if its release would be likely to endanger the health and safety of an individual. In this case, we believe that releasing the information would be likely to endanger the physical or mental health of any individual (section 38 (1(a)) of the Act).

In line with the terms of this exemption in the Freedom of Information Act, we have also considered whether it would be in the public interest for us to provide you with the information, despite the exemption being applicable. In this case, we have concluded that the public interest favours withholding the information.

You can find out more about Section 38 by reading the extract from the Act and some guidance points we consider when applying this exemption, attached at the end of this letter. You can also find more information by reading the full text of the Act, available at <http://www.legislation.gov.uk/ukpga/2000/36/section/38>

When assessing whether or not it was in the public interest to disclose the information to you, we took into account the following factors:

Public interest considerations favouring disclosure

- Greater transparency makes government departments more accountable and increases public trust and scrutiny.

Public interest considerations favouring withholding the information

- In the circumstances of these files release of the information could put individuals name in immediate physical danger.
- The named individuals could be put under mental stress through fear for their own and family's safety.

We reached the view that, on balance, the public interest is better served by withholding this information under Section 38 of the Act at this time.

Finally some of the information you have requested is exempt from release under s40 of the Act. We are not obliged, under section 40(2) of the Act, to provide information that is the personal information of another person if releasing would contravene any of the provisions in the Data Protection Act 1998 (DPA). In this instance we believe that the release of this information would contravene the first data protection principle and therefore section 40 (2) is engaged.

The terms of this exemption in the Freedom of Information Act mean that we do not have to consider whether or not it would be in the public interest for you to have the information.

EXPLANATION OF FOIA - SECTION 23 – INFORMATION SUPPLIED BY, OR RELATING TO, BODIES DEALING WITH SECURITY MATTERS

We have provided below additional information about Section 23 of the Freedom of Information Act. We have included some extracts from the legislation, as well as some of the guidance we use when applying it. We hope you find this information useful.

The legislation

Section 1: Right of Access to information held by public authorities

- (1) Any person making a request for information to a public authority is entitled—
- (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
 - (b) if that is the case, to have that information communicated to him.

Section 23: Information supplied by, or relating to, bodies dealing with security matters.

- (1) Information held by a public authority is exempt information if it was directly or indirectly supplied to the public authority by, or relates to, any of the bodies specified in subsection (3).
- (2) A certificate signed by a Minister of the Crown certifying that the information to which it applies was directly or indirectly supplied by, or relates to, any of the bodies specified in subsection (3) shall, subject to section 60, be conclusive evidence of that fact.
- (3) (3)The bodies referred to in subsections (1) and (2) are—
- (a) the Security Service,
 - (b) the Secret Intelligence Service,
 - (c) the Government Communications Headquarters,
 - (d) the special forces,
 - (e) the Tribunal established under section 65 of the Regulation of Investigatory Powers Act 2000,
 - (f) the Tribunal established under section 7 of the Interception of Communications Act 1985,
 - (g) the Tribunal established under section 5 of the Security Service Act 1989,
 - (h) the Tribunal established under section 9 of the Intelligence Services Act 1994,
 - (i) the Security Vetting Appeals Panel,
 - (j) the Security Commission,
 - (k) the National Criminal Intelligence Service,
 - (l) the Service Authority for the National Criminal Intelligence Service.
 - (m) the Serious Organised Crime Agency.
- (4) In subsection (3)(c) “the Government Communications Headquarters” includes any unit or part of a unit of the armed forces of the Crown which is for the time being required by the Secretary of State to assist the Government Communications Headquarters in carrying out its functions.
- (5) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would involve the disclosure of any information (whether or not already recorded) which was directly or indirectly supplied to the public authority by, or relates to, any of the bodies specified in subsection (3).

Guidance

The Security and Intelligence Agencies are not 'public authorities' for the purposes of the Act, therefore they are not under any duty themselves to disclose information under the Freedom of Information Act. It is only information supplied by them to public authorities, or information that relates to them and is held by public authorities, which needs to be, and is, addressed by section 23.

The section 23 exemption applies to information received from or related to the bodies listed at section 23(3) of the Freedom of Information Act. This includes the Security Service, the Secret Intelligence Service, Government Communications Headquarters and the Serious Organised Crime Agency.

The fact that a public authority does not hold information supplied by one of the Security Bodies can itself be information relating to those bodies. If information falls within the exemption in section 23, it will very often be important to consider whether it is necessary to rely on the exclusion of the duty to confirm or deny whether the information is held. A non-committal response can be useful as it will not disclose information as to whether a Security and Intelligence Agency is or is not involved in a certain area of work.

EXPLANATION OF FOIA - SECTION 24 – NATIONAL SECURITY

We have provided below additional information about Section 24 of the Freedom of Information Act. We have included some extracts from the legislation, as well as some of the guidance we use when applying it. We hope you find this information useful.

The legislation

Section 1: Right of Access to information held by public authorities

- (1) Any person making a request for information to a public authority is entitled—
 - (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
 - (b) if that is the case, to have that information communicated to him.

Section 24: National security.

- (1) Information which does not fall within section 23(1) is exempt information if exemption from section 1(1)(b) is required for the purpose of safeguarding national security.

- (2) The duty to confirm or deny does not arise if, or to the extent that, exemption from section 1(1)(a) is required for the purpose of safeguarding national security.
- (3) A certificate signed by a Minister of the Crown certifying that exemption from section 1(1)(b), or from section 1(1)(a) and (b), is, or at any time was, required for the purpose of safeguarding national security shall, subject to section 60, be conclusive evidence of that fact.
- (4) A certificate under subsection (3) may identify the information to which it applies by means of a general description and may be expressed to have prospective effect.

Guidance

The section 24 exemption applies to information that must not to be disclosed in order to safeguard national security.

The test to be applied when considering whether to claim a section 24 exemption is not whether the information relates to national security but whether the exemption is required for the purpose of safeguarding national security. That is, to claim the exemption it must be possible to identify an undesirable effect on national security, or the risk of such an undesirable effect, that would occur if the information were released.

When considering whether non-disclosure of a particular piece of information is required in order to safeguard national security, it is important to consider whether its release, could, if put together with other available information, cause damage ('the mosaic effect'). In justifying such an approach, decision-makers must be clear about what specific harmful effects are reasonably to be expected.

Taken together, the case law and the statements about national security form the basis for identifying the kind of information that falls into this category. For example that:

- The security of the nation includes its well-being and the protection of its defence and foreign policy interests, as well as its survival.
- The nation does not refer only to the territory of the UK, but includes its citizens, wherever they may be, or its assets wherever they may be, as well as the UK's system of government.
- There are a number of matters which UK law expressly recognises as constituting potential threats to, or otherwise being relevant to, the safety or well-being of the nation, including terrorism, espionage, subversion, the pursuit of the government's defence and foreign policies, and the economic well-being of the United Kingdom. But these matters are not exhaustive: the government would regard a wide range of other matters as being capable of constituting a threat to the safety or wellbeing of the nation. Examples include the proliferation of weapons of mass destruction and the protection of

the Critical National Infrastructure, such as the water supply or national grid, from actions intended to cause catastrophic damage. However, these examples are not exhaustive and each piece of information should be considered individually.

EXPLANATION OF FOIA - SECTION 38 – HEALTH AND SAFETY

We have provided below additional information about Section 38 of the Freedom of Information Act. We have included some extracts from the legislation, as well as some of the guidance we use when applying it. We hope you find this information useful.

The legislation

Section 1: Right of Access to information held by public authorities

- (1) Any person making a request for information to a public authority is entitled—
 - (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
 - (b) if that is the case, to have that information communicated to him.

Section 38: Health and safety.

- (1) Information is exempt information if its disclosure under this Act would, or would be likely to—
 - (a) endanger the physical or mental health of any individual, or
 - (b) endanger the safety of any individual.
- (2) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would, or would be likely to, have either of the effects mentioned in subsection (1).

Guidance

Section 38 applies to information that if disclosed would be likely to put the physical or mental health or the safety of any individual at risk or greater risk. The individual does not need to be identifiable and may be a member of the public, where the danger is to the health or safety of the public at large. The exemption can apply equally to a group or class of people who could have their health and safety adversely affected by disclosure.

An act of disclosure may cause mental harm directly – for example resulting in a sufficient level of shock or distress as to endanger an individual’s future mental well-being.

	<p>There are many different ways in which disclosure of information could endanger someone's health or safety either directly or indirectly. The following are some examples of such disclosures:</p> <ul style="list-style-type: none"> • those which would allow individuals, groups or firms to be identified or located and consequently targeted and attacked for their beliefs or practices, including work in controversial scientific areas; • disclosure of plans and policies relating to the accommodation of individuals, or groups of individuals, where disclosure could lead to their being threatened or harassed (for example, asylum seekers) • disclosing information about negotiations with kidnappers, where disclosure could endanger the safety of hostages • information relating to the protection of the Critical National Infrastructure, such as the water supply, national grid, or gas supply from actions intended to cause catastrophic damage and/or cause death or serious injury • information relating to the identity of informers or undercover officers • disclosure which may have an adverse effect on public health
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FOI Request Reference	FOI/17/202
Month Issued	January 2018
Request	<p><i>Under the Freedom of Information Act can I ask for the following information</i></p> <p><i>From</i></p> <p><i>a) 23rd June 2016 to 5 April 2017</i></p> <p><i>b) 6 April 2017 to the present date</i></p> <ul style="list-style-type: none"> • <i>The total figure your department has spent on consultancy services on the specific issue of Brexit since with a breakdown by consultancy, time, and subject where it is available.</i>
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA)</p> <p>a) The Department has spent £16,902 on consultancy services from 23 June 2016 to 5 April 2017. A breakdown as requested is not available. While this expenditure was not specifically concerned with EU Exit, the work involved several aspects that were pertinent to the subject. This included analysis of the sectoral structure in Northern Ireland, analysis of trade statistics, a review of current EU funding arrangements, and a detailed review of the cross-border flows between Northern Ireland and Ireland.</p>

	b) The Department has not incurred any expenditure on consultancy services on the specific issue of EU Exit from 6 April to the present date.
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FOI Request Reference	FOI/17/203
Month Issued	January 2018
Request	<p><i>I would like to know if I could access this archive listed on the National Archives website:</i></p> <ul style="list-style-type: none"> • <i>CJ 4/2826 Recovery of IRA firearms and weapons (former reference: 4188/1976-1)</i> <p><i>I understand from National Archives that it is held by the Northern Ireland Office.</i></p>
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>I can confirm that the department holds information that you have asked for, but in this case we will not be providing it to you as it is exempt from disclosure.</p> <p>Some of the information you have requested could be exempt under section 23(1) of the Freedom of Information Act, which relates to the bodies dealing with security matters, although it is also possible that the information relates to none of the bodies dealing with security matters. Sections 23(1) and 24(1) are being cited in the alternative as it is not appropriate, in the circumstances of the case, to say which of the two exemptions is actually engaged so as not to undermine national security or reveal the extent of any involvement, or not, of the bodies dealing with security matters. Section 23 is an absolute exemption and the Northern Ireland Office is not required to consider whether the public interest favours disclosure of this information.</p> <p>Any information that is not exempt from disclosure under section 23(1) could be exempt under section 24(1) of the Freedom of Information Act, which exempts information from disclosure if its exemption is required for the purpose of safeguarding national security. For the reasons given above under section 23, we cannot say which of the two exemptions is actually engaged, and to the extent to which section 24(1) is engaged we are not obliged to give any further explanation by virtue of section 17(4) because to do so would involve the disclosure of information which would itself be exempt. Section 24 is a qualified exemption and I have considered whether the balance of the public interest favours releasing or withholding this information. There is a general public interest in disclosure of information and I recognise that openness in government may increase public trust in and engagement with the government. I have weighed these public interests against a very strong public interest in safeguarding national security. It is important that this sensitive information is protected, as disclosure of information in this case, if held, would damage national security. Taking into account all the circumstances of this case I have determined that the balance of the public interest favours withholding this information.</p>

You can find out more about Sections 23 and 24 by reading the extract from the Act and some guidance points we consider when applying this exemption, attached at the end of this letter. You can also find more information by reading the full text of the Act, available at <http://www.legislation.gov.uk/ukpga/2000/36/section/23>

EXPLANATION OF FOIA - SECTION 23 – INFORMATION SUPPLIED BY, OR RELATING TO, BODIES DEALING WITH SECURITY MATTERS

We have provided below additional information about Section 23 of the Freedom of Information Act. We have included some extracts from the legislation, as well as some of the guidance we use when applying it. We hope you find this information useful.

The legislation

Section 1: Right of Access to information held by public authorities

- (1) Any person making a request for information to a public authority is entitled—
- (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
 - (b) if that is the case, to have that information communicated to him.

Section 23: Information supplied by, or relating to, bodies dealing with security matters.

- (1) Information held by a public authority is exempt information if it was directly or indirectly supplied to the public authority by, or relates to, any of the bodies specified in subsection (3).
- (2) A certificate signed by a Minister of the Crown certifying that the information to which it applies was directly or indirectly supplied by, or relates to, any of the bodies specified in subsection (3) shall, subject to section 60, be conclusive evidence of that fact.
- (3) The bodies referred to in subsections (1) and (2) are—
- (n) the Security Service,
 - (o) the Secret Intelligence Service,
 - (p) the Government Communications Headquarters,
 - (q) the special forces,
 - (r) the Tribunal established under section 65 of the Regulation of Investigatory Powers Act 2000,
 - (s) the Tribunal established under section 7 of the Interception of Communications Act 1985,

- (t) the Tribunal established under section 5 of the Security Service Act 1989,
 - (u) the Tribunal established under section 9 of the Intelligence Services Act 1994,
 - (v) the Security Vetting Appeals Panel,
 - (w) the Security Commission,
 - (x) the National Criminal Intelligence Service,
 - (y) the Service Authority for the National Criminal Intelligence Service.
 - (z) the Serious Organised Crime Agency.
- (4) In subsection (3)(c) “the Government Communications Headquarters” includes any unit or part of a unit of the armed forces of the Crown which is for the time being required by the Secretary of State to assist the Government Communications Headquarters in carrying out its functions.
- (5) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would involve the disclosure of any information (whether or not already recorded) which was directly or indirectly supplied to the public authority by, or relates to, any of the bodies specified in subsection (3).

Guidance

The Security and Intelligence Agencies are not 'public authorities' for the purposes of the Act, therefore they are not under any duty themselves to disclose information under the Freedom of Information Act. It is only information supplied by them to public authorities, or information that relates to them and is held by public authorities, which needs to be, and is, addressed by section 23.

The section 23 exemption applies to information received from or related to the bodies listed at section 23(3) of the Freedom of Information Act. This includes the Security Service, the Secret Intelligence Service, Government Communications Headquarters and the Serious Organised Crime Agency.

The fact that a public authority does not hold information supplied by one of the Security Bodies can itself be information relating to those bodies. If information falls within the exemption in section 23, it will very often be important to consider whether it is necessary to rely on the exclusion of the duty to confirm or deny whether the information is held. A non-committal response can be useful as it will not disclose information as to whether a Security and Intelligence Agency is or is not involved in a certain area of work.

EXPLANATION OF FOIA - SECTION 24 – NATIONAL SECURITY

We have provided below additional information about Section 24 of the Freedom of Information Act. We have included some extracts from the legislation, as well as some of the guidance we use when applying it. We hope you find this information useful.

The legislation

Section 1: Right of Access to information held by public authorities

- (1) Any person making a request for information to a public authority is entitled—
 - (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
 - (b) if that is the case, to have that information communicated to him.

Section 24: National security.

- (1) Information which does not fall within section 23(1) is exempt information if exemption from section 1(1)(b) is required for the purpose of safeguarding national security.
- (2) The duty to confirm or deny does not arise if, or to the extent that, exemption from section 1(1)(a) is required for the purpose of safeguarding national security.
- (3) A certificate signed by a Minister of the Crown certifying that exemption from section 1(1)(b), or from section 1(1)(a) and (b), is, or at any time was, required for the purpose of safeguarding national security shall, subject to section 60, be conclusive evidence of that fact.
- (4) A certificate under subsection (3) may identify the information to which it applies by means of a general description and may be expressed to have prospective effect.

Guidance

The section 24 exemption applies to information that must not to be disclosed in order to safeguard national security.

The test to be applied when considering whether to claim a section 24 exemption is not whether the information relates to national security but whether the exemption is required for the purpose of safeguarding national security. That is, to claim the exemption it must be possible to identify an undesirable effect on national security, or the risk of such an undesirable effect, that would occur if the information were released.

When considering whether non-disclosure of a particular piece of information is required in order to safeguard national security, it is important to consider whether its release, could, if put together with other available information, cause damage

	<p>('the mosaic effect'). In justifying such an approach, decision-makers must be clear about what specific harmful effects are reasonably to be expected.</p> <p>Taken together, the case law and the statements about national security form the basis for identifying the kind of information that falls into this category. For example that:</p> <ul style="list-style-type: none"> • The security of the nation includes its well-being and the protection of its defence and foreign policy interests, as well as its survival. • The nation does not refer only to the territory of the UK, but includes its citizens, wherever they may be, or its assets wherever they may be, as well as the UK's system of government. • There are a number of matters which UK law expressly recognises as constituting potential threats to, or otherwise being relevant to, the safety or well-being of the nation, including terrorism, espionage, subversion, the pursuit of the government's defence and foreign policies, and the economic well-being of the United Kingdom. But these matters are not exhaustive: the government would regard a wide range of other matters as being capable of constituting a threat to the safety or wellbeing of the nation. Examples include the proliferation of weapons of mass destruction and the protection of the Critical National Infrastructure, such as the water supply or national grid, from actions intended to cause catastrophic damage. However, these examples are not exhaustive and each piece of information should be considered individually.
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FOI Request Reference	FOI/17/204
Month Issued	January 2018
Request	<p><i>I would like to place a request for information that pertains evidence, in any recorded format, to any entity cited in the [attached] bibliography and reference list, which would constitute a contravention of any constitution, statute, treaty, or convention, or crime by any criminal and penal code cited in the bibliography, and in the alleged assertion of 'acting as an accessory, accomplice, or perpetrator' in the specific alleged assertions of practicing any act, information, or data cited in the bibliography.</i></p> <p><i>I would like any record of information which pertains to anyone other than Theresa May e.g. Tony Blair or Philip Hammond, acting as Prime Minister at any time from 6/9/2017 to 8/1/2018.</i></p>
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>The Northern Ireland does not hold any information within the scope of your request.</p>

FOI Request Reference	FOI/17/205
Month Issued	January 2018

Request

I would like to request answers to the below questions under the Freedom of Information Act 2000. The questions concern the use of public cloud within your IT infrastructure.

- 1) *Do you know about the Government's Cloud First policy?*
 - *Yes*
 - *No*
- 2) *Is your organisation using a public cloud for any area of your IT infrastructure?*
 - *Yes*
 - *No - If no, please answer questions 6-8*
- 3) *What percentage of your IT infrastructure has already been migrated to the public cloud?*
 - *Less than 25%*
 - *25% - 50%*
 - *50% - 75%*
 - *75% - 100%*
- 4) *Which area(s) of your organisation's IT infrastructure has/have been migrated (in part or in whole) to the public cloud? Select all that apply.*
 - *Database(s)*
 - *Application(s)*
 - *Security Storage*
 - *We have not migrated anything to the cloud*
- 5) *If you are not 100% cloud first, what is your timeline to migrate the rest of your infrastructure to the public cloud?*
 - *I am 100% cloud*
 - *6 months or less*
 - *6-12 months*
 - *1-2 years*
 - *2+ years*
 - *No, we don't plan to move everything to the cloud*
- 6) *What barriers to public cloud adoption have you experienced? Select all that apply.*
 - *Lack of skills needed to implement/manage*
 - *Security/compliance concerns*
 - *Budget constraints*
 - *Inability to prove return on investment (ROI)*

	<ul style="list-style-type: none"> • <i>Need to continue supporting old, legacy technology</i> • <i>Vendor lock-in (with a cloud provider)</i> • <i>Concerns over IT managing multi-vendor environments</i> <p>7) <i>How many monitoring and management tools are you currently using to gain visibility into your IT infrastructure?</i></p> <ul style="list-style-type: none"> • <i>1</i> • <i>2-3</i> • <i>4-5</i> • <i>6-7</i> • <i>8-9</i> • <i>10 or more</i> • <i>Not sure</i> <p>8) <i>Are you able to use the same monitoring and management tools for on-premises infrastructure and cloud environments?</i></p> <p>(c) <i>Yes</i> (d) <i>No</i> (e) <i>Not sure</i></p> <p>9) <i>What are the biggest challenges you face when monitoring and managing your public cloud environment? Select all that apply.</i></p> <ul style="list-style-type: none"> • <i>Lack of control and visibility into performance</i> • <i>Uncertainty where data resides</i> • <i>Protecting and securing the cloud environments</i> • <i>Performance downtime</i> • <i>Determining the most suitable workloads to move to the cloud</i> • <i>Not fully understanding the benefits of the cloud</i> <p>10) <i>Are you seeing the expected ROI from public cloud adoption?</i></p> <ul style="list-style-type: none"> • <i>Yes</i> • <i>No</i> • <i>Still can't determine</i>
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>Q1. Yes Q2 – Q10. The Northern Ireland Office received managed ICT services from IT Assist (ITA), which is a service provided by Enterprise Shared Services, a body within the Department of Finance, Northern Ireland. The information requested is,</p>

	therefore, not held by this Department. This information may be available from the Department of Finance, Northern Ireland who can be contacted at foi@finance-ni.gov.uk
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FOI Request Reference	FOI/17/206
Month Issued	January 2018
Request	<p><i>I wish to request, under the Freedom of Information Act 2000, a copy of:</i></p> <ul style="list-style-type: none"><i>A breakdown of all meetings held between the Secretary of State (and Departmental Ministers), and MPs representing constituencies in Scotland, broken down by party affiliation.</i> <p><i>This should not be confined to meetings literally within the Department - please also include meetings which have taken place in the House of Commons, along with more informal meeting</i></p>
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>The law allows us to decline to answer FOI requests when we estimate it would cost us more than £600 (equivalent to 3.5 working days' worth of work, calculated at £25 per hour) to identify, locate, extract and then provide the information that has been asked for.</p> <p>To comply with the request and to enable us to identify whether we hold any such material, officials would be required to open and read a large amount of records individually.</p> <p>You should not infer from this that the Northern Ireland Office holds a large amount of information relating to the subjects you have asked about, only that we would need to search through a large amount of records in order to find out whether we hold any information relevant to your request.</p> <p>You can find out more about Section 12(1) by reading the extract from the Act and some guidance points we consider when applying this exemption, attached at the end of this letter. You can also find more information by reading the full text of the Act, available at http://www.legislation.gov.uk/ukpga/2000/36/section/12.</p> <p>Although we cannot answer your request at the moment, we might be able to answer a further refined request within the cost limit. You may wish to consider a shorter timeframe for the request, perhaps provide a series of key phrases for us to search or a limited number of Scottish MP's. Please note that, as in this instance, a further refined request may still not fall within the FOIA cost limit.</p>

ADDITIONAL INFORMATION ABOUT SECTION 12(1)

We have provided below additional information about Section 12 of the Freedom of Information Act. We have included some extracts from the legislation, as well as some of the guidance we use when applying it. We hope you find this information useful.

The legislation

Section 1: Right of Access to information held by public authorities

- (1) Any person making a request for information to a public authority is entitled—
 - (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
 - (b) if that is the case, to have that information communicated to him.

Section 12: Cost of compliance exceeds appropriate limit

- (1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.
- (2) Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit.
- (3) In subsections (1) and (2) “the appropriate limit” means such amount as may be prescribed, and different amounts may be prescribed in relation to different cases.
- (4) The Secretary of State may by regulations provide that, in such circumstances as may be prescribed, where two or more requests for information are made to a public authority—
 - (f) by one person, or
 - (g) by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign, the estimated cost of complying with any of the requests is to be taken to be the estimated total cost of complying with all of them.
- (5) The Secretary of State may by regulations make provision for the purposes of this section as to the costs to be estimated and as to the manner in which they are to be estimated.

Guidance

The appropriate limit

	<p>The 'appropriate limit', for the purposes of section 12 of the Freedom of Information Act has been set at:</p> <ul style="list-style-type: none"> • £600 for central government and Parliament. • The hourly rate is set at £25 per person per hour. <p>The following activities may be taken into account when public authorities are estimating whether the appropriate limit has been exceeded.</p> <ul style="list-style-type: none"> • determining whether it holds the information requested • locating the information or documents containing the information • retrieving such information or documents • extracting the information from the document containing it.
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FOI Request Reference	FOI/18/001
Month Issued	January 2018
Request	<p><i>We are writing with civil jurisdiction using the Freedom of Information Act 2000 to make a Freedom of Information request.</i></p> <p><i>We want to collect and collate data from each department of government regarding both the number of persons, and their wage or pension earnings (1977 to date), who have been;</i></p> <p><i>A. Accused with evidence of any sexual misconduct with a minor,</i> <i>B. Investigated by any government or police department for any sexual misconduct with a minor</i> <i>C. Convicted of any sexual misconduct against a minor,</i></p> <p><i>Including online grooming or misconduct with a minor, making, searching for, or distributing inappropriate images of minors.</i></p>
Response	I can advise you that no information is held in relation to your request.

FOI Request Reference	FOI/18/002
Month Issued	January 2018
Request	<p><i>I would like to request the following information for secondment opportunities advertised by the NIO between 1 January 2016 and 31 December 2017</i></p> <p><i>(a) Post(s) for which secondment was advertised.</i> <i>(b) The number of applications received</i></p>

- (c) The number of candidates invited for any interview.
 (d) The number of candidates who attended an interview.
 (e) The number of candidates who were deemed suitable for appointment.

Response

The NIO regularly seconds staff from the Northern Ireland Civil Service but not from other external sources.

In response to question (a) please see list below of posts advertised in the NIO in 2016 and 2017:

NIO POSTS ADVERTISED IN 2016	NIO POSTS ADVERTISED IN 2017
Security Protection Group Band B1	Head of Estates & Services Band A
Security Protection Group Band C	Constitutional & Policy Group Band B
Security Protection Group Band D	Security Protection Group Band B
Economy and Finance Band A	Deputy Director - Head of Communications
Security Protection Group Band B	Legacy Casework Band A
HR/Business Support Band D	Legacy Casework Band B
Head of Legacy Casework and Strategy Band A	Security Protection Group Band E
IT Coordinator and Customer Relations Manager Band C	Corporate Governance Unit Band B
Senior Policy Advisor Band B	HR Business Support Band D
Legacy Casework Band D	Deputy Director Business Delivery Group
x2 Executive Support Team Band D	Permanent Secretary's Office Band E
Principal Secretary, Private Office Band A	Security Protection Group Band D
Politics Legacy Unit Band C	Legacy Policy Band B
Security Protection Group Band C	Economic Domestic Policy Group Band B
Constitutional Policy Adviser Band B	Emerging Priorities Team Band B
Estates and Services, Premises officer Band D	Security Protection Group Band C
Private Office Post Band D	Security Protection Group Band D
Comms Posts & Band Community development officer Band C - x3	Legacy Casework Band D
Senior Campaigns Officer Band B	Private Office Band D
Visits and Engagement Manager Post Band B	Security Protection Group Band C
Emerging Priorities Team Band A and B	Estates & Services Contracts Manager Band B
Boundary Commission Band E	Assistant Private Secretary to Minister Band C
Legacy Policy Band B	Senior Civil Service Director Post

Security Protection Group Band D	Deputy Director Constitution and Rights Group
Emerging Priorities Team Band A	Security Protection Group Band C
Finance Band E	HR/Corporate Governance Band D
Private Office/Special Adviser Co-Ordinator Band D	Emerging Priorities Team Band A
Deputy Director Engagement Group	Communications Manager Band A
Economic Domestic Policy Group Band A	Private Office Band B
EU Policy Advisor Band B	Emerging Priorities Team Band B (x3)
EU Policy Advisor Band A	Engagement Group Band D
Engagement Group Band A	Engagement Group Band B
Legacy Casework Band C	Media & Campaigns Officer Band C
Security Protection Group Band C	Executive Support Team Band D
Engagement Group Band D	Engagement Group Band A
Economic Domestic Policy Group Band A	Security Protection Group Band C
Private Office Band C	Security Protection Group Band B
Private Office Band A x2	Security Protection Group Band E
Deputy Director - Legacy Policy	Economic Domestic Policy Group Band A
Deputy Director - PPS to Secretary of State	Engagement Group - Band B (2 posts)
Minister Diary Secretary Band D	Security Protection Group Band B (3 posts)
Private Office Special Adviser Support Band D	Legacy Casework Band D
Visits & Engagement Group Band A	Engagement Group Band C
Corporate Governance Band A	Constitution Rights & Legacy Groups Band A x 4
Security and Protection Group Band A	Finance Manager Band B
Band C - Legacy	Security Protection Group Co-Ordinator Band D
Band A's (x6) EPT	Economic & Domestic Policy Band C
Band D - Legacy Casework	Legacy Policy Band B
Band B's (x4) - EPT	
Band A - Head of Strategy and Op's	
Band B - SPG	

In answer to question (b) the number of applications received across all of these posts from applicants applying on a secondment basis was 222 in 2016 and 119 in 2017.

	<p>We do not hold information regarding questions (c) and (d), the number of candidates invited to interview and the number of candidates who attended for interview.</p> <p>Question (e) the number of candidates who were deemed suitable for appointment - there were a total of 20 secondees from the NICS appointed in 2016 and 10 in 2017.</p>
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FOI Request Reference	FOI/18/003
Month Issued	January 2018
Request	<p><i>This is a request for information under the Freedom of Information Act. Please note that my request comes in several parts.</i></p> <p>1) <i>I would like to request all internal correspondence and communications held by the Northern Ireland Office that mentions, or refers to, the Constitutional Research Council.</i></p> <p>2) <i>I would like to request all external correspondence and communications held by the Northern Ireland Office that mentions, or refers to, the Constitutional Research Council.</i></p> <p><i>I define correspondence and communications as including (but not limited to) the following:</i></p> <ul style="list-style-type: none"> • <i>Emails (and their attachments)</i> • <i>Letters</i> • <i>Memos</i> • <i>Invoices</i> • <i>Briefings</i> • <i>Research documents</i> • <i>Invitations</i> • <i>Presentation slides</i> • <i>Notes taken during telephone conversations</i> • <i>Notes taken during meetings</i> • <i>Text messages</i>
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA). The law allows us to decline to answer FOI requests when we estimate it would cost us more than £600 (equivalent to 3.5 working days' worth of work, calculated at £25 per hour) to identify, locate, extract and then provide the information that has been asked for.</p>

In this instance, following a search of our Electronic Document and Records Management System, I can confirm that the NIO does not hold on this system any correspondence, internal or external, or communication that mentions, or refers to the "Constitutional Research Council". In order to fully comply with your request, all officials across the NIO would also be required to search their email account in order to locate, assess and extract any relevant emails individually.

A request for 'all correspondence and communications' even over a short period of time, can often lead to a response under Section (12)1 of the FOIA as any subject may have numerous officials involved. In this case, there were a range of Press Reports and other commentary which would have been circulated to all staff across the Department. Hence, this part of your request would breach the disproportionate cost threshold set out in Section 12 (1) of the FOIA. You should not infer from this that the Northern Ireland Office holds a large amount of email information relating to the subject you have asked about, only that all officials would need to search through a large amount of records in order to find out whether they hold any information relevant to your request and then assess and extract any relevant emails individually.

You can find out more about Section 12(1) by reading the extract from the Act and some guidance points we consider when applying this exemption, attached at the end of this letter. You can also find more information by reading the full text of the Act, available at <http://www.legislation.gov.uk/ukpga/2000/36/section/12>.

Although we cannot answer your request at the moment, we might be able to answer a further refined request within the cost limit. You may wish to consider, for example, specifying a timeframe for the request. However, please note that, as in this instance, a further refined request may still not fall within the FOIA cost limit.

ADDITIONAL INFORMATION ABOUT SECTION 12(1)

We have provided below additional information about Section 12 of the Freedom of Information Act. We have included some extracts from the legislation, as well as some of the guidance we use when applying it. We hope you find this information useful.

The legislation

Section 1: Right of Access to information held by public authorities

- (1) Any person making a request for information to a public authority is entitled—
- (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
 - (b) if that is the case, to have that information communicated to him.

Section 12: Cost of compliance exceeds appropriate limit

- (1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.
- (2) Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit.
- (3) In subsections (1) and (2) “the appropriate limit” means such amount as may be prescribed, and different amounts may be prescribed in relation to different cases.
- (4) The Secretary of State may by regulations provide that, in such circumstances as may be prescribed, where two or more requests for information are made to a public authority—
 - (h) by one person, or
 - (i) by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign, the estimated cost of complying with any of the requests is to be taken to be the estimated total cost of complying with all of them.
- (5) The Secretary of State may by regulations make provision for the purposes of this section as to the costs to be estimated and as to the manner in which they are to be estimated.

Guidance

The appropriate limit

The 'appropriate limit', for the purposes of section 12 of the Freedom of Information Act has been set at:

- £600 for central government and Parliament.
- The hourly rate is set at £25 per person per hour.

The following activities may be taken into account when public authorities are estimating whether the appropriate limit has been exceeded.

- determining whether it holds the information requested
- locating the information or documents containing the information
- retrieving such information or documents
- extracting the information from the document containing it.

FOI Request Reference	FOI/18/004
Month Issued	January 2018

Request	<p><i>Under the Freedom of Information Act 2000 I would like to request the following information:</i></p> <ul style="list-style-type: none"> <i>Please can you list the reasons given (specific reason or by category, depending on how data is kept) for sick days at the Northern Ireland Office in 2016 and 2017 so far (please provide your most up-to-date documents)?</i> <i>Please can you list how many sick days were taken at the Northern Ireland Office in the specified time periods for each of the reasons listed?</i> 																																				
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>The responses to your questions are detailed in the table below and relate to the actual number of working days lost as this is how we record them. The most up to date figure for 2017 is up to 30 September:</p> <table border="1"> <thead> <tr> <th>Category</th> <th>Number of Actual Working Days Lost - 01/01/2016 - 31/12/2016</th> <th>Number of Actual Working Days Lost - 01/01/2017 - 30/09/2017</th> </tr> </thead> <tbody> <tr> <td>Circulatory System</td> <td>14</td> <td>0</td> </tr> <tr> <td>Genitourinary</td> <td>1</td> <td>18</td> </tr> <tr> <td>Mental Disorders</td> <td>374</td> <td>119</td> </tr> <tr> <td>Musculoskeletal System</td> <td>84</td> <td>2</td> </tr> <tr> <td>Nervous System (inc headaches)</td> <td>5</td> <td>0</td> </tr> <tr> <td>Digestive System (inc food poisoning)</td> <td>66</td> <td>5</td> </tr> <tr> <td>Respiratory System (inc colds)</td> <td>10</td> <td>18</td> </tr> <tr> <td>Diseases of the ear & mastoid process</td> <td>42</td> <td>3</td> </tr> <tr> <td>Symptoms Ill Defined</td> <td>109</td> <td>134</td> </tr> <tr> <td>Injury and Poisoning</td> <td>0</td> <td>10</td> </tr> <tr> <td>Diseases of the Eye and Adnexa</td> <td>0</td> <td>11</td> </tr> </tbody> </table> <p>A wide range of conditions are encapsulated under the term "Mental Disorders". This includes conditions such as stress, anxiety, depression, mood-affective disorders, disorders of personality and behaviour and schizophrenia.</p>	Category	Number of Actual Working Days Lost - 01/01/2016 - 31/12/2016	Number of Actual Working Days Lost - 01/01/2017 - 30/09/2017	Circulatory System	14	0	Genitourinary	1	18	Mental Disorders	374	119	Musculoskeletal System	84	2	Nervous System (inc headaches)	5	0	Digestive System (inc food poisoning)	66	5	Respiratory System (inc colds)	10	18	Diseases of the ear & mastoid process	42	3	Symptoms Ill Defined	109	134	Injury and Poisoning	0	10	Diseases of the Eye and Adnexa	0	11
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FOI Request Reference	FOI/18/005
Month Issued	January 2018
Request	<i>I am writing to you under the Freedom of Information Act to request the following information from your department:</i>

	<p>1) <i>How many individual road journeys have been made by department-owned or -rented petrol- or diesel-powered vehicles over the last three financial years (2014/15, 2015/16, 2016/17), and the total mileage of these cumulative journeys. I would like this information broken down by financial year, and if possible by vehicle model.</i></p> <p>2) <i>How many petrol- and diesel-powered vehicles does the department own, or has rented, over the past three financial years (2014/15, 2015/16, 2016/17). I would like this information broken down by vehicle model, financial year, and whether it is owned or rented.</i></p> <p>3) <i>What are the department's plans regarding moving towards a fully-electric future?</i></p>
<p>Response</p>	<p>Your request has been handled under the Freedom of Information Act 2000.</p> <p>1) Number of journeys made:</p> <ul style="list-style-type: none"> • April '14 to March '15 = 954 • April '15 to March '16 = 492 • April '16 to March '17 = 610 <p>Total combined mileage for the two cars used by the NIO was approximately 60,000 miles, for the period April '14 to March '17.</p> <p>2) The department hired 1 car and leased the other during the period Apr '14 to Mar '17. The department does not own any cars.</p> <p>3) The NIO does not hold any information in respect of this question. The department holds the additional information that you have asked for in respect of the vehicle details, however as section 38 of the FOIA is engaged it is exempt from disclosure. We are not obliged to provide information if its release would be likely to endanger the health and safety of any individual.</p> <p>Public interest considerations favouring disclosure</p> <ul style="list-style-type: none"> • Provide the public with increase transparency around the vehicle leasing process. • Revealing the information would allow the public to be assured that the vehicle leasing process is carried out effectively and that the public interest has been maintained and safeguarded. • Greater transparency makes government departments more accountable and increases public trust and scrutiny. <p>Public interest considerations favouring withholding the information</p> <ul style="list-style-type: none"> • Disclosure of vehicle details would endanger the personal safety of any individual who may make use of a vehicle.

In this case, we have concluded that the public interest favours withholding the information.

You can find out more about Section 38 by reading the extract from the Act and some guidance points we consider when applying this exemption, attached at the end of this letter. You can also find more information by reading the full text of the Act, available at <http://www.legislation.gov.uk/ukpga/2000/36/section/38>

EXPLANATION OF FOIA - SECTION 38 –HEALTH AND SAFETY

We have provided below additional information about Section 38 of the Freedom of Information Act. We have included some extracts from the legislation, as well as some of the guidance we use when applying it. We hope you find this information useful.

The legislation

Section 1: Right of Access to information held by public authorities

- (1) Any person making a request for information to a public authority is entitled—
 - (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
 - (b) if that is the case, to have that information communicated to him.

Section 38: Health and safety.

- (1) Information is exempt information if its disclosure under this Act would, or would be likely to-
 - (a) endanger the physical or mental health of any individual, or
 - (b) endanger the safety of any individual.
- (2) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would, or would be likely to, have either of the effects mentioned in subsection (1).

Guidance

Section 38 applies to information that if disclosed would be likely to put the physical or mental health or the safety of any individual at risk or greater risk. The individual does not need to be identifiable and may be a member of the public, where the danger is to the health or safety of the public at large. The exemption can apply equally to a group or class of people who could have their health and safety adversely affected by disclosure.

	<p>An act of disclosure may cause mental harm directly – for example resulting in a sufficient level of shock or distress as to endanger an individual’s future mental well-being.</p> <p>There are many different ways in which disclosure of information could endanger someone's health or safety either directly or indirectly. The following are some examples of such disclosures:</p> <ul style="list-style-type: none"> • those which would allow individuals, groups or firms to be identified or located and consequently targeted and attacked for their beliefs or practices, including work in controversial scientific areas; • disclosure of plans and policies relating to the accommodation of individuals, or groups of individuals, where disclosure could lead to their being threatened or harassed (for example, asylum seekers) • disclosing information about negotiations with kidnappers, where disclosure could endanger the safety of hostages • information relating to the protection of the Critical National Infrastructure, such as the water supply, national grid, or gas supply from actions intended to cause catastrophic damage and/or cause death or serious injury • information relating to the identity of informers or undercover officers • disclosure which may have an adverse effect on public health • the disclosure of sensitive or graphic information about deceased individuals which could cause serious distress to others such as family members, particularly if they were not previously aware of it.
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FOI Request Reference	FOI/18/006
Month Issued	January 2018
Request	<p><i>I am writing to you under the Freedom of Information Act 2000 to request the following information:</i></p> <p><i>Please provide a list of all facilities for Northern Ireland Office staff members to make written feedback or suggestions to senior management. As general examples, this answer could include (but would not be limited to) physical feedback systems like suggestion boxes, and electronic resources such as internal intranet forums (including 'rumour mills'), and dedicated feedback email addresses</i></p>
Response	<p>The Northern Ireland Office has formal feedback mechanisms for staff to provide feedback, make suggestions or to ask questions of the senior management team. These are:</p> <ul style="list-style-type: none"> • Civil Service Annual People Survey • NIO Interim People Surveys • Quarterly open forums • The Staff Engagement Group

	<ul style="list-style-type: none"> • The IT User Group • Quarterly Business Team meetings <p>In addition, the NIO provides dedicated e-mail boxes for staff when we are undertaking projects in order to capture any feedback or comments in relation to that project.</p> <p>The NIO also encourages a culture of open two-way communication and feedback and staff are encouraged to offer feedback or suggestions at any time. The senior team is committed to remaining visible and approachable to all staff in the NIO.</p>
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FOI Request Reference	FOI/18/007
Month Issued	January 2018
Request	<p><i>I am writing to make a Freedom of Information request for all the information to which I am entitled under the Freedom of Information Act 2000. To assist you with this request, I am outlining my query as specifically as possible. As I'm sure you will understand, this may not be a definitive list of relevant information.</i></p> <p><i>Please provide me with details relating to the number of plastic water bottles used by the Department during 2017. In particular, please tell me how much money was spent on water in plastic bottles.</i></p> <p><i>If possible please specify how many bottles this price relates to. I understand the size of the plastic water bottles may vary - so if necessary please highlight that. If there is time please provide the same information for 2016.</i></p>
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>The Northern Ireland Office is a tenant in its office in Stormont House and in 1 Horse Guards Road, London. Bottled water is supplied in vending machines but the information requested is not held by the department. Water was purchased for an event within Stormont House, details are listed below:</p> <p><u>2016</u> Number of bottles – 240 Size of bottles – 500ml Cost - £54.70</p> <p><u>2017</u> Number of bottles – 240</p>

	Size of bottles – 500ml Cost - £89.70
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FOI Request Reference	FOI/18/008
Month Issued	January 2018
Request	<p><i>Could you provide me with the following information please?</i></p> <ol style="list-style-type: none"> 1) <i>Between the 24/12/17 and 2/1/18 which NIO Minister was on duty in Northern Ireland during the Hospital A&E crisis across all NI Health Trusts?</i> 2) <i>All correspondence between the NIO and the NI Dept. of Health or the health and social care board relating to Hospital A&E crisis across all NI Health Trusts between 24/12/17 and 2/1/18?</i>
Response	<p>Lord Duncan of Springbank, Parliamentary Under-Secretary of State, was Duty Minister from 24th - 27th December, and Parliamentary Under-Secretary of State Chloe Smith MP was Duty Minister from 27th December - 2nd January.</p> <p>No correspondence was received from the Department of Health (NI) or the Health and Social Care Board during this time period.</p>

FOI Request Reference	FOI/18/009
Month Issued	January 2018
Request	<p><i>I am writing to you under the Freedom of Information Act 2000 to request the following information:</i></p> <ul style="list-style-type: none"> • <i>How many times has the Northern Ireland Office been defrauded in each of the last five financial years (including the current year to 05/01/2018)? Please state the number of incidents, if any as well as the amount of money lost in each case, and a log (redacted where necessary) describing what happened in each incident.</i>
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA)</p> <p>The NIO has had no recorded instances of fraud in each of the last five financial years.</p>

FOI Request Reference	FOI/18/010
Month Issued	January 2018

Request	<p><i>I would like to make a freedom of information request to the human resources unit in the department. May they please provide me with information on the duration that people spend employed in the department before either moving on to another department or to another employer?</i></p> <p><i>I am not requesting each individual employee's details, instead could you please group them into categories divided by the below time frames:</i></p> <ul style="list-style-type: none"> • <i>0 - 6 months,</i> • <i>6 - 12 months,</i> • <i>12 - 18 months,</i> • <i>18 - 24 months,</i> • <i>24 - 30 months and then</i> • <i>30 and above.</i>
Response	I am sorry to advise you that this information is not held in the format requested.

FOI Request Reference	FOI/18/014
Month Issued	January 2018
Request	<p><i>Can you please confirm the following?</i></p> <ol style="list-style-type: none"> 1) <i>How many CCTV cameras are deployed in Northern Ireland by a) local authorities and b) the police, security services and other government agencies?</i> 2) <i>Does Northern Ireland have a surveillance camera policy such as that provided by Tony Porter, the Surveillance Camera Commissioner in England and Wales, if so where can I get a copy?</i> 3) <i>Who is responsible for the oversight carried out by the Surveillance Camera Commissioner under Section 35(1) (b) of the Protection of Freedoms Act 2012 in Northern Ireland?</i>
Response	The Northern Ireland Office does not hold any information within the scope of your request. The Police Service for Northern Ireland foi@psni.pnn.police.uk or the Department of Justice foi@justice-ni.x.gsi.gov.uk may be in a position to provide you with information.

FOI Request Reference	FOI/18/023
Month Issued	January 2018
Request	<i>I am writing to you under the Freedom of Information Act 2000 to request the following information from the Northern Ireland Office. I would be grateful if you could please provide the following information.</i>

	<p><i>Please provide me with a full document containing details of compromise agreements signed by employees in the years 2017, 2016 and 2015, if that is within your remit.</i></p> <p><i>Please answer the following, providing the data individually by year (for the past three years).</i></p> <p><i>i) What is the total number of compromise agreements were signed by employees in 2017, 2016 and 2015?</i></p> <p><i>ii) For each year, please disclose the number of these agreements containing any kind of confidentiality clause.</i></p> <p><i>iii) What was the total value of settlement payments relating to compromise agreements in each year 2017, 2016 and 2015?</i></p> <p><i>iv) What was the biggest single payoff to a member of staff who signed a confidentiality agreement in 2017, 2016 and 2015?</i></p>
Response	I can advise that no compromise agreements were signed in the years 2017, 2016 and 2015.

FOI Request Reference	FOI/17/200
Month Issued	February 2018
Request	<p><i>Can you please tell me how many times the No 32 (The Royal) Squadron has been used by ministers in the department since July 2016? If possible, costs spent by the department would be useful.</i></p> <p><i>I do not need details that would compromise security such as destinations.</i></p>
Response	<p>Your request is being handled under the Freedom of Information Act 2000 (FOIA).</p> <p>Based on records held by the Northern Ireland Office, NIO Ministers have used the No 32 (The Royal) Squadron a total of three times since July 2016. As NIO Ministers were not the lead traveller, this incurred no cost for the flights as the cost is paid by the lead department.</p>

FOI Request Reference	FOI/18/011
Month Issued	January 2018
Request	<p><i>Please could you provide me with the following information under the Freedom of Information Act regarding General Data Protection Regulations (GDPR)</i></p> <ul style="list-style-type: none"> <i>• Total summary or estimate of expenditure to date to prepare your organisation for the incoming GDPR legislation</i> <i>• Detail on this expenditure e.g. staff training, software, department policies, hiring</i> <i>• Projected spend or budget for managing GDPR within your department for the rest of the calendar year</i>

Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>All preparations for the implementation of the General Data Protection Regulations have been absorbed by the Northern Ireland Offices' Knowledge and Information Management Team.</p>
FOI Request Reference	FOI/18/012
Month Issued	February 2018
Request	<p><i>I write to request the following information under the Freedom of Information Act relating to public relations and communications:</i></p> <ol style="list-style-type: none"> 1. <i>The total amount spent by your Department on public relations in 2016-17. This should include but not be limited to:</i> <ol style="list-style-type: none"> a. <i>the amount spent by your department on its internal press and communications team;</i> b. <i>the amount spent by your department on third-party companies to provide any communications and public affairs services;</i> c. <i>the amount spent by your department on advertising, marketing, and publicity campaigns.</i> 2. <i>The total amount spent by your department on your internal press and communications staff in 2016-17.</i> 3. <i>The amount spent by your department on third-party public relations or communications companies in 2016-17 including the following specific details:</i> <ol style="list-style-type: none"> a. <i>The name of the companies that your Department has employed;</i> b. <i>The amount of money paid to each company;</i> c. <i>The period for which the company was employed;</i> d. <i>The purpose of your employment of each company.</i>
Response	<p>Please see the response from the Northern Ireland Office;</p> <ol style="list-style-type: none"> 1. <ol style="list-style-type: none"> a. Total internal press and communications staff costs for 2016-2017 is £202,955.62 b. Helpful Technology provides the Northern Ireland Office with an internal communications platform, total spend for 2016-17 is £8640 c. No money was spent on advertising, marketing, and publicity campaigns during 2016-17 2. See answer 1a 3. <ol style="list-style-type: none"> a. Helpful Technology b. £8640 was paid to Helpful Technology in 2016-17

	<p>c. Full period covering 2016-2017</p> <p>d. Internal communications platform provider</p> <p>Please note the above figures cover financial year 2016-17.</p>
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FOI Request Reference	FOI/18/015																				
Month Issued	February 2018																				
Request	<p><i>I am sending this request under the Freedom of Information Act.</i></p> <p>1) <i>The amount your department has spent with consultancy firms in each of the last five financial years and the current financial year to date.</i></p>																				
Response	<p>The overall cost the department has spent on various consultancy firms from Apr 2012 – Dec 17 is as follows:</p> <table border="1" style="width: 100%; text-align: center;"> <thead> <tr> <th style="background-color: #cccccc;">Year</th> <th style="background-color: #cccccc;">12-13</th> <th style="background-color: #cccccc;">13-14</th> <th style="background-color: #cccccc;">14-15</th> <th style="background-color: #cccccc;">15-16</th> <th style="background-color: #cccccc;">16-17</th> <th style="background-color: #cccccc;">17-18</th> </tr> </thead> <tbody> <tr> <td style="background-color: #cccccc;">Consultancy Costs</td> <td>£30,000</td> <td>£2,000</td> <td>£0</td> <td>£0</td> <td>£5,000</td> <td>£52,000</td> </tr> </tbody> </table>							Year	12-13	13-14	14-15	15-16	16-17	17-18	Consultancy Costs	£30,000	£2,000	£0	£0	£5,000	£52,000
Year	12-13	13-14	14-15	15-16	16-17	17-18															
Consultancy Costs	£30,000	£2,000	£0	£0	£5,000	£52,000															

FOI Request Reference	FOI/18/017						
Month Issued	February 2018						
Request	<p><i>Under the Freedom of Information Act, please provide me with the following:</i></p> <p>1) <i>All material held in relation to formal internal complaints and settlement payments to NIO staff since 2012</i></p>						
Response	<p>Your request has been handled under the Freedom of Information Act 2000.</p> <p>The NIO has received very few formal internal complaints since 2012. Where the number of such cases is low and there is the potential for individuals to be identified the information is exempt. We are not obliged, under section 40(2) of the Act, to provide information that is the personal information of another person if releasing would contravene any of the provisions in the Data Protection Act 1998 (DPA). In this instance we believe that the release of this information would contravene the first data protection principle and therefore section 40 (2) is engaged. The terms of this exemption in the Freedom of Information Act mean that we do not have to consider whether or not it would be in the public interest for you to have the information.</p>						

FOI Request Reference	FOI/18/019						
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Month Issued	February 2018
Request	<p><i>I am writing to request information under the Freedom of Information Act about sexual harassment complaints raised in your department.</i></p> <ol style="list-style-type: none"> 1. <i>Do you automatically record any complaint made about sexual harassment? If not, please explain why?</i> 2. <i>How many complaints have been made about sexual harassment within your department each year for the last five years? Please use the calendar years 2013-2017. If known, please provide data on:</i> <ul style="list-style-type: none"> • <i>Gender of complainant</i> • <i>Action (not actioned, investigation opened, or however you define them)</i> • <i>Outcome (sanction, disciplinary, etc)</i> 3. <i>How many allegations of rape have been made about a staff member within your department, each year for the years 2013-2017?</i> 4. <i>Please outline your sexual harassment complaints procedure. If applicable please provide a copy of the complaints form, guidelines, code of practice, or any other relevant documents.</i>
Response	<ol style="list-style-type: none"> 1. Any formal complaint about sexual harassment would be automatically recorded in line with the Ministry of Justice complaints process as the Northern Ireland Office is aligned to MoJ in respect of terms and conditions of employment. 2. I can advise you that no recorded complaints have been made about sexual harassment during the calendar years 2013 – 2017 3. I can advise you that no allegations of rape have been received. 4. The NIO has an ongoing commitment to ensuring that staff are treated with dignity and respect and that concerns raised by staff are listened to and dealt with appropriately. The NIO has a zero-tolerance approach to all forms of harassment and bullying. The MoJ grievance policy and guidance which NIO aligns to is published on our intranet and is accessible to all staff. NIO staff also have access to a network of harassment and bullying advisors from across MoJ which provides peer support to staff. In addition, we have an Employee Assistance Programme (EAP) that offers advice, support and counselling services to those who feel they have experienced harassment and bullying.

FOI Request Reference	FOI/18/020
Month Issued	February 2018
Request	<p><i>I am writing to you under the Freedom of Information Act to request information regarding data and cybersecurity incidents in the calendar year 2017 affecting information owned, processed or generated by your department.</i></p> <p><i>(1) Please may you provide me with the number of data breaches that occurred of your organisation's owned, processed or generated information in the calendar year 2017?</i></p>

	<p>(A) Please may you provide me with a list of details regarding these breaches (i.e. when they occurred, how they occurred, and what information was lost).</p> <p>(2) If your organisation differentiates between data breaches and data incidents, please may you provide me with the number of data incidents that occurred of its owned, processed or generated information in the calendar year 2017?</p> <p>(A) Please may you provide me with a list of details regarding these incidents (i.e. when they occurred, how they occurred, and what information was lost).</p> <p>(3) Please may you provide me with the number of cyber security incidents that occurred within your organisation in the calendar year 2017?</p> <p>(A) Please may you provide me with a list of details regarding these incidents (i.e. when they occurred, how they occurred, whether information was exposed, and how the incident was handled, if recorded as a crime by the police and/or whether the National Cyber Security Centre was informed).</p>
<p>Response</p>	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>In reference to your requests [1] and [1.A] one data breach was recorded with regard to NIO information during 2017. This was in November when a document containing personal information was published on the NIO internet. This was due to an administrative oversight and the personal details were removed from the publication the same day.</p> <p>In reference to your requests [2] and [2.A] two data incidents were recorded with regard to NIO information during 2017. In June a bag containing an NIO document was stolen. In August a member of staff inadvertently sent an email to an external, rather than internal, recipient. The recipient, who was immediately contacted, agreed to delete the email.</p> <p>In reference to your requests at [3] and [3.A] we are not obliged to provide information if its release would prejudice law and national security. The information can be withheld under FOIA exemption s31 (1) (a) - crime prevention, on the grounds that this information will aid malicious parties to attack the IT systems concerned. Section 31 is a prejudice based exemption and is subject to the public interest test.</p> <p>With regard to your request, we recognise there is a general public interest in openness and transparency in government's IT systems, which may lead to increased trust and engagement between the public and the government. Balanced against this, is the public interest in not releasing information that would aid a criminal intent on launching cyber-attacks on the Department's IT systems.</p> <p>We have also decided to engage Section 24(2) - national security. Section 24 is a qualified exemption and so we have considered whether it would be in the public interest for us to release any information. Releasing any information would</p>

	<p>increase the cyber risk to the department. If an attack on the government infrastructure occurs this could prejudice any relationships that Northern Ireland has with the UK government.</p> <p>In this case, we have concluded that the public interest favours withholding the information.</p> <p>We reached the view that, on balance, the public interest is better served by withholding this information under Section 31(1) (a) and Section 24 (2) of the Act at this time.</p>
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FOI Request Reference	FOI/18/021
Month Issued	February 2018
Request	<p><i>I am writing to you under the Freedom of Information Act 2000 to request the following information:</i></p> <ul style="list-style-type: none"> • <i>The most recent self-assessment of the public authority's preparations and implementations for GDPR</i> • <i>Any impact assessments completed by yourselves for the implementation of GDPR.</i>
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <ul style="list-style-type: none"> • With regards to preparations and implementation of GDPR, the department is involved in the preparations that are being co-ordinated across government. • The NIO has not yet completed any impact assessments for the implementation of GDPR.

FOI Request Reference	FOI/18/022
Month Issued	February 2018
Request	<p><i>I am writing to you under the Freedom of Information Act 2000 to request the following information from you:</i></p> <p><i>I am interested in finding figures of how much has been spent on ministerial boxes across the various government departments, such as the one famously used to deliver the budget on November 22nd 2017.</i></p> <p><i>1) How much in British pounds sterling, for each calendar year since 2013 up to the present date (2013, 2014, 2015, 2016 and data for 2017) has been spent on new ministerial boxes, and repairs to ministerial boxes by your department.</i></p>
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA)</p> <p>The NIO does not hold any information that currently falls within the scope of your request.</p>

FOI Request Reference	FOI/18/024
Month Issued	February 2018
Request	<i>I would be obliged if you would confirm by this means the NIO Complaint Policy and Procedure regarding alleged breaches of the Data Protection Act by the former Northern Ireland Office Policing Division (Medical Appeals Section).</i>
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>The following link provides information in relation to the handling of complaints by the Northern Ireland Office. https://www.gov.uk/government/organisations/northern-ireland-office/about/complaints-procedure#further-advice-on-how-we-deal-with-complaints</p>

FOI Request Reference	FOI/18/025
Month Issued	February 2018
Request	<p><i>Under the Freedom of Information Act, I am requesting the following information.</i></p> <p><i>Per the letter from Tom Scholar and Philip Rycroft dated October 12 2017 (see attached):</i></p> <p><i>(1) How much money has your Department received for Brexit preparations under this special Direction?</i> <i>(2) How has your Department spent this money? Please provide this in the fullest detail possible.</i></p>
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA)</p> <p>The NIO does not hold any information that currently falls within the scope of your request.</p>

FOI Request Reference	FOI/18/027
Month Issued	February 2018
Request	<p><i>I am writing to request access to records held by the Northern Ireland Office under the Freedom of Information Act 2000.</i></p> <p><i>I wish to request access to the following records/details:</i></p> <ul style="list-style-type: none"> • <i>All correspondence both to and from all officials and representatives of the Department on the subject of border infrastructure on the border between Northern Ireland and the Republic of Ireland.</i> • <i>This information to cover both physical and electronic correspondence.</i>

	<ul style="list-style-type: none"> • <i>These to cover a six month period between 1 July 2017 and 31 December 2017.</i>
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>The law allows us to decline to answer FOI requests when we estimate it would cost us more than £600 (equivalent to 3.5 working days' worth of work, calculated at £25 per hour) to identify, locate, extract and then provide the information that has been asked for.</p> <p>To comply with the request and to enable us to identify whether we hold any such material, officials would be required to open and read a large amount of records individually.</p> <p>You should not infer from this that the Northern Ireland Office holds a large amount of information relating to the subjects you have asked about, only that we would need to search through a large amount of records in order to find out whether we hold any information relevant to your request.</p> <p>You can find out more about Section 12(1) by reading the extract from the Act and some guidance points we consider when applying this exemption, attached at the end of this letter. You can also find more information by reading the full text of the Act, available at http://www.legislation.gov.uk/ukpga/2000/36/section/12.</p> <p>Although we cannot answer your request at the moment, we might be able to answer a further refined request within the cost limit. You may wish to provide a series of key phrases for us to search and/or perhaps consider a shorter timeframe for the request.</p> <p>Please note that, as in this instance, a further refined request may still not fall within the FOIA cost limit.</p> <p><u>ADDITIONAL INFORMATION ABOUT SECTION 12(1)</u></p> <p>We have provided below additional information about Section 12 of the Freedom of Information Act. We have included some extracts from the legislation, as well as some of the guidance we use when applying it. We hope you find this information useful.</p> <p>The legislation</p> <p><u>Section 1: Right of Access to information held by public authorities</u></p> <p>(1) Any person making a request for information to a public authority is entitled—</p>

- (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
- (b) if that is the case, to have that information communicated to him.

Section 12: Cost of compliance exceeds appropriate limit

- (1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.
- (2) Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit.
- (3) In subsections (1) and (2) “the appropriate limit” means such amount as may be prescribed, and different amounts may be prescribed in relation to different cases.
- (4) The Secretary of State may by regulations provide that, in such circumstances as may be prescribed, where two or more requests for information are made to a public authority—
 - (a) by one person, or
 - (b) by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign, the estimated cost of complying with any of the requests is to be taken to be the estimated total cost of complying with all of them.
- (5) The Secretary of State may by regulations make provision for the purposes of this section as to the costs to be estimated and as to the manner in which they are to be estimated.

Guidance

The appropriate limit

The 'appropriate limit', for the purposes of section 12 of the Freedom of Information Act has been set at:

- £600 for central government and Parliament.
- The hourly rate is set at £25 per person per hour.

The following activities may be taken into account when public authorities are estimating whether the appropriate limit has been exceeded.

- determining whether it holds the information requested
- locating the information or documents containing the information
- retrieving such information or documents
- extracting the information from the document containing it.

FOI Request Reference	FOI/18/028
Month Issued	February 2018
Request	<p><i>This is a request for information under the Freedom of Information Act. This email is dated 20 January 2018.</i></p> <p><i>(1) Please release a list of all ministerial directions issued by your department since January 2015, and a brief description regarding their content.</i></p> <p><i>(2) Over the same time period, please release all correspondence from the permanent secretary to the minister in which a ministerial direction is being sought.</i></p>
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA)</p> <p>During this time period, no ministerial directions have either been sought or issued by this Department. Information on a ministerial direction would be published by the Department in the event one is issued.</p>

FOI Request Reference	FOI/18/029
Month Issued	February 2018
Request	<p><i>I'd like to submit the following FOI request please:</i></p> <ul style="list-style-type: none"> <i>• The outstanding balances on any government credit cards relating to the department from the 2015/16 financial year to date</i> <i>• The number of incidents of staff misusing such credit cards during the same time period</i> <i>• How much interest is being charged on outstanding balances</i>
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA)</p> <p>The NIO does not hold any information that currently falls within the scope of your request.</p>

FOI Request Reference	FOI/18/030
Month Issued	February 2018
Request	<p><i>I am writing with a request under the Freedom of Information Act that pertains to a time during Direct Rule (2002 to 2007).</i></p> <p><i>Please confirm possession of and provide the following information held by the NIO:</i></p>

	<ul style="list-style-type: none"> • <i>all correspondence / logs / memos etc between NIO ministers and officials in the Department of Social Development regarding Hillview Retail Park, Crumlin Road, Belfast</i> • <i>all correspondence / logs / memos etc between NIO ministers and officials in the Department of Social Development regarding Killultagh Properties Limited and Snoddons (Hillsborough) Limited</i> • <i>all correspondence / logs / memos etc between NIO ministers and local representatives (MLAs/councillors) regarding Hillview Retail Park, Crumlin Road, Belfast</i> • <i>all correspondence / logs / memos etc between NIO ministers and local representatives (MLAs/councillors) regarding Killultagh Properties Limited and Snoddons (Hillsborough) Limited</i> • <i>all correspondence / logs / memos etc between NIO ministers, DSD officials and Nigel Dodds (then MLA and MP) regarding Hillview Retail Park, and/or Killultagh Properties Limited and Snoddons (Hillsborough) Limited</i> • <i>all documents and available correspondence involving any and all funding/grants/loans/mortgages signed off by NIO ministers to Hillview Retail Park, Crumlin Road and/or Killultagh Properties Limited and Snoddons (Hillsborough) Limited</i> • <i>all documents and available correspondence involving a Debenture dated 4th March 2004 between the Department of Social Development and Killultagh Properties Limited and Snoddons (Hillsborough) Limited (document number 2009/194267/C) – and specifically, a copy of the Financial Assistance Letter referenced at the bottom of page 3 of the Debenture document</i>
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>The Northern Ireland Office does not hold any information within the scope of your request. Records dating back to that period would have been destroyed in line with the departments’ document retention schedule or transferred to the appropriate Northern Ireland Civil Service department at the time of devolution.</p>
FOI Request Reference	FOI/18/031
Month Issued	February 2018
Request	<p><i>I am writing to request the following information under the terms of the Freedom of Information Act:</i></p> <ul style="list-style-type: none"> • <i>How many disposable drinking cups has your department purchased in each year for the last five years?</i>
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>The Northern Ireland Office only holds records for the last three years and this indicates the following;</p> <ul style="list-style-type: none"> • 2015 – 1500 items purchased • 2016 – 1000 items purchased

	<ul style="list-style-type: none"> • 2017 – 5000 items purchased
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FOI Request Reference	FOI/18/032
Month Issued	February 2018
Request	<p><i>I am writing to request under the Freedom of Information Act that the department disclose to me</i></p> <ul style="list-style-type: none"> • <i>All contract awards and tenders for consultancy work put out by the department involving Brexit, including the names of the private sector consultants, the value of the awards and the nature of the work.</i> • <i>All call offs for Brexit work from existing framework awards.</i>
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA)</p> <p>The Department spent £16,902 on consultancy services in the 2016-17 financial year using the Research and Evaluation framework. The work was carried out by SQW and involved research into aspects of the economy in Northern Ireland, including elements of research on the impact of EU funding.</p> <p>No other contract awards or tenders have been issued by the Department on Brexit related issues.</p>

FOI Request Reference	FOI/18/033
Month Issued	February 2018
Request	<p><i>Under the Freedom of Information Act I would like to request the following information:</i></p> <ol style="list-style-type: none"> <i>1. Does your organisation have a Facebook Page(s)? If yes, what is/are the url(s) and when were they set up?</i> <i>2. Does your organisation advertise or spend any money on Facebook? If yes, please can you outline what expenditure has occurred and break down expenditure per calendar year (January to December) since 2004?</i> <i>3. Does your organisation have a Twitter Account? If yes, what is/are the url(s) and when were they set up?</i> <i>4. Does your organisation advertise or spend any money on Twitter? If yes, please can you outline what expenditure has occurred and break down expenditure per calendar year (January to December) since 2006?</i> <i>5. Does your organisation use Google G-Suite services (Google services) or does your organisation rely on google for any services (such as email hosting)? If yes, what are the services, when were they agreed and how much did they cost?</i> <i>6. Does your organisation advertise or spend any money on Google? If yes, please can you outline what expenditure has occurred and break down expenditure per calendar year (January to December) since the payments first began?</i>
Response	Your request has been handled under the Freedom of Information Act 2000 (FOIA).

	<ol style="list-style-type: none"> 1. We do not currently have a Facebook page. 2. We do not advertise or spend any money on Facebook. 3. The Northern Ireland Office Twitter URL is https://twitter.com/NIOPressOffice, the account was set up in 2012 4. We do not advertise or spend any money on Twitter 5. The Northern Ireland Office uses the G-suite range of products, this was agreed as part of the last IT refresh. The licences cost £79.00 each. 6. The department does not advertise or spend money on Google.
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FOI Request Reference	FOI/18/034
Month Issued	February 2018
Request	<p><i>I am writing to make a request under the Freedom of Information Act for information on the Northern Ireland position paper published by the Northern Ireland Office in summer 2017.</i></p> <p>https://www.gov.uk/government/publications/northern-ireland-and-ireland-a-position-paper</p> <p><i>I would like the following information:</i></p> <ol style="list-style-type: none"> 1. <i>Please provide details of all individuals or groups from outside the NIO that were consulted about the contents of this position paper in the six months running up to its publication.</i> <ul style="list-style-type: none"> • <i>By "individuals or groups" I would include external specialists, academics, specialists from other Government departments etc.</i> • <i>By "details" I would include the name and position of the individual or group consulted, the date(s) they were consulted, and a brief description of the content of this consultation (e.g. "X outlined options for securing ease of cross border trade").</i> 2. <i>Please provide all drafts of this position paper from its earliest stage, including all metadata.</i> 3. <i>Please provide any email communications between the NIO and Democratic Unionist Party members or DUP elected representatives that makes reference to the Northern Ireland position paper, between July 1 2017 and August 31 2017.</i> 4. <i>Please provide any internal NIO email communication that makes references to the Democratic Unionist Party and the Northern Ireland position paper, between July 1 2017 and August 31 2017.</i>
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>The law allows us to decline to answer FOI requests when we estimate it would cost us more than £600 (equivalent to 3.5 working days' worth of work, calculated at £25 per hour) to identify, locate, extract and then provide the information that has been asked for.</p>

To comply with the request and to enable us to identify whether we hold any such material, officials would be required to open and read a large amount of records individually.

You should not infer from this that the Northern Ireland Office holds a large amount of information relating to the subjects you have asked about, only that we would need to search through a large amount of records in order to find out whether we hold any information relevant to your request.

You can find out more about Section 12(1) by reading the extract from the Act and some guidance points we consider when applying this exemption, attached at the end of this letter. You can also find more information by reading the full text of the Act, available at <http://www.legislation.gov.uk/ukpga/2000/36/section/12>.

Although we cannot answer your request at the moment, we might be able to answer a further refined request within the cost limit. Therefore you may wish to submit a refined request.

Please note that, as in this instance, a further refined request may still not fall within the FOIA cost limit.

ADDITIONAL INFORMATION ABOUT SECTION 12(1)

We have provided below additional information about Section 12 of the Freedom of Information Act. We have included some extracts from the legislation, as well as some of the guidance we use when applying it. We hope you find this information useful.

The legislation

Section 1: Right of Access to information held by public authorities

- (1) Any person making a request for information to a public authority is entitled—
- (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
 - (b) if that is the case, to have that information communicated to him.

Section 12: Cost of compliance exceeds appropriate limit

- (1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.

- (2) Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit.
- (3) In subsections (1) and (2) “the appropriate limit” means such amount as may be prescribed, and different amounts may be prescribed in relation to different cases.
- (4) The Secretary of State may by regulations provide that, in such circumstances as may be prescribed, where two or more requests for information are made to a public authority—
 - (a) by one person, or
 - (b) by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign, the estimated cost of complying with any of the requests is to be taken to be the estimated total cost of complying with all of them.
- (5) The Secretary of State may by regulations make provision for the purposes of this section as to the costs to be estimated and as to the manner in which they are to be estimated.

Guidance

The appropriate limit

The 'appropriate limit', for the purposes of section 12 of the Freedom of Information Act has been set at:

- £600 for central government and Parliament.
- The hourly rate is set at £25 per person per hour.

The following activities may be taken into account when public authorities are estimating whether the appropriate limit has been exceeded.

- determining whether it holds the information requested
- locating the information or documents containing the information
- retrieving such information or documents
- extracting the information from the document containing it.

FOI Request Reference	FOI/18/035
Month Issued	February 2018
Request	<p><i>This request relates to reports that the NIO is recruiting three policy advisers looking at 'rights and equality', 'elections policy', and 'legacy casework': https://twitter.com/SJAMcBride/status/956091119300960256</i></p> <p><i>Please disclose the following:</i></p>

	<ol style="list-style-type: none"> 1. <i>The number of people employed within the 'Constitutional and Rights Group', both in terms of staff headcount and full-time-equivalent (FTE) employees.</i> 2. <i>The number employed within the 'Legacy Group', both in terms of staff headcount and FTE.</i> 3. <i>The date and year each of these groups were first created; and the staffing levels for each of these groups when they were first created.</i> 4. <i>The date and year each of the three advertised policy adviser roles (rights and equality, elections policy, and legacy casework) were first created.</i> 5. <i>The date and year at which abortion; same-sex marriage; and Brexit issues were added to the 'rights and equality' role.</i> 6. <i>A copy of all correspondence sent and received internally and externally by the NIO press office in relation to these roles over the period from January 22nd 2018 to present.</i>
<p>Response</p>	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>Please be advised that the FOIA does not oblige a public authority to create information to answer a request if the requested information is not held. It does not place a duty upon public authorities to answer a question unless recorded information exists. The FOIA duty is to only provide the recorded information held. However in order to be helpful we have collated the following information to provide you with a full and accurate response to each of your questions.</p> <ol style="list-style-type: none"> 1. There are 8 members of staff in the Constitution and Rights Group; a total of 7.04 FTE. 2. There are 11 members of staff employed in the Legacy Group; a total of 10.2 FTE. However at present, there are an additional 3 members of staff (3 FTE) currently assigned to this Group. 3. The Legacy Group in its current structure was created in 2014. At that time there were 8 members of staff in this Group. The Constitution and Rights Group in its current structure was created in August 2017 as a result of internal restructuring. Prior to that, the responsibilities of this Group had been dealt with by other teams in the Department. 4. The rights and equality post was created as part of a restructure of roles in August 2017. While this specific post was newly created at that stage, the post-holder would be responsible for a range of human rights and equality policy areas which have historically been part of the Department's remit. Similarly, the election policy post was created as part of a restructure of roles in January 2017. The post-holder would be responsible for policy relating to electoral law which has historically been part of the remit of the Department. The Legacy case work post is a new post, approved in November 2017, to add additional support to this existing team. 5. The Department has historically had policy responsibility for issues relating to abortion and same sex marriage and, more recently, Brexit.

	6. Copies of all correspondence sent and received internally and externally by the NIO press office in relation to these roles over the period from January 22 nd 2018 to present are attached.
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FOI Request Reference	FOI/18/036
Month Issued	February 2018
Request	<p><i>Under the Freedom of Information Act 2000, I request the following:</i></p> <ol style="list-style-type: none"> 1. <i>The number of Royal Prerogatives of Mercy (RPM) that have been requested and received by persons convicted of terrorist offences between 1998 – 2002.</i> 2. <i>A list of the recipients</i>
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA). I can confirm the NIO holds some of the information you have requested.</p> <ol style="list-style-type: none"> 1. You requested the number of Royal Prerogatives of Mercy (RPM) that have been requested and received by persons convicted of terrorist offences between 1998-2002. Please note that if the NIO holds this information it would only be in relation to the use of the RPM in Northern Ireland. If you require information about the number of times the RPM was used in the rest of the UK, you would need to contact the Ministry of Justice (MoJ). You can contact the MoJ at: <p style="margin-left: 40px;">Data Access and Compliance Unit Postal Point 10.31, Floor 10 102 Petty France London SW1H 9AJ</p> <p style="margin-left: 40px;">E: data.access@justice.gsi.gov.uk</p> <p>I have broken down your request into two parts for ease of reference. In relation to your request for the number of RPMs that have been requested (as opposed to those that have been received), I am unable to determine whether the NIO holds the information you have requested within the cost limit. Section 12(1) of the FOIA means a public authority is not obliged to comply with a request for information if it estimates the cost of complying would exceed the appropriate limit, and section 12(2) means a public authority is not obliged to confirm whether it holds the information if the cost of doing so would exceed the appropriate limit. The appropriate limit for central government is set at £600. This represents the estimated cost of one person spending 3.5 working days on complying with the request.</p>

In this instance to determine whether the information requested is held, we would be required to manually search through 4156 physical and electronic records to determine whether we even hold the information, which would exceed the appropriate limit. Consequently, we are not obliged to comply with your request.

You may wish to consider, for example, requesting a limited time frame of only one month in a specific year. Please be aware that we cannot guarantee at this stage that a refined request would fall within the FOIA cost limit, or that other exemptions would not apply.

2. As a second part of this request, you wish to know the number and names of people that received the RPM in relation to terrorist convictions between 1998-2002. I can confirm that the department holds information falling within the scope of your request.

The Royal Prerogative of Mercy (RPM) can be exercised to grant a full pardon to somebody, or to commute their sentence, or to remit all or a portion of their sentence. However, the information held indicates that the RPM has only been used in recent times in Northern Ireland in order to remit sentences.

The NIO is not obliged to provide information if it is reasonably accessible to you by other means, by virtue of section 21(1) of the FOIA. This is an absolute exemption meaning that there is no requirement to consider whether or not it would be in the public interest to disclose the information. The information you have requested (namely information for your specified date range as to the number and names of those who received the RPM in relation to terrorist convictions in Northern Ireland) can be found in a recent court judgment, which should be available at the following website:
www.judiciary-ni.gov.uk.

However, I have checked on the website and contacted the team responsible for online publications, and since the publication of the summary judgment in 2014, the website has been updated and changed and therefore some of the older judgements are in the process of being uploaded. I have been informed that this will happen in due course, so I have attached a copy of the summary judgment in *In re Rodgers* [2014] at Annex A.

To be helpful and to summarise the numbers for you, the RPM was used 16 times in relation to persons convicted and sentenced for terrorist offences in Northern Ireland between 2000 and 2002: seven times in 2000, six times in 2001, and three times in 2002.

	<p>In addition, the RPM was used once in 1998 and once in 1999 in non-terrorism related cases in Northern Ireland.</p> <p>In relation to the names of those who received the RPM during your specified time period, this list can be found in the bullet points on pages 2 and 3 of the summary judgement attached at Annex A.</p> <p>You may also be interested to know that there is information available about the use of the RPM in Lady Justice Hallett's report on the "on the runs" administrative scheme. This includes the use of the RPM over the time period in which you are interested. The report is available at https://www.gov.uk/government/news/report-of-the-hallett-review-published, see in particular paragraphs 2.54 to 2.59, chapter 4, paragraphs 8.9 to 8.12, paragraphs 9.53 to 9.54, and paragraphs 10.52 to 10.55.</p>
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FOI Request Reference	FOI/18/037
Month Issued	February 2018
Request	<p><i>We would be obliged if you could forward to us pursuant to FOIA details on the following;</i></p> <p><i>1. All applications made to the Crown Court on foot of Crown Court criminal proceedings requesting PII (Public Interest Immunity Certificates) for the period 1992. We thank you for your assistance and look forward to hearing from you.</i></p>
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>The NIO does not hold any information falling within the scope of your request. This is because there is no legal or business requirement for NIO to do so.</p> <p>The FOIA does not oblige a public authority to create information to answer a request if the requested information is not held. The duty is to only provide the recorded information held.</p>

FOI Request Reference	FOI/18/038
Month Issued	February 2018
Request	<p><i>Under the Freedom of Information Act can I ask for the following information</i></p> <p><i>(1) How many EU flags has your department bought since 23 June 2016?</i></p> <p><i>(2) How much money has your department spent on buying EU flags since 23 June 2016?</i></p>
Response	Your request has been handled under the Freedom of Information Act 2000 (FOIA)

	The NIO has not spent any money on EU flags in the period requested and therefore does not hold any information that falls within the scope of your request.
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FOI Request Reference	FOI/18/043																																																						
Month Issued	February 2018																																																						
Request	<p><i>I would like to submit an FOI request in relation to staff absence at the department.</i></p> <p><i>Could all of the information cover the last three years?</i></p> <ul style="list-style-type: none"> • <i>How many sick days were registered with the department for each month of each year?</i> • <i>How many sick days were due to stress? Could this information be broken down into years and where possible, months?</i> • <i>How many people were dismissed due to persistent absence?</i> • <i>What support is in place for employees suffering due to stress?</i> 																																																						
Response	<p>The number of sick days registered with the department for each month of each year is detailed in the table below and relate to the actual number of working days lost as this is how we record them. The most up to date figure for 2017 is up to 30 September:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">Month</th> <th style="width: 25%;">Number of Actual Working Days Lost -01/01/2015 - 31/12/2015</th> <th style="width: 25%;">Number of Actual Working Days Lost -01/01/2016 - 31/12/2016</th> <th style="width: 25%;">Number of Actual Working Days Lost - 01/01/2017 - 30/09/2017</th> </tr> </thead> <tbody> <tr><td>January</td><td>29</td><td>10</td><td>58</td></tr> <tr><td>February</td><td>22</td><td>5</td><td>56</td></tr> <tr><td>March</td><td>28</td><td>15</td><td>46</td></tr> <tr><td>April</td><td>29</td><td>36</td><td>41</td></tr> <tr><td>May</td><td>2</td><td>28</td><td>47</td></tr> <tr><td>June</td><td>0</td><td>47</td><td>29</td></tr> <tr><td>July</td><td>39</td><td>52</td><td>28</td></tr> <tr><td>August</td><td>12</td><td>53</td><td>11</td></tr> <tr><td>September</td><td>9</td><td>22</td><td>5</td></tr> <tr><td>October</td><td>9</td><td>13</td><td></td></tr> <tr><td>November</td><td>13</td><td>78</td><td></td></tr> <tr><td>December</td><td>3</td><td>62</td><td></td></tr> </tbody> </table>			Month	Number of Actual Working Days Lost -01/01/2015 - 31/12/2015	Number of Actual Working Days Lost -01/01/2016 - 31/12/2016	Number of Actual Working Days Lost - 01/01/2017 - 30/09/2017	January	29	10	58	February	22	5	56	March	28	15	46	April	29	36	41	May	2	28	47	June	0	47	29	July	39	52	28	August	12	53	11	September	9	22	5	October	9	13		November	13	78		December	3	62	
Month	Number of Actual Working Days Lost -01/01/2015 - 31/12/2015	Number of Actual Working Days Lost -01/01/2016 - 31/12/2016	Number of Actual Working Days Lost - 01/01/2017 - 30/09/2017																																																				
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In response to your question in terms of the number of sick days due to stress; this is recorded under the heading of “Mental Disorders”. A wide range of conditions are encapsulated under the term “Mental Disorders” including conditions such as stress, anxiety, depression, mood-affective disorders, disorders of personality and behaviour and schizophrenia. The table below details the number of sick days registered under Mental Disorders, which includes stress, broken down into years and months.

Month	Number of Actual Working Days Lost -01/01/2015 - 31/12/2015	Number of Actual Working Days Lost -01/01/2016 - 31/12/2016	Number of Actual Working Days Lost - 01/01/2017 - 30/09/2017
January	0	0	22
February	0	0	20
March	0	9	23
April	0	21	20
May	0	25	22
June	0	44	7
July	12	42	0
August	0	23	0
September	0	0	0
October	0	6	
November	0	62	
December	0	40	

In response to your question of how many people were dismissed due to persistent absence; we are not obliged, under section 40(2) of the Act, to provide information that is the personal information of another person if releasing would contravene any of the provisions in the Data Protection Act 1998 (DPA). In this instance we believe that the release of this information would contravene the first data protection principle and therefore section 40 (2) is engaged. The terms of this exemption in the Freedom of Information Act mean that we do not have to consider whether or not it would be in the public interest for you to have the information.

The following support is in place for employees suffering due to stress:

	<ul style="list-style-type: none"> • An independent Employee Assistance Provision that provides confidential counselling sessions for employees, 24 hour telephone support, coaching for managers, mediation and group counselling; • Access to an internet Wellbeing Zone which contains wellbeing advice, fact sheets and videos on managing stress, healthy eating and healthy lifestyle choices. This is also part of our Employee Assistance Provision; • An Occupational Health provider that offers medical advice for managers supporting employees with mental health issues; • An attendance management system that is aligned with our wellbeing strategy and encourages proactive interventions for employees with mental health issues including prompt Occupational Health referrals with a view to ensuring that supportive measures and reasonable adjustments are identified and implemented promptly; • An individual Stress Assessment process; and • Toolkits for managers which recognise the links between musculoskeletal illnesses and mental health conditions • Wellbeing pages on the departmental Intranet in October 2017 signposting resources to support wellbeing • A Wellbeing App available to all staff to support mental wellbeing
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FOI Request Reference	FOI/18/013
Month Issued	March 2018
Request	<p><i>Request for access to the following files:</i></p> <ul style="list-style-type: none"> • <i>CJ 4/1975</i> • <i>CJ 4/2428</i> • <i>CJ 4/2840</i> • <i>CJ 4/2910</i> • <i>CJ 4/3102</i> • <i>CJ 4/4549</i> • <i>A copy of the Blelloch Report.</i>
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>I can confirm that the department holds information that you have asked for, but in this case we will not be providing it to you as it is exempt from disclosure.</p> <p>Some of the information you have requested could be exempt under section 23(1) of the Freedom of Information Act, which relates to the bodies dealing with security matters, although it is also possible that the information relates to none of the bodies dealing with security matters.</p>

Sections 23(1) and 24(1) are being cited in the alternative as it is not appropriate, in the circumstances of the case, to say which of the two exemptions is actually engaged so as not to undermine national security or reveal the extent of any involvement, or not, of the bodies dealing with security matters. Section 23 is an absolute exemption and the Northern Ireland Office is not required to consider whether the public interest favours disclosure of this information.

Any information that is not exempt from disclosure under section 23(1) could be exempt under section 24(1) of the Freedom of Information Act, which exempts information from disclosure if its exemption is required for the purpose of safeguarding national security. For the reasons given above under section 23, we cannot say which of the two exemptions is actually engaged, and to the extent to which section 24(1) is engaged we are not obliged to give any further explanation by virtue of section 17(4) because to do so would involve the disclosure of information which would itself be exempt. Section 24 is a qualified exemption and I have considered whether the balance of the public interest favours releasing or withholding this information. There is a general public interest in disclosure of information and I recognise that openness in government may increase public trust in and engagement with the government. I have weighed these public interests against a very strong public interest in safeguarding national security. It is important that this sensitive information is protected, as disclosure of information in this case, if held, would damage national security. Taking into account all the circumstances of this case I have determined that the balance of the public interest favours withholding this information.

You can find out more about Sections 23 and 24 by reading the extract from the Act and some guidance points we consider when applying this exemption, attached at the end of this letter. You can also find more information by reading the full text of the Act, available at <http://www.legislation.gov.uk/ukpga/2000/36/section/23>

Some material is also exempt from release under Section 27. Section 27(1) of the Act exempts information from disclosure if its release would be likely to harm international relations. The exemption is subject to a test of the balance of public interest. This means that, if information falls within the terms of the exemption, it is necessary to consider whether the public interest in all the circumstances of the particular case requires the information to be released or withheld. The information may only be withheld if the public interest in withholding outweighs the public interest in disclosure.

In deciding whether to disclose the information which is exempt under the legislation we have considered the following public interest reasons in favour of disclosing the information:

- greater transparency and openness can improve accountability and public trust; and
- to provide transparency over the meetings and activities of UK Government Ministers and officials in conducting government business.

We have balanced these arguments in favour of disclosure against other factors which support withholding the documentation:

- the need to ensure that HM Government is able to fully pursue the interests of the United Kingdom abroad; and
- that Ministers, officials and stakeholders should be able to engage in full and frank discussions with representatives of foreign governments.

For these reasons, we have concluded in this case that the harm that would result from disclosure of the exempt information outweighs the public interest arguments in favour of disclosure. It is essential that we are able to create a safe space to allow UK Government Ministers and officials to pursue the interests of the United Kingdom with representatives of foreign governments. Therefore we are satisfied that there continues to be strong public arguments against disclosure.

We are not obliged to provide information if its release would be likely to endanger the health and safety of an individual. In this case, we believe that releasing the information would be likely to endanger the physical or mental health of any individual (section 38 (1(a)) of the Act).

In line with the terms of this exemption in the Freedom of Information Act, we have also considered whether it would be in the public interest for us to provide you with the information, despite the exemption being applicable. In this case, we have concluded that the public interest favours withholding the information.

You can find out more about Section 38 by reading the extract from the Act and some guidance points we consider when applying this exemption, attached at the end of this letter. You can also find more information by reading the full text of the Act, available at <http://www.legislation.gov.uk/ukpga/2000/36/section/38>

When assessing whether or not it was in the public interest to disclose the information to you, we took into account the following factors:

Public interest considerations favouring disclosure:

- Greater transparency makes government departments more accountable and increases public trust and scrutiny.

Public interest considerations favouring withholding the information:

- In the circumstances of these files release of the information could put individuals name in immediate physical danger.
- The named individuals could be put under mental stress through fear for their own and family's safety.

We reached the view that, on balance, the public interest is better served by withholding this information under Section 38 of the Act at this time.

Finally some of the information you have requested is exempt from release under s40 of the Act. We are not obliged, under section 40(2) of the Act, to provide information that is the personal information of another person if releasing would contravene any of the provisions in the Data Protection Act 1998 (DPA). In this instance we believe that the release of this information would contravene the first data protection principle and therefore section 40 (2) is engaged.

The terms of this exemption in the Freedom of Information Act mean that we do not have to consider whether or not it would be in the public interest for you to have the information.

EXPLANATION OF FOIA - SECTION 23 – INFORMATION SUPPLIED BY, OR RELATING TO, BODIES DEALING WITH SECURITY MATTERS

We have provided below additional information about Section 23 of the Freedom of Information Act. We have included some extracts from the legislation, as well as some of the guidance we use when applying it. We hope you find this information useful.

The legislation

Section 1: Right of Access to information held by public authorities

- (1) Any person making a request for information to a public authority is entitled—
 - (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
 - (b) if that is the case, to have that information communicated to him.

Section 23: Information supplied by, or relating to, bodies dealing with security matters.

- (1) Information held by a public authority is exempt information if it was directly or indirectly supplied to the public authority by, or relates to, any of the bodies specified in subsection (3).
- (2) A certificate signed by a Minister of the Crown certifying that the information to which it applies was directly or indirectly supplied by, or relates to, any of the bodies specified in subsection (3) shall, subject to section 60, be conclusive evidence of that fact.
- (3) (3)The bodies referred to in subsections (1) and (2) are—
 - (a) the Security Service,

- (b) the Secret Intelligence Service,
- (c) the Government Communications Headquarters,
- (d) the special forces,
- (e) the Tribunal established under section 65 of the Regulation of Investigatory Powers Act 2000,
- (f) the Tribunal established under section 7 of the Interception of Communications Act 1985,
- (g) the Tribunal established under section 5 of the Security Service Act 1989,
- (h) the Tribunal established under section 9 of the Intelligence Services Act 1994,
- (i) the Security Vetting Appeals Panel,
- (j) the Security Commission,
- (k) the National Criminal Intelligence Service,
- (l) the Service Authority for the National Criminal Intelligence Service.
- (m) the Serious Organised Crime Agency.

- (4) In subsection (3)(c) “the Government Communications Headquarters” includes any unit or part of a unit of the armed forces of the Crown which is for the time being required by the Secretary of State to assist the Government Communications Headquarters in carrying out its functions.
- (5) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would involve the disclosure of any information (whether or not already recorded) which was directly or indirectly supplied to the public authority by, or relates to, any of the bodies specified in subsection (3).

Guidance

The Security and Intelligence Agencies are not 'public authorities' for the purposes of the Act, therefore they are not under any duty themselves to disclose information under the Freedom of Information Act. It is only information supplied by them to public authorities, or information that relates to them and is held by public authorities, which needs to be, and is, addressed by section 23.

The section 23 exemption applies to information received from or related to the bodies listed at section 23(3) of the Freedom of Information Act. This includes the Security Service, the Secret Intelligence Service, Government Communications Headquarters and the Serious Organised Crime Agency.

The fact that a public authority does not hold information supplied by one of the Security Bodies can itself be information relating to those bodies. If information falls within the exemption in section 23, it will very often be important to consider whether it is necessary to rely on the exclusion of the duty to confirm or deny whether the information is held. A non-

committal response can be useful as it will not disclose information as to whether a Security and Intelligence Agency is or is not involved in a certain area of work.

EXPLANATION OF FOIA - SECTION 24 – NATIONAL SECURITY

We have provided below additional information about Section 24 of the Freedom of Information Act. We have included some extracts from the legislation, as well as some of the guidance we use when applying it. We hope you find this information useful.

The legislation

Section 1: Right of Access to information held by public authorities

- (1) Any person making a request for information to a public authority is entitled—
 - (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
 - (b) if that is the case, to have that information communicated to him.

Section 24: National security.

- (1) Information which does not fall within section 23(1) is exempt information if exemption from section 1(1)(b) is required for the purpose of safeguarding national security.
- (2) The duty to confirm or deny does not arise if, or to the extent that, exemption from section 1(1)(a) is required for the purpose of safeguarding national security.
- (3) A certificate signed by a Minister of the Crown certifying that exemption from section 1(1)(b), or from section 1(1)(a) and (b), is, or at any time was, required for the purpose of safeguarding national security shall, subject to section 60, be conclusive evidence of that fact.
- (4) A certificate under subsection (3) may identify the information to which it applies by means of a general description and may be expressed to have prospective effect.

Guidance

The section 24 exemption applies to information that must not to be disclosed in order to safeguard national security.

The test to be applied when considering whether to claim a section 24 exemption is not whether the information relates to national security but whether the exemption is required for the purpose of safeguarding national security. That is, to claim the

exemption it must be possible to identify an undesirable effect on national security, or the risk of such an undesirable effect, that would occur if the information were released.

When considering whether non-disclosure of a particular piece of information is required in order to safeguard national security, it is important to consider whether its release, could, if put together with other available information, cause damage ('the mosaic effect'). In justifying such an approach, decision-makers must be clear about what specific harmful effects are reasonably to be expected.

Taken together, the case law and the statements about national security form the basis for identifying the kind of information that falls into this category. For example that:

- The security of the nation includes its well-being and the protection of its defence and foreign policy interests, as well as its survival.
- The nation does not refer only to the territory of the UK, but includes its citizens, wherever they may be, or its assets wherever they may be, as well as the UK's system of government.
- There are a number of matters which UK law expressly recognises as constituting potential threats to, or otherwise being relevant to, the safety or well-being of the nation, including terrorism, espionage, subversion, the pursuit of the government's defence and foreign policies, and the economic well-being of the United Kingdom. But these matters are not exhaustive: the government would regard a wide range of other matters as being capable of constituting a threat to the safety or wellbeing of the nation. Examples include the proliferation of weapons of mass destruction and the protection of the Critical National Infrastructure, such as the water supply or national grid, from actions intended to cause catastrophic damage. However, these examples are not exhaustive and each piece of information should be considered individually.

EXPLANATION OF FOIA - SECTION 38 – HEALTH AND SAFETY

We have provided below additional information about Section 38 of the Freedom of Information Act. We have included some extracts from the legislation, as well as some of the guidance we use when applying it. We hope you find this information useful.

The legislation

Section 1: Right of Access to information held by public authorities

- (1) Any person making a request for information to a public authority is entitled—
- (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and

(b) if that is the case, to have that information communicated to him.

Section 38: Health and safety.

(1) Information is exempt information if its disclosure under this Act would, or would be likely to-

- (a) endanger the physical or mental health of any individual, or
- (b) endanger the safety of any individual.

(2) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would, or would be likely to, have either of the effects mentioned in subsection (1).

Guidance

Section 38 applies to information that if disclosed would be likely to put the physical or mental health or the safety of any individual at risk or greater risk. The individual does not need to be identifiable and may be a member of the public, where the danger is to the health or safety of the public at large. The exemption can apply equally to a group or class of people who could have their health and safety adversely affected by disclosure.

An act of disclosure may cause mental harm directly – for example resulting in a sufficient level of shock or distress as to endanger an individual’s future mental well-being.

There are many different ways in which disclosure of information could endanger someone's health or safety either directly or indirectly. The following are some examples of such disclosures:

- those which would allow individuals, groups or firms to be identified or located and consequently targeted and attacked for their beliefs or practices, including work in controversial scientific areas;
- disclosure of plans and policies relating to the accommodation of individuals, or groups of individuals, where disclosure could lead to their being threatened or harassed (for example, asylum seekers)
- disclosing information about negotiations with kidnappers, where disclosure could endanger the safety of hostages
- information relating to the protection of the Critical National Infrastructure, such as the water supply, national grid, or gas supply from actions intended to cause catastrophic damage and/or cause death or serious injury
- information relating to the identity of informers or undercover officers
- disclosure which may have an adverse effect on public health

FOI Request Reference	FOI/18/016
Month Issued	March 2018
Request	<i>Under the Freedom of Information Act, please provide me with the following:</i>

	<p>1) <i>All material held about the decision to remove a portrait of the Queen and the Duke of Edinburgh from the entrance at Stormont House, how it should be replaced and reaction to those decisions</i></p>
Response	<p>I can confirm that the department holds information relevant to your request but in this case we will not be providing it to you as it is exempt from disclosure under the exemptions in the FOIA below.</p> <p>Information you have requested is exempt from release under section 38(1) of the Act as it would, or would be likely to endanger the physical or mental health or the safety of any individual.</p> <p>Section 38 is subject to a public interest test. The Northern Ireland Office recognises that there is a general public interest in transparency, to increase accountability and inform the public about how decisions are reached. There is also a general public interest in building an understanding of how the Northern Ireland Office operates. However, this is outweighed by the specific public interest in protecting individuals from physical or mental harm. On balance, the public interest is served by withholding this information under Section 38 of the Act.</p> <p>Information you have requested is also exempt under section 40(2) of the Act, which protects the personal information of another person. In this instance we believe that the release of this information would contravene the first data protection principle and therefore section 40 (2) is engaged. Section 40(2) is an absolute exemption and is not subject to a public interest test.</p>

FOI Request Reference	FOI/18/039
Month Issued	March 2018
Request	<p><i>I am writing to request information under the Freedom of Information Act 2000.</i></p> <ol style="list-style-type: none"> 1. <i>Could you please inform me how many computers and laptops are used in your department/office.</i> 2. <i>Of these machines, how many use or run one or more product manufactured by Russian anti-virus firm Kaspersky?</i> 3. <i>How has the number of machines running Kaspersky products changed over the last six months (i.e. has it increased, decreased or stayed the same)?</i>
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>The following answers relate to your questions which we have numbered for convenience:</p> <ol style="list-style-type: none"> 1. There are currently 225 laptops in the department and 16 computers.

	<p>2&3. In respect of your questions two and three the Northern Ireland Office can neither confirm nor deny that it holds the information you requested as the duty in section 1(1)(a) of the FOI Act does not apply, by virtue of both section 24(2) that relates to national security and sections 31(1)(a) and 31(3)(a) that relates to law enforcement and the prevention of crime. However, this should not be taken as conclusive evidence that the information you have requested exists or does not exist.</p> <p>Section 24 is a qualified exemption and so we have considered whether it would be in the public interest for us to confirm or deny whether we hold the information. In this case, we have concluded that the public interest favours neither confirming nor denying whether the requested information is held.</p> <p>Section 31 is a prejudice based exemption and is subject to the public interest test. With regard to your request, we recognise the public interest in knowing whether the government holds particular information. Balanced against this, is the public interest in not releasing information that would aid a criminal intent on launching cyber-attacks on the Department's IT systems. In this case we consider that the wider public interest lies in neither confirming nor denying that information, which may have been disclosed in an unauthorised manner, is held.</p>
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FOI Request Reference	FOI/18/040
Month Issued	March 2018
Request	<p><i>I am writing to you in accordance with the Freedom of Information Act.</i></p> <p><i>All the questions in the Freedom of Information request below relate to the period 1 January 2013 – 1 January 2018.</i></p> <p><i>My queries relate to all staff employed by department within the UK, including those employed outside of Parliament and Westminster.</i></p> <p><i>The query also relates to all staff, employed via third party agencies, who have worked in the department for one week or more.</i></p> <ul style="list-style-type: none"> <i>• Between 1 January 2013 and 1 January 2018 how many staff, both in civil service capacity or otherwise, were working in the department via third party recruitment agencies.</i> <i>• Please provide these figures as an annual breakdown between 2013-18.</i> <i>• What percentage of your total staff are employed via third party agencies? Please provide an annual breakdown between 2013-18 for these figures.</i>

	<ul style="list-style-type: none"> • Please provide details of the Department's annual wage bill between 2013-18. Please also provide the annual amount of money spent by the department on agency staff during the same period. • Please provide the lowest and highest daily or hourly rate (whichever is used) to a third party agency staff. (E.g. £7.50 an hour, or £120p/d). • Please provide details of the most senior position in the Department currently occupied by someone employed via a third party agency. If you believe providing these details risks identifying the individual please use generic terms such as equivalent civil service rank.
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>I can confirm that the Department holds some of the information that may contain what you have asked for. However, because the cost of complying with your request would exceed the limit set by the Freedom of Information Act, on this occasion I'm afraid I will not be taking your request further.</p> <p>The law allows us to decline to answer requests under s12 of the FOIA when we estimate that it would cost us more than £600 to identify, locate, extract, and then provide the information that has been asked for. There are only certain activities that we can take into account when making this calculation, but you may be interested to know that the limit is equivalent to 3½ working days' worth of work, calculated at £25 per hour.</p> <p>The Department does not hold annual staff costs in the format you requested. In order to comply with this request the Department would need to undertake a review of the 5 years covered by this request and re-calculate expenditure in this format. However, information in relation to staff numbers and costs is reported in the Annual Report and Accounts for each financial year and is therefore in the public domain.</p> <p>Although we cannot answer your request at the moment, we might be able to answer a further refined request within the cost limit. If you would like to refine your request to providing information for, for example, a shorter time period, split into permanent staff costs, agency staff costs and number of staff, we may be able provide that information. Please note that, as in this instance, a further refined request may still not fall within the FOIA cost limit.</p>
FOI Request Reference	FOI/18/041
Month Issued	March 2018
Request	<i>Under the Freedom of Information Act I would like to request the following information:</i>

	1. <i>Is there an official policy for the use of organisational Facebook or Twitter Accounts (i.e. how to post, what to use it for and when to delete or preserve records)? If there is a policy (or policies) please may I be provided with them?</i>
Response	The requested information can be found on the gov.uk website – https://www.gov.uk/government/publications/social-media-guidance-for-civil-servants/social-media-guidancefor-civil-servants

FOI Request Reference	FOI/18/042
Month Issued	March 2018
Request	<i>I am writing to you under the Freedom of Information Act to request the following information from your department:</i> <i>a) A list of instances where your department has paid to acquire data from another ministerial government department in the last 36 months up to the current date, broken down by date the information was received, department the information was received from, and amount paid for the information in pound sterling, and the title of the information requested.</i> <i>b) A list of instances where your department has sold data to another ministerial government department in the last 36 months up to the current date, broken down by the date the information was sent, department the information was sent to, and amount of money received for the information in pound sterling and the title of the information requested.</i>
Response	Your request has been handled under the Freedom of Information Act 2000 (FOIA) The NIO does not hold any information that currently falls within the scope of your request.

FOI Request Reference	FOI/18/044
Month Issued	March 2018
Request	<i>I would like the following information under the Freedom of Information Act.</i> <ul style="list-style-type: none"><i>Excluding their allocated car and driver, how much have ministers spent on taxis since 2010/11 to date. I would like this information broken down by tax year and by individual Ministers.</i>
Response	Your request has been handled under the Freedom of Information Act 2000 (FOIA). I can confirm that the Department holds some of the information that may contain what you have asked for. However, because the cost of complying with your request would exceed the limit set by the Freedom of Information Act, on this occasion I'm afraid I will not be taking your request further.

	<p>The law allows us to decline to answer requests under s12 of the FOIA when we estimate that it would cost us more than £600 to identify, locate, extract, and then provide the information that has been asked for. There are only certain activities that we can take into account when making this calculation, but you may be interested to know that the limit is equivalent to 3½ working days' worth of work, calculated at £25 per hour.</p> <p>In order to provide the information you requested the Department would have to undertake to review manually every single month during the 8 year period you have requested. Given that during the majority of the periods requested the Department did not have the facility to scan invoices this would mean physically locating and analysing invoices currently held in off-site storage facilities. There would also be substantial cross checking with HR services to establish all the ministers that have been in post during this period.</p>
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FOI Request Reference	FOI/18/045
Month Issued	March 2018
Request	<p><i>I wish to request data for the following years:</i></p> <ul style="list-style-type: none"> • 2013 • 2014 • 2015 • 2016 • 2017 • 2018 (to date) <p><i>Under the Freedom of Information Act 2000, please provide me with the following information regarding sexual misconduct committed or allegedly committed by departmental staff. Please include figures for any previous incarnations of the department, if the name of the department has changed over the time period.</i></p> <p><i>N.B. the term 'sexual misconduct' here covers sexual harassment, sexual assault, rape, stalking and/or other forms of gender violence, including domestic violence, and any other unwelcome behaviour of a sexual nature that is committed without consent or by force, intimidation, coercion, or manipulation.</i></p> <p><i>Questions:</i></p>

	<ol style="list-style-type: none"> 1. <i>How many allegations of sexual harassment, sexual assault, rape, stalking and/or other gender based violence have you received from staff. Please break this down for each year and by type of allegation for the past six years.</i> 2. <i>How many of these allegations led to a formal complaint or another form of investigation, either internal by the department or external by, for example, the police, for each year, over the past six years? Please breakdown this figure by the types of investigation.</i> 3. <i>How many times over the past six years has the department awarded financial settlements to employees/former employees following allegations or proven cases of sexual harassment, sexual assault, rape, stalking and/or other forms of gender violence by staff. Please break this down for each year over the past six years. What is the total value of these settlements each year over the past six years?</i> 4. <i>How many members of staff have changed jobs within the department or left the department after allegations and/or complaints of sexual harassment, sexual assault, rape, stalking and/or other gender violence or sexual misconduct were made against them for each year over the past six years?</i> 5. <i>How many members of staff have changed jobs within the department or left the department after making allegations and/or complaints of sexual harassment, sexual assault, rape, stalking and/or other gender violence or sexual misconduct for each year over the past six years?</i> 6. <i>Has the department used non-disclosure agreements (NDAs) or confidentiality clauses in settlements for sexual harassment, sexual assault, rape, stalking and/or other forms of gender violence or sexual misconduct perpetrated or allegedly perpetrated by staff against employees/former employees ? If yes, in how many cases have NDAs been used over the past six years in cases relating to sexual misconduct (as defined above). Please break down this figure by year.</i> 7. <i>Is there a policy covering the use of NDAs in these circumstances? If so, please provide a copy of the policy.</i>
Response	<ol style="list-style-type: none"> 1. No allegations of sexual harassment, sexual assault, rape, stalking and/or other gender based violence were received from staff in the past six years. 2. None 3. None 4. None 5. None 6. No 7. The NIO has an ongoing commitment to ensuring that staff are treated with dignity and respect and that concerns raised by staff are listened to and dealt with appropriately. The NIO has a zero-tolerance approach to all forms of harassment and bullying. The MoJ grievance policy and guidance which NIO aligns to is published on our intranet and is accessible to all staff. NIO staff also have access to a network of harassment and bullying advisors from across MoJ which provides peer support to staff. In addition, we have an Employee Assistance Programme (EAP) that offers advice, support and counselling services to those who feel they have experienced harassment and bullying.

FOI Request Reference	FOI/18/046
Month Issued	March 2018
Request	<p><i>Under the Freedom of Information Act, I write to request details of:</i></p> <ol style="list-style-type: none"> <i>1. The involvement of Jonathan Caine Special Adviser to the Secretary of State for Northern Ireland in the handling of freedom of information requests between January 2017 and December 2017. To clarify, I consider 'handling' to mean whether or not they were involved in drafting FOI responses in that time or CC'd in email correspondence regarding any responses.</i> <i>2. Confirmation of the role this individual had in the production of the FOI responses (researching, drafting, checking, signing off etc).</i> <i>3. Confirmation of whether changes were made to the FOI responses following the intervention of the individual listed in Q1 (including a description of the nature and timing of any changes)</i> <i>4. Copies of all correspondence and e-mails between Jonathan Caine with the Secretary of State for Northern Ireland's office regarding FOI responses.</i>
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>The law allows us to decline to answer FOI requests when we estimate it would cost us more than £600 (equivalent to 3.5 working days' worth of work, calculated at £25 per hour) to identify, locate, extract and then provide the information that has been asked for.</p> <p>To comply with the request and to enable us to identify whether we hold any such material, officials would be required to open and read a large amount of records individually.</p> <p>You should not infer from this that the Northern Ireland Office holds a large amount of information relating to the subjects you have asked about, only that we would need to search through a large amount of records in order to find out whether we hold any information relevant to your request.</p> <p>You can find out more about Section 12(1) by reading the extract from the Act and some guidance points we consider when applying this exemption, attached at the end of this letter. You can also find more information by reading the full text of the Act, available at http://www.legislation.gov.uk/ukpga/2000/36/section/12.</p>

Although we cannot answer your request at the moment, we might be able to answer a further refined request within the cost limit. You may wish to consider a shorter timeframe for the request. Please note that, as in this instance, a further refined request may still not fall within the FOIA cost limit.

ADDITIONAL INFORMATION ABOUT SECTION 12(1)

We have provided below additional information about Section 12 of the Freedom of Information Act. We have included some extracts from the legislation, as well as some of the guidance we use when applying it. We hope you find this information useful.

The legislation

Section 1: Right of Access to information held by public authorities

- (1) Any person making a request for information to a public authority is entitled—
 - (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
 - (b) if that is the case, to have that information communicated to him.

Section 12: Cost of compliance exceeds appropriate limit

- (1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.
- (2) Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit.
- (3) In subsections (1) and (2) “the appropriate limit” means such amount as may be prescribed, and different amounts may be prescribed in relation to different cases.
- (4) The Secretary of State may by regulations provide that, in such circumstances as may be prescribed, where two or more requests for information are made to a public authority—
 - (a) by one person, or
 - (b) by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign, the estimated cost of complying with any of the requests is to be taken to be the estimated total cost of complying with all of them.
- (5) The Secretary of State may by regulations make provision for the purposes of this section as to the costs to be estimated and as to the manner in which they are to be estimated.

	<p>Guidance</p> <p><u>The appropriate limit</u></p> <p>The 'appropriate limit', for the purposes of section 12 of the Freedom of Information Act has been set at:</p> <ul style="list-style-type: none"> • £600 for central government and Parliament. • The hourly rate is set at £25 per person per hour. <p>The following activities may be taken into account when public authorities are estimating whether the appropriate limit has been exceeded.</p> <ul style="list-style-type: none"> • determining whether it holds the information requested • locating the information or documents containing the information • retrieving such information or documents • extracting the information from the document containing it.
FOI Request Reference	FOI/18/047
Month Issued	March 2018
Request	<p><i>Under the Freedom of Information Act, I write to request details of:</i></p> <ol style="list-style-type: none"> <i>1. The involvement of Peter Cardwell Special Adviser to the Secretary of State for Northern Ireland in the handling of freedom of information requests between January 2017 and December 2017. To clarify, I consider 'handling' to mean whether or not they were involved in drafting FOI responses in that time or CC'd in email correspondence regarding any responses.</i> <i>2. Confirmation of the role this individual had in the production of the FOI responses (researching, drafting, checking, signing off etc).</i> <i>3. Confirmation of whether changes were made to the FOI responses following the intervention of the individual listed in Q1 (including a description of the nature and timing of any changes)</i> <i>4. Copies of all correspondence and e-mails between Peter Cardwell with the Secretary of State for Northern Ireland's office regarding FOI responses.</i>
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>The law allows us to decline to answer FOI requests when we estimate it would cost us more than £600 (equivalent to 3.5 working days' worth of work, calculated at £25 per hour) to identify, locate, extract and then provide the information that has been asked for.</p>

To comply with the request and to enable us to identify whether we hold any such material, officials would be required to open and read a large amount of records individually.

You should not infer from this that the Northern Ireland Office holds a large amount of information relating to the subjects you have asked about, only that we would need to search through a large amount of records in order to find out whether we hold any information relevant to your request.

You can find out more about Section 12(1) by reading the extract from the Act and some guidance points we consider when applying this exemption, attached at the end of this letter. You can also find more information by reading the full text of the Act, available at <http://www.legislation.gov.uk/ukpga/2000/36/section/12>.

Although we cannot answer your request at the moment, we might be able to answer a further refined request within the cost limit. You may wish to consider a shorter timeframe for the request. Please note that, as in this instance, a further refined request may still not fall within the FOIA cost limit.

ADDITIONAL INFORMATION ABOUT SECTION 12(1)

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- (1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.
- (2) Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit.

- (3) In subsections (1) and (2) “the appropriate limit” means such amount as may be prescribed, and different amounts may be prescribed in relation to different cases.
- (4) The Secretary of State may by regulations provide that, in such circumstances as may be prescribed, where two or more requests for information are made to a public authority—
- (a) by one person, or
 - (b) by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign, the estimated cost of complying with any of the requests is to be taken to be the estimated total cost of complying with all of them.
- (5) The Secretary of State may by regulations make provision for the purposes of this section as to the costs to be estimated and as to the manner in which they are to be estimated.

Guidance

The appropriate limit

The 'appropriate limit', for the purposes of section 12 of the Freedom of Information Act has been set at:

- £600 for central government and Parliament.
- The hourly rate is set at £25 per person per hour.

The following activities may be taken into account when public authorities are estimating whether the appropriate limit has been exceeded.

- determining whether it holds the information requested
- locating the information or documents containing the information
- retrieving such information or documents
- extracting the information from the document containing it.

FOI Request Reference	FOI/18/048
Month Issued	March 2018
Request	<p><i>Please provide the following information. I make this request under the Freedom of Information Act.</i></p> <p>1) <i>Please provide the number and type of vehicles used by the department as part of the Departmental Pool Car (DPC) service provided by the Government Car Service (GCS).</i></p> <p>2) <i>Please state how each of these vehicles is powered - i.e. petrol/diesel/electric hybrid.</i></p>

	<p>3) <i>Please provide a full breakdown of journeys by these vehicles over the last three full financial years and in the current financial year up to the present date. Please break this down separately for each year and then by minister or official, the number of journeys each individual has made, type of vehicle and mileage and destination town/city/London borough. Please include journeys where the vehicles were used to transport papers without a minister or official.</i></p> <p>4) <i>Please provide a cost breakdown for the use of these vehicles in each financial year.</i></p> <p>5) <i>Please provide a breakdown of department ministers' and officials' rail and air travel in the last three full financial years and the current financial year up to the present date. Please provide a cost breakdown for each year by minister, journey and destination and state whether it was first or second class.</i></p> <p>6) <i>How much has the department spent on car parking for departmental vehicles in the last three financial years and the current financial year up to the present date.</i></p>
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>Section 12 under FOIA allows us to decline to answer FOI requests when we estimate it would cost us more than £600 (equivalent to 3.5 working days' worth of work, calculated at £25 per hour) to identify, locate, extract and then provide the information that has been asked for.</p> <p>To comply with the request and to enable us to identify whether we hold any such material, officials would be required to open and read a large amount of records individually.</p> <p>You should not infer from this that the Northern Ireland Office holds a large amount of information relating to the subjects you have asked about, only that we would need to search through a large amount of records in order to find out whether we hold any information relevant to your request.</p> <p>You can find out more about Section 12(1) by reading the extract from the Act and some guidance points we consider when applying this exemption, attached at the end of this letter. You can also find more information by reading the full text of the Act, available at http://www.legislation.gov.uk/ukpga/2000/36/section/12.</p> <p>Although we cannot answer your request at the moment, we might be able to answer a further refined request within the cost limit.</p>

FOI Request Reference	FOI/18/049
Month Issued	March 2018

Request	<p><i>I am writing to seek the latest version of the deal which was on the table during the NI talks. As the talks are now collapsed this deal should be published.</i></p> <p><i>To be clear I am asking that you send me the version of the deal that was on the table before the Talks collapsed on 14/02/18. I am content to accept an electronic copy.</i></p>
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>I can advise, as no deal was reached, we do not therefore hold any information in relation to a deal. There were, of course, papers produced by the parties during the course of the talks, but this information is exempt by virtue of section 35(1) (a) of FOIA. Section 35(1) (a) protects information relating to the formulation or development of government policy. The information sought in this case engages this exemption.</p> <p>The exemption at section 35(1) (a) is a qualified exemption so we have given due consideration to whether the public interest in disclosing the information outweighs the public interest in withholding the information.</p> <p>In this case, we recognise that there is considerable interest in the talks process and the political efforts to restore the Northern Ireland Executive, however although the recent phase of talks concluded without agreement, the policy to restore devolved government in Northern Ireland is still in development and ongoing. Publishing papers at this stage would undermine the continuing policy development and could prejudice any future talks. As a consequence, we consider that the public interest lies with withholding the information.</p>

FOI Request Reference	FOI/18/050
Month Issued	March 2018
Request	<p><i>Under the Freedom of Information Act I would like to request the following:</i></p> <p><i>1) A copy of the history of the island of Ireland furnished to incoming Secretaries of State when they begin office.</i></p>
Response	<p>This information is exempt under sections 35 and 36 of the Freedom of the Information Act.</p> <p>Section 35(1) (a) protects information relating to the formulation or development of government policy and (b) Ministerial communications, and Section 36 prejudice to effective conduct of public affairs.</p> <p>We have considered the public interest in disclosing this information. There is a public interest in the way in which government decisions are made and how relationships with other stakeholders are conducted. Disclosure would help the</p>

	<p>public to appreciate the considerations surrounding policy discussions, and the context in which Ministers operate. There is also a public interest in how decisions are made, at what level, and the reasons behind these decisions so that government officials can be more accountable for their decisions and responsibilities. Release of the information could demonstrate the quality of advice provided by the Department. However, these factors are of modest weight in this case, as the NIO proactively publishes information about the Departmental structure, Ministers make regular statements to Parliament (both oral and in writing) on policy issues - setting out rationale and responding to questioning along those lines, and make themselves available for frequent media engagement. The department also responds to public inquiries on a range of matters through Treat Officials and Minister's Cases, and undertakes structured engagement with a wide range of relevant interlocutors.</p> <p>This information was provided with a reasonable expectation that it would not be released into the public domain; it was contextual background provided to ensure Ministers had a written briefing supporting their induction into the Department. We have not found a precedent for other Departments releasing such materials. It would seem a reasonable assumption that much of the advice provided then filtered through into Parliamentary statements, other public comments and correspondence relating to the issues covered, where appropriate. To release the information could also put a greater focus on process than policy decisions.</p> <p>After careful consideration we have concluded that s35 (a) (b) and s36 2 (a) (b) is engaged and it is in the public interest to withhold the documents.</p>
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FOI Request Reference	FOI/18/051
Month Issued	March 2018
Request	<p><i>Further to the email trail below, please consider this email as a Freedom of Information request.</i></p> <p><i>I am requesting a copy of the Ministerial Directive to the Chief Constable which relates to firearms dealers and sets out the number and type of firearms that dealers can hold.</i></p> <p><i>Further detail (if required) can be found in the email trail below. If possible I would like to receive the document electronically.</i></p>
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>The Northern Ireland Office is responding to your request as in 2009, when the Directive was published, the Secretary of State was responsible for matters pertaining to firearms dealers. Following The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 this function transferred to the Department of Justice.</p>

	A copy of the Ministerial Directive to the Chief Constable regarding Firearms Dealers - Keeping of Firearms (2009) is enclosed.
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FOI Request Reference	FOI/18/052
Month Issued	March 2018
Request	<p><i>I feel the people of Northern Ireland on both sides of the divide deserve to know the details of the meetings for devolved government between the DUP and Sinn Fein, this is entirely in the public interest that this is not being released into the public domain.</i></p> <p><i>We need to know as follows-</i></p> <ul style="list-style-type: none"><i>• The details of the proposed ILA</i><i>• The sticking points between the two parties</i><i>• What they had agreed to and what they have not</i><i>• Details of any other agreements or disagreements they may have had about going into devolved government.</i>
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>I can confirm that the NIO holds information falling within the scope of your request but it is exempt by virtue of section 35(1) (a) of FOIA. Section 35(1) (a) protects information relating to the formulation or development of government policy. The information sought in this case engages this exemption.</p> <p>The exemption at section 35(1) (a) is a qualified exemption so we have given due consideration to whether the public interest in disclosing the information outweighs the public interest in withholding the information.</p> <p>In this case, we recognise that there is considerable interest in the recent talks process and the political work to restore the Northern Ireland Executive, however although the recent phase of talks concluded without agreement, the policy to restore devolved government in Northern Ireland is still in development and ongoing. Publishing papers and disclosing detailed information at this stage would undermine the continuing policy development and could prejudice any future talks. As a consequence, we consider that the public interest lies with withholding the information.</p>

FOI Request Reference	FOI/18/053
Month Issued	March 2018

Request	<p><i>A Letter from the New York City Bar Association was sent to the Prime Minister and the Secretary of State for Northern Ireland dated 11 July 2017 the contents of which were an expression of concern regarding the intimidation of human rights lawyers and human rights defenders in Northern Ireland and signed on behalf of the NYCBA by John Kiernan.</i></p> <p><i>This request under FOIA 2000 is to ask whether the British Government responded to this letter and if that response can be made available to the public.</i></p>
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>Please find attached the letter you requested.</p>

FOI Request Reference	FOI/18/054
Month Issued	March 2018
Request	<p><i>I am writing to make a request under the Freedom of Information Act for information on the Northern Ireland position paper published by the Northern Ireland Office in summer 2017.</i></p> <p>https://www.gov.uk/government/publications/northern-ireland-and-ireland-a-position-paper</p> <p><i>More specifically I would like the following information:</i></p> <ol style="list-style-type: none"> <i>1. Please provide all drafts of this position paper from its earliest stage, including all metadata.</i> <i>2. Please provide any email communications between the NIO and Democratic Unionist Party members or DUP elected representatives that makes reference to the Northern Ireland position paper, between July 1 2017 and August 31 2017.</i> <i>3. Please provide any internal NIO email communication that makes references to the Democratic Unionist Party and the Northern Ireland position paper, between July 1 2017 and August 31 2017.</i>
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>The law allows us to decline to answer FOI requests when we estimate it would cost us more than £600 (equivalent to 3.5 working days' worth of work, calculated at £25 per hour) to identify, locate, extract and then provide the information that has been asked for.</p> <p>To comply with the request and to enable us to identify whether we hold any such material officials would be required to open and read a large number of records individually. This particularly applies in relation to the third strand of the request.</p>

You should not infer from this that the Northern Ireland Office holds a large amount of information relating to the subjects you have asked about, only that we would need to search through a large number of records in order to find out whether we hold any information relevant to your request.

You can find out more about Section 12(1) by reading the extract from the Act and some guidance points we consider when applying this exemption, attached at the end of this letter. You can also find more information by reading the full text of the Act, available at <http://www.legislation.gov.uk/ukpga/2000/36/section/12>.

Although we cannot answer your request at the moment, we might be able to answer a further refined request within the cost limit.

Please note that, as in this instance, a further refined request may still not fall within the FOIA cost limit.

ADDITIONAL INFORMATION ABOUT SECTION 12(1)

We have provided below additional information about Section 12 of the Freedom of Information Act. We have included some extracts from the legislation, as well as some of the guidance we use when applying it. We hope you find this information useful.

The legislation

Section 1: Right of Access to information held by public authorities

- (1) Any person making a request for information to a public authority is entitled—
 - (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
 - (b) if that is the case, to have that information communicated to him.

Section 12: Cost of compliance exceeds appropriate limit

- (1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.
- (2) Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit.
- (3) In subsections (1) and (2) “the appropriate limit” means such amount as may be prescribed, and different amounts may be prescribed in relation to different cases.

	<p>(4) The Secretary of State may by regulations provide that, in such circumstances as may be prescribed, where two or more requests for information are made to a public authority—</p> <p>(a) by one person, or</p> <p>(b) by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign, the estimated cost of complying with any of the requests is to be taken to be the estimated total cost of complying with all of them.</p> <p>(5) The Secretary of State may by regulations make provision for the purposes of this section as to the costs to be estimated and as to the manner in which they are to be estimated.</p> <p>Guidance</p> <p><u>The appropriate limit</u></p> <p>The 'appropriate limit', for the purposes of section 12 of the Freedom of Information Act has been set at:</p> <ul style="list-style-type: none"> • £600 for central government and Parliament. • The hourly rate is set at £25 per person per hour. <p>The following activities may be taken into account when public authorities are estimating whether the appropriate limit has been exceeded.</p> <ul style="list-style-type: none"> • determining whether it holds the information requested • locating the information or documents containing the information • retrieving such information or documents • extracting the information from the document containing it.
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FOI Request Reference	FOI/18/055
Month Issued	March 2018
Request	<ol style="list-style-type: none"> 1. <i>How many mobile phones have been reported lost/stolen in the past five calendar years by staff? Please break this down year-by-year (including this one), stating whether mobile phone was lost or stolen, type of laptop, and approx. cost for each mobile phone.</i> 2. <i>How many laptops have been reported lost/stolen in the past five calendar years by staff? Please break this down year-by-year (including this one), stating whether laptop was lost or stolen, type of laptop, and approx. cost for each laptop.</i> 3. <i>How many iPads have been reported lost/stolen in the past five calendar years by staff? Please break this down year-by-year (including this one), stating whether iPad was lost or stolen, type of laptop, and approx. cost for each iPads.</i>

	<p>4. <i>How many USB flash drives have been reported lost/stolen in the past five calendar years by staff? Please break this down year-by-year (including this one), stating whether USB flash drives was lost or stolen, type of USB flash drives, and approx. cost for each USB flash drives.</i></p> <p>5. <i>Please detail how many staff have been provided with work mobile phones and what type per year / how many staff have been provided with work laptops per year / how many staff have been provided with work iPads per year / how many staff have been provided with work USB flash drives per year.</i></p>
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>In respect of your questions The Northern Ireland Office can neither confirm nor deny that it holds the information you requested as it relates to national security and sections 31(1)(a) and 31(3)(a) that relate to law enforcement and the prevention of crime. However, this should not be taken as conclusive evidence that the information you have requested exists or does not exist.</p> <p>Section 31 is a prejudice based exemption and is subject to the public interest test. With regard to your request, we recognise the public interest in knowing whether the government holds particular information. Balanced against this, is the public interest in not releasing information that would aid a criminal intent on launching cyber-attacks on the Department's IT systems. In this case we consider that the wider public interest lies in neither confirming nor denying that information, which may have been disclosed in an unauthorised manner, is held.</p>

FOI Request Reference	FOI/18/056
Month Issued	March 2018
Request	<p><i>I wish to request access to the following records/details:</i></p> <ul style="list-style-type: none"> • <i>All correspondence both to and from all officials and representatives of the Department on the subject of border infrastructure on the border between Northern Ireland and the Republic of Ireland.</i> • <i>This information to cover both physical and electronic correspondence.</i> • <i>These to cover a six month period between 1 July 2017 and 31 December 2017.</i> <p><i>I would like to further refine this to:</i></p> <ul style="list-style-type: none"> • <i>Documents currently held electronically (including as emails) by the Department.</i> • <i>Documents searchable with the terms: 'border infrastructure', 'checkpoint', 'physical infrastructure', and 'border post'.</i>
Response	Your request has been handled under the Freedom of Information Act 2000 (FOIA).

The law allows us to decline to answer FOI requests when we estimate it would cost us more than £600 (equivalent to 3.5 working days' worth of work, calculated at £25 per hour) to identify, locate, extract and then provide the information that has been asked for.

To comply with the request and to enable us to identify whether we hold any such material, officials would be required to open and read a large amount of records individually.

You should not infer from this that the Northern Ireland Office holds a large amount of information relating to the subjects you have asked about, only that we would need to search through a large amount of records in order to find out whether we hold any information relevant to your request.

You can find out more about Section 12(1) by reading the extract from the Act and some guidance points we consider when applying this exemption, attached at the end of this letter. You can also find more information by reading the full text of the Act, available at <http://www.legislation.gov.uk/ukpga/2000/36/section/12>.

Although we cannot answer your request at the moment, we might be able to answer a further refined request within the cost limit. You may wish to provide a single key word or phrase for us to search and/or perhaps consider a much more focussed timeframe.

Please note that, as in this instance, a further refined request may still not fall within the FOIA cost limit.

The UK Government has consistently ruled out physical infrastructure at the border, and has made no plans to construct such infrastructure. The Government's [Northern Ireland and Ireland Position Paper](#) published in August 2017 (ruled out any physical border infrastructure. The Joint report agreed by the UK and EU in December 2017 also rules out any physical infrastructure or related checks and controls.

ADDITIONAL INFORMATION ABOUT SECTION 12(1)

We have provided below additional information about Section 12 of the Freedom of Information Act. We have included some extracts from the legislation, as well as some of the guidance we use when applying it. We hope you find this information useful.

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Section 1: Right of Access to information held by public authorities

- (1) Any person making a request for information to a public authority is entitled—
- (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
 - (b) if that is the case, to have that information communicated to him.

Section 12: Cost of compliance exceeds appropriate limit

- (1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.
- (2) Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit.
- (3) In subsections (1) and (2) “the appropriate limit” means such amount as may be prescribed, and different amounts may be prescribed in relation to different cases.
- (4) The Secretary of State may by regulations provide that, in such circumstances as may be prescribed, where two or more requests for information are made to a public authority—
- (a) by one person, or
 - (b) by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign, the estimated cost of complying with any of the requests is to be taken to be the estimated total cost of complying with all of them.
- (5) The Secretary of State may by regulations make provision for the purposes of this section as to the costs to be estimated and as to the manner in which they are to be estimated.

Guidance

The appropriate limit

The 'appropriate limit', for the purposes of section 12 of the Freedom of Information Act has been set at:

- £600 for central government and Parliament.
- The hourly rate is set at £25 per person per hour.

The following activities may be taken into account when public authorities are estimating whether the appropriate limit has been exceeded.

- determining whether it holds the information requested

	<ul style="list-style-type: none"> • locating the information or documents containing the information • retrieving such information or documents • extracting the information from the document containing it.
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FOI Request Reference	FOI/18/057
Month Issued	March 2018
Request	<p><i>I am enquiring about the files held under 30 year release on:</i></p> <ul style="list-style-type: none"> • <i>Robert (Bob) Hindley of Gorton, Manchester. Father of Myra and Maureen Hindley and also</i> • <i>Files on Lord Frank Pakenham 7th Earl of Longford</i> <p><i>Please can I have copies of the files?</i></p>
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>The Northern Ireland Office does not hold any information that falls within the scope of this request. The National Archives may be in a position to assist with your enquiry.</p>

FOI Request Reference	FOI/18/058
Month Issued	March 2018
Request	<p><i>Under the Freedom of Information Act, I would like transport costs incurred by the Secretary of State and any Northern Ireland Office officials for their attendance at the Brexit Cabinet subcommittee meeting at Chequers on 22nd February 2018, including the total travel costs and a breakdown by Minister and official.</i></p>
Response	<p>Your request is being handled under the Freedom of Information Act 2000 (FOIA).</p> <p>No costs were incurred.</p>

FOI Request Reference	FOI/18/059
Month Issued	March 2018
Request	<p><i>Please release any plans or reports produced by or for the Northern Ireland Office concerning the impact of the UK exiting the European Union on Northern Ireland and/ or the impact of Brexit on the border with the Republic of Ireland</i></p>
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p>

The FOIA allows us to decline to answer FOI requests when we estimate it would cost us more than £600 (equivalent to 3.5 working days' worth of work, calculated at £25 per hour) to identify, locate, extract and then provide the information that has been asked for.

To comply with the request and to enable us to identify whether we hold any such material officials would be required to open and read a large number of records individually.

You should not infer from this that the Northern Ireland Office holds a large amount of information relating to the subjects you have asked about, only that we would need to search through a large number of records in order to find out whether we hold any information relevant to your request.

You can find out more about Section 12(1) by reading the extract from the Act and some guidance points we consider when applying this exemption, attached at the end of this letter.

You can also find more information by reading the full text of the Act, available at <http://www.legislation.gov.uk/ukpga/2000/36/section/12>.

Although we cannot answer your request at the moment, we might be able to answer a refined request within the cost limit.

Please note that, as in this instance, a further refined request may still not fall within the FOIA cost limit.

ADDITIONAL INFORMATION ABOUT SECTION 12(1)

We have provided below additional information about Section 12 of the Freedom of Information Act. We have included some extracts from the legislation, as well as some of the guidance we use when applying it. We hope you find this information useful.

The legislation

Section 1: Right of Access to information held by public authorities

- (1) Any person making a request for information to a public authority is entitled—
 - (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
 - (b) if that is the case, to have that information communicated to him.

Section 12: Cost of compliance exceeds appropriate limit

- (1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.
- (2) Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit.
- (3) In subsections (1) and (2) “the appropriate limit” means such amount as may be prescribed, and different amounts may be prescribed in relation to different cases.
- (4) The Secretary of State may by regulations provide that, in such circumstances as may be prescribed, where two or more requests for information are made to a public authority—
 - (a) by one person, or
 - (b) by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign, the estimated cost of complying with any of the requests is to be taken to be the estimated total cost of complying with all of them.
- (5) The Secretary of State may by regulations make provision for the purposes of this section as to the costs to be estimated and as to the manner in which they are to be estimated.

Guidance

The appropriate limit

The 'appropriate limit', for the purposes of section 12 of the Freedom of Information Act has been set at:

- £600 for central government and Parliament.
- The hourly rate is set at £25 per person per hour.

The following activities may be taken into account when public authorities are estimating whether the appropriate limit has been exceeded.

- determining whether it holds the information requested
- locating the information or documents containing the information
- retrieving such information or documents
- extracting the information from the document containing it.

FOI Request Reference	FOI/18/060
Month Issued	March 2018

Request	<i>Can you please tell me how many Northern Ireland citizens are employed by HMG?</i>
Response	Your request has been handled under the Freedom of Information Act 2000 (FOIA). The Northern Ireland Office does not hold any information within the scope of your request.

FOI Request Reference	FOI/18/061
Month Issued	March 2018
Request	<p><i>Please would you let me know in writing if you hold information of the following description:</i></p> <p><i>Information concerning the following visits to London by Sinn Fein:</i></p> <ul style="list-style-type: none"> • <i>October 1984 by Linda Quigley and Gerard McLoughlin;</i> • <i>January 1994 by Tom Hartley;</i> • <i>September 26 1996 by Gerry Adams.</i> <p><i>Please may I see the information.</i></p>
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>The FOIA allows us to decline to answer requests under s12 of the FOIA when we estimate that it would cost us more than £600 to identify, locate, extract, and then provide the information that has been asked for. There are only certain activities that we can take into account when making this calculation, but you may be interested to know that the limit is equivalent to 3½ working days' worth of work, calculated at £25 per hour.</p> <p>You should not infer from this that the Northern Ireland Office holds a large amount of information relating to the subject you have asked about, only that all officials would need to search through a large amount of records in order to find out whether they hold any information relevant to your request and then assess and extract any relevant information individually. You may wish to search the Nationals Archives under the reference CJ4 in the required date range to identify if there is any material in scope.</p>

FOI Request Reference	FOI/18/062
Month Issued	March 2018

Request	<p>Please could you let me know the names and email addresses for your:</p> <ul style="list-style-type: none"> • Head of Research • Head of Analysis • Head of Intelligence • Head of Performance <p>If this/these exact job title is not in post at Northern Ireland Office then the closest person to the role who performs statistical or survey analysis would be helpful</p>
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>The Northern Ireland Office does not currently carry out the functions referred to above. Further information on the remit of the Department can be found here.</p>

FOI Request Reference	FOI/18/063
Month Issued	March 2018
Request	<p>I'd like to make a request for data under Freedom of Information law please.</p> <p>In each of the last five years....</p> <ol style="list-style-type: none"> 1. How many women returned from maternity leave in the department? 2. How long on average had they taken maternity leave for? 3. How many women had their job title changed after returning from maternity leave? 4. How many women left the department's employ after a period of maternity leave?
Response	<p>We are not obliged, under section 40(2) of the Act, to provide information that is the personal information of another person if releasing would contravene any of the provisions in the Data Protection Act 1998 (DPA). In this instance we believe that the release of this information would contravene the first data protection principle and therefore section 40 (2) is engaged. The terms of this exemption in the Freedom of Information Act mean that we do not have to consider whether or not it would be in the public interest for you to have the information.</p>

FOI Request Reference	FOI/18/064
Month Issued	March 2018

Request	<i>Under the Freedom of Information Act, I write to request details on the Northern Ireland Office's annual spend on stationery supplies in 2017 (or if info is only available for the financial year, for the 2016/17 financial year).</i>
Response	Your request has been handled under the Freedom of Information Act 2000 (FOIA) The NIO spent £ 18,029.34 on stationery and consumables in the financial year 16/17.

FOI Request Reference	FOI/18/071
Month Issued	March 2018
Request	<i>We are looking for some information / statistics about the early release of prisoners under the terms of the Good Friday Agreement. Please can you confirm the following at your earliest convenience:</i> <ul style="list-style-type: none"> • <i>The total number of prisoners released early under the terms of the agreement.</i> • <i>If there is any breakdown available of what number or percentage were republican /unionist, or what paramilitary organisations they were affiliated with?</i>
Response	Your request has been handled under the Freedom of Information Act 2000 (FOIA). Total number of prisoners released under the terms of the agreement – 482 Of that number 194 were designated loyalist and 249 were designated republican the remaining 39 did not declare any affiliation.

FOI Request Reference	FOI/18/073
Month Issued	March 2018
Request	<i>Under the Freedom of Information Act 2000, please can you provide me with:</i> <ol style="list-style-type: none"> a. <i>The total number of confidentiality clauses agreed in severance deals or agreements for staff per year from 2015-2017 inclusive.</i> b. <i>The total number of severance deals or agreements agreed per year from 2015-2017 (inclusive) that included confidentiality clauses for staff who had made an allegation of sexual assault or sexual harassment against another member of staff.</i>

	<p>c. <i>The total amount of financial compensation paid to former employees where confidentiality clauses were included as part of severance deals or agreements from 2015-2017 inclusive.</i></p> <p>d. <i>The total amount of financial compensation paid to former employees where confidentiality clauses were included as part of severance deals or agreements and where that person had made an allegation of sexual assault or sexual harassment against another member of staff from 2015-2017 inclusive.</i></p> <p><i>Please provide individual figures for all parts of the request. Please note 'former employees' relates to those who left the organisation at the point of the severance agreement but may now be back working at the organisation. Please do not preclude these people from the response if it is known they have rejoined.</i></p>
Response	<p>Your request has been handled under the Freedom of Information Act 2000.</p> <p>The Northern Ireland Office has not agreed any severance deals or agreements with confidentiality clauses in the years 2015-17.</p>

FOI Request Reference	FOI/18/075
Month Issued	March 2018
Request	<p><i>I would like to receive copies of any correspondence, in any form including memos, reports, minutes, texts, between David Sterling and any other individual, department or agency, that refers to the issue of minutes not being recorded at ministerial meetings involving DUP and / or Sinn Fein or any other type of meeting at which minutes would have been expected to be taken.</i></p> <p><i>I would like same that identifies any discussions, and the content of such, that were not minuted. The time period would be from September 2015 until now.</i></p>
Response	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>Mr David Sterling is the Head of the Northern Ireland Civil Service; therefore I would advise you to refer your request to The Executive Office who may be in a position to assist. The Executive Office FOI Team can be contacted at the following email address foi@executiveoffice-ni.gov.uk</p>

FOI Request Reference	FOI/18/085
Month Issued	March 2018

Request	<p><i>I am writing to make a request for the below information to the extent to which I am entitled under the Freedom of Information Act 2000.</i></p> <p><i>Please send me:</i></p> <ol style="list-style-type: none"><i>1. Could you please detail the breakdown of expenditure of the Department on each of the firms used for headhunting or recruitment since 1st June 2017?</i><i>2. Could you please detail the estimate of how many roles have been filled since 1st June 2017 through headhunting or recruitment agencies since 1st June 2017?</i>
Response	<p>In response to your queries above I can confirm no firms were used for headhunting or recruitment since 1 June 2017 and no roles were filled through this process.</p>