

**QUARTER 3 FREEDOM OF INFORMATION RESPONSES**

Year	Month	FOI Reference	Topic
2018	Jul	FOI/18/150	Archival file request: Kincora Boys' Home
2018	Jul	FOI/18/152	Authentication of ministerial correspondence
2018	Jul	FOI/18/153	VAT and HMRC penalties
2018	Jul	FOI/18/159	Secretary of State appointment: first day brief
2018	Jul	FOI/18/160	Archival file request: Internment
2018	Jul	FOI/18/161	Suspension of the Northern Ireland Assembly
2018	Jul	FOI/18/163	Sexual harassment complaints
2018	Jul	FOI/18/164	Internal flights
2018	Jul	FOI/18/165	Spending on single sauce sachets
2018	Jul	FOI/18/172	Personal protection weapons
2018	Jul	FOI/18/174	Non-UK EU national employees
2018	Jul	FOI/18/177	Sexual assault, inappropriate behaviour and bullying complaints
2018	Jul	FOI/18/183	Guidance on safeguarding children and vulnerable adults
2018	Aug	FOI/18/155	Communications with the Democratic Unionist Party (DUP)
2018	Aug	FOI/18/170	UK Border Force recruitment: legal advice
2018	Aug	FOI/18/171	Telephony contract
2018	Aug	FOI/18/173	Complaints to news agencies
2018	Aug	FOI/18/175	Usage of Queen's Consent
2018	Aug	FOI/18/178	Staffing composition
2018	Aug	FOI/18/179	Non-disclosure clauses on settlement agreements
2018	Aug	FOI/18/180	Report of the Patrick Finucane review
2018	Aug	FOI/18/181	Apprenticeship levy funding
2018	Aug	FOI/18/182	Spending on advertising
2018	Aug	FOI/18/184	Departmental budget, staffing and use of external contractors
2018	Aug	FOI/18/185	Member of the Legislative Assembly (MLA) pay
2018	Aug	FOI/18/187	Staffing composition

2018	Aug	FOI/18/188	Electoral fraud
2018	Aug	FOI/18/190	Ministerial Directive on the Holding of Firearms By Dealers
2018	Aug	FOI/18/191	Brexit impact assessments
2018	Aug	FOI/18/192	Bullying complaints
2018	Aug	FOI/18/193	Grenfell Tower Fire
2018	Aug	FOI/18/194	Anti-Semitism in the Labour party
2018	Sep	FOI/18/169	Accidental release of briefing notes
2018	Sep	FOI/18/186	Employment of Special Advisers
2018	Sep	FOI/18/195	Spending on external consultants
2018	Sep	FOI/18/196	Defamation of Boris Johnson
2018	Sep	FOI/18/197	Voters' opinions on Brexit
2018	Sep	FOI/18/198	Good Friday Agreement: public guidance
2018	Sep	FOI/18/199	Telephony contracts
2018	Sep	FOI/18/200	Legalising abortion in Northern Ireland
2018	Sep	FOI/18/202	Transport and security arrangements for Arlene Foster
2018	Sep	FOI/18/203	Spending on Private Investigators
2018	Sep	FOI/18/204	Use of WhatsApp groups for departmental business
2018	Sep	FOI/18/205	Secretary of State appointment: briefing material on Northern Ireland
2018	Sep	FOI/18/206	Nationalist parades, bonfires and demonstrations: clean up fees
2018	Sep	FOI/18/207	Advancement of LGBTI rights in Northern Ireland: meetings
2018	Sep	FOI/18/208	Archival file request: IRA terrorism in Great Britain
2018	Sep	FOI/18/209	Advancement of LGBTI rights in Northern Ireland: documentation
2018	Sep	FOI/18/210	Unconscious bias training in relation to race
2018	Sep	FOI/18/211	Information Security, Information Technology, Data Protection & Information Governance: departmental contacts
2018	Sep	FOI/18/212	Archival file request: Provisional IRA activities and personalities
2018	Sep	FOI/18/213	MLA pay
2018	Sep	FOI/18/214	Apprenticeship levy funding
2018	Sep	FOI/18/215	Senior Policy Adviser: recruitment data

2018	Sep	FOI/18/219	Departmental and governmental priorities
2018	Sep	FOI/18/223	Mental health sick days
2018	Sep	FOI/18/228	Sexual harassment complaints

<b>FOI Request Reference</b>	FOI/18/150
<b>Month Issued</b>	July 2018
<b>Request</b>	<p><i>I am requesting a release of these records under FOIA on the grounds of public interest and that they are due for review this year anyway. The records are over 30 years old and some are only temporarily retained without proper exemptions in any case.</i></p> <ul style="list-style-type: none"> <li>• <i>CJ 4/4290 - Kincora Boys' Home</i></li> <li>• <i>CJ 4/4345 - Kincora Boys' Home</i></li> <li>• <i>CJ 4/4406 - Kincora Boys' Home</i></li> <li>• <i>CJ 4/4408 - Kincora Boys' Home</i></li> <li>• <i>CJ 4/6381 - Kincora Boys' Home</i></li> <li>• <i>CJ 4/6382 - Kincora Boys' Home</i></li> <li>• <i>CJ 4/7018 - Kincora Boys' Home</i></li> <li>• <i>CJ 4/7019 - Kincora Boys' Home</i></li> </ul>
<b>Response</b>	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA)</p> <p>Information you have requested is being withheld because it is exempt under section 22(1) of the Freedom of Information Act. Section 22 protects information intended for future publication.</p> <p>These files are due to be transferred to The National Archives before 31 December 2018, however the files will have a number of redactions. I consider it is reasonable to withhold this information now because disclosing it to you would interfere with the existing arrangements for publishing the data, which are now in an advanced state, and this disruption would delay the planned release.</p> <p>Section 22 is a qualified exemption and I have considered whether the public interest favours releasing the information or withholding it. The Northern Ireland Office recognises there is a general public interest in disclosure and the fact that openness in government increases public trust in and engagement with the government. On the other hand, there is a compelling public interest in maintaining the confidence of the general public in the timely publication of historical records. Work on preparing the information for publication is ongoing. This is a complex undertaking and, as I have explained, to</p>

	disturb the system would delay the publication of the information. Taking into account all the circumstances of the case, I have determined that the balance of the public interest favours withholding this information.
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<b>FOI Request Reference</b>	FOI/18/152
<b>Month Issued</b>	July 2018
<b>Request</b>	<i>I wondered, as FOI Enquiry please, if NIO now routinely held samples of the handwriting and signatures of earlier Ministers, for purposes of enabling the authenticity of disputed correspondence and signatures to be independently forensically established?</i>
<b>Response</b>	Your request has been handled under the Freedom of Information Act 2000 (FOIA).  The NIO does not routinely hold samples of the handwriting and signatures of earlier Ministers, for the purpose of enabling the authenticity of disputed correspondence.

<b>FOI Request Reference</b>	FOI/18/153
<b>Month Issued</b>	July 2018
<b>Request</b>	<p><i>I am writing to you under the Freedom of Information Act 2000 to request the following information on VAT and HMRC Penalties</i></p> <p><u>HMRC Penalties</u></p> <ol style="list-style-type: none"> <li>1. <i>Has the organisation received any VAT assessments (VAT to be paid to HMRC) in the last five financial years?</i></li> <li>2. <i>Has the organisation received any VAT penalties from HMRC in the last five financial years?</i></li> <li>3. <i>If yes, were any of these suspended penalties?</i></li> <li>4. <i>If so, please provide the total value for each of the above for each financial year they were received</i> <ol style="list-style-type: none"> <li>a. <i>2013/14:</i></li> <li>b. <i>2014/15:</i></li> <li>c. <i>2015/16:</i></li> <li>d. <i>2016/17:</i></li> <li>e. <i>2017/18:</i></li> </ol> </li> </ol> <p><u>VAT Consultancy</u></p> <ol style="list-style-type: none"> <li>5. <i>Has the organisation used any external VAT consultancy to review VAT in 2016/17? If so, please provide the following detail:</i> <ol style="list-style-type: none"> <li>a. <i>Name of third party provider</i></li> <li>b. <i>Total amount of additional VAT recovered by the provider in 16/17 based on its consultancy; split by</i></li> </ol> </li> </ol>

	<ul style="list-style-type: none"> <li>i. <i>Over claims</i></li> <li>ii. <i>Under claims</i></li> <li>c. <i>How much did the third party invoice for any review work undertaken?</i></li> <li>d. <i>How did the third party structure their payment; based on the amount recovered on over claims, or under claims, or total amount recovered?</i></li> <li>e. <i>Was the review charged at a fixed fee or day rate?</i></li> <li>f. <i>Did the organisation procure these services through a framework? If so, please state which framework</i></li> </ul> <p>6. <i>Please list all frameworks that are available to the organisation/those you are currently signed up to, that would allow you to access VAT review services? (i.e. analysis and reconciliation framework)</i></p>
<b>Response</b>	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>We have responded to your information request as follows:</p> <ul style="list-style-type: none"> <li>1. Yes.</li> <li>2. No</li> <li>3. N/A</li> <li>4. N/A</li> <li>5. No</li> <li>6. The Department seeks advice from the Ministry of Justice/Home Office Tax Centre of Excellence on VAT issues. We can also refer to the Crown Commercial Service and the NI Civil Service Department of Finance Central Procurement Division for purchase of consultancy services.</li> </ul>

<b>FOI Request Reference</b>	FOI/18/159
<b>Month Issued</b>	July 2018
<b>Request</b>	<i>Can I request a copy of the first day briefing paper that was prepared for Secretary of State Karen Bradley</i>
<b>Response</b>	<p>Your request has been dealt with under the Freedom of Information Act 2000 (FOIA). This information is exempt under sections 35 and 36 of the FOIA.</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 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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<b>FOI Request Reference</b>	FOI/18/160
<b>Month Issued</b>	July 2018
<b>Request</b>	<p><i>In early 2014 I requested access to files relating to individuals (deceased) who had been held under the Special Powers Act (NI) otherwise known as 'internment'.</i></p> <p><i>1. These files are: NIO/5/860, NIO/5/450, NIO/32/2/323, NIO/5/1956 and NIO/32/2/221</i></p>
<b>Response</b>	<p>Your request has been dealt with under the Freedom of Information Act (2000).</p> <p>The Northern Ireland Office does not hold any information within the scope of your request.</p>

<b>FOI Request Reference</b>	FOI/18/161
<b>Month Issued</b>	July 2018

<b>Request</b>	<p><i>Please provide the following under the terms of the FOIA 2000:</i></p> <ol style="list-style-type: none"> <li><i>1. Does the NIO have a legal obligation to call election?</i></li> <li><i>2. In the absence of calling elections does the NIO have a legal duty to take direct control of government departments or provide legal powers to civil servants?</i></li> <li><i>3. Since the collapse of the Assembly how many meetings have NIO Ministers had with the Head of the NICS David Sterling?</i></li> <li><i>4. Likewise in the year before the collapse of the Assembly how many meeting did NIO Ministers have with David Sterling?</i></li> <li><i>5. In circumstance where the NIO either had a legal duty to call elections but failed to do so or where the NIO having decided not to call elections failed to implement a democratic system of government in Northern Ireland, what legal advice has the NIO taken to ensure it cannot be held liable for death, pain, suffering or loss, in deciding to sidestep its lawful obligations?</i></li> <li><i>6. Has the NIO any intention of implementing the Programme for Government or at least giving David Sterling the power to implement it, which would go some way to reducing hardship in Northern Ireland?</i></li> <li><i>7. Using just one example from the Programme for Government - Does the Secretary of State for Northern Ireland have any intention on introducing or allowing to be introduced social and employment mechanisms, currently operating in England, Scotland, Wales and even the Republic of Ireland, such as the Enterprise Allowance which is aimed at facilitating unemployed persons into self-employment?</i></li> <li><i>8. Given the NIO's oversight role in Northern Ireland's peace time democracy does the NIO or the SoS hold any figures on:</i> <ol style="list-style-type: none"> <li><i>a) How many avoidable deaths have occurred in the NI Healthcare and social care system in the last 5 years?</i></li> <li><i>b) How many homeless people there are in Northern Ireland in each of the past 5 years?</i></li> <li><i>c) How many houses there are in NI's Capital City Belfast being lived in, that still have no inside toilet, bathroom or proper heating systems?</i></li> </ol> </li> <li><i>9. How many times has the SoS been present in NI since taking up the role?</i></li> </ol>
<b>Response</b>	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>We have conducted a thorough search of our records, and can confirm that the Secretary of State and NIO Ministers have met David Sterling a total of 16 times since January 2017.</p> <p>We don't hold any record of meetings between ministers and DS prior to January 2017.</p>
<b>FOI Request Reference</b>	FOI/18/163
<b>Month Issued</b>	July 2018

<b>Request</b>	<p><i>I would like to submit a Freedom of Information request in relation to sexual harassment. Could the information set out information for the last five calendar years, with separate figures for each? (If not available, then for a period that is practicable)</i></p> <ul style="list-style-type: none"> <li><i>How many complaints of sexual harassment were made against an employee? What was the nature of the complaint?</i></li> <li><i>How many of those complaints were upheld? Where a complaint was upheld, what was the remedy?</i></li> <li><i>How many of those who complained of sexual harassment later signed any kind of non- disclosure agreement?</i></li> </ul>
<b>Response</b>	I can advise you that no recorded complaints have been made about sexual harassment during the last five calendar years.

<b>FOI Request Reference</b>	FOI/18/164
<b>Month Issued</b>	July 2018
<b>Request</b>	<p><i>Under the Freedom of Information act, please provide me with the following details:</i></p> <ol style="list-style-type: none"> <li><i>1) The dates and destinations of all internal flights taken by Department Civil Servants, Secretaries of States, Ministers of State and Ministerial Staff</i></li> <li><i>2) The cost of the internal flights taken.</i></li> <li><i>3) What class of flight was each? (e.g. economy, economy plus, business or first class)</i></li> </ol> <p><i>The time range I am interested in is each calendar year, dating back to 7<sup>th</sup> May 2015.</i></p> <p><i>If my request is denied in whole, or in part, I request that you justify the reasons why, citing specific exemptions of the act. If there is an issue of cost or staff time (unlikely given the narrow scope of the request) then please work back chronologically from today providing yearly information as far as you possibly can.</i></p>
<b>Response</b>	<p>Your request is being 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> <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 <a href="http://www.legislation.gov.uk/ukpga/2000/36/section/12">http://www.legislation.gov.uk/ukpga/2000/36/section/12</a>.</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. For example by refining the scope of the request or reducing the time period.</p>

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

**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—
  - 1) by one person, or
  - 2) 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><b>Guidance</b></p> <p><b><u>The appropriate limit</u></b></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"> <li>• £600 for central government and Parliament.</li> <li>• The hourly rate is set at £25 per person per hour.</li> </ul> <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"> <li>• determining whether it holds the information requested</li> <li>• locating the information or documents containing the information</li> <li>• retrieving such information or documents</li> <li>• extracting the information from the document containing it.</li> </ul>	
<b>FOI Request Reference</b>	FOI/18/165	
<b>Month Issued</b>	July 2018	
<b>Request</b>	<p><i>Under the Freedom of Information act, please provide me with the following details:</i></p> <ol style="list-style-type: none"> <li><i>1. How much does the Government department spend on single sauce sachets (e.g. Ketchup, HP Sauce, Mayo etc) for their catering departments broken down by type of sauce?</i></li> <li><i>2. How many single sauce sachets (e.g. Ketchup, HP Sauce, Mayo etc) does the Government department order for their catering departments broken down by type of sauce?</i></li> </ol> <p><i>The time range I am interested in is for each of the three years 2015, 2016, 2017.</i></p> <p><i>If my request is denied in whole, or in part, I request that you justify the reasons why, citing specific exemptions of the act. If there is an issue of cost or staff time (unlikely given the narrow scope of the request) then please work back chronologically from today providing yearly information as far as you possibly can.</i></p>	
<b>Response</b>	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>The Northern Ireland office only hold the requested information for the current year and 2017. These details are;</p> <table border="1" data-bbox="510 1326 2018 1359"> <tr> <td><b>2017</b></td> </tr> </table>	<b>2017</b>
<b>2017</b>		

	Quantity	Net Cost
Tomato Ketchup sachets (12ml)	400	£33.15
Mayonnaise sachets (10ml)	200	£18.04
Brown sauce sachets (10ml)	400	£27.62
Brown sauce sachets(15g)	200	£7.37
Tomato Ketchup sachets (15g)	200	£7.37
<b>2018</b>		
	Quantity	Net Cost
Tomato Ketchup sachets (12ml)	200	£17.96
Mayonnaise sachets (10ml)	200	£18.04
Brown sauce sachets (10ml)	400	£30.84
Mayonnaise sachets (15ml)	400	£34.46

<b>FOI Request Reference</b>	FOI/18/172
<b>Month Issued</b>	July 2018
<b>Request</b>	<p><i>I'd like to request statistics on the:</i></p> <ol style="list-style-type: none"> <li><i>1. Number of currently circulating legal (PPWs) personal protective weapons, and number of active PPW licenses per county in Northern Ireland.</i></li> <li><i>2. The number of times a legally held PPW has been discharged per county in Northern Ireland.</i></li> <li><i>3. The number of hospitalisations and deaths (separate) caused as a direct result of the discharge of a PPW per county in Northern Ireland.</i></li> </ol> <p><i>I'd like to request this as just numerical data - with no attached information to the numbers given apart from the county in which they occurred in.</i></p>
<b>Response</b>	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>The NIO does not hold the information that you have requested. This information may be available from Police Service of Northern Ireland who can be contacted at <a href="mailto:foi@psni.pnn.police.uk">foi@psni.pnn.police.uk</a>.</p>

<b>FOI Request Reference</b>	FOI/18/174
<b>Month Issued</b>	July 2018
<b>Request</b>	<p><i>Under the Freedom of Information Act can you provide me with the following information:</i></p> <ol style="list-style-type: none"> <li><i>1. How many non-UK EU nationals currently work at your organisation? Please could I have this information broken down by nationality and position?</i></li> <li><i>2. How many non-UK EU nationals have left the organisation in the last twelve months, and how many have left in each of the previous three years? (2016, 2017 and 2018 thus far). Can I have that broken down by year?</i></li> </ol> <p><i>Notes: Could ask for number of EU nationals by year to see if there has been a decrease</i></p>
<b>Response</b>	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>I can confirm that the Department does not hold any information falling within the scope of your request.</p> <p>All Government Departments are bound by legal requirements concerning the right to work in the UK and, in addition, the Civil Service Nationality Rules.</p> <p>Evidence of nationality is checked at the point of recruitment into the Civil Service as part of wider pre-employment checks, but there is no requirement on departments to retain this information beyond the point at which it has served its purpose.</p> <p>More broadly, the Government will be consulting in due course on how we work with business to ensure that workers in this country have the skills that they need to get a job. But there are no proposals to publish lists of the number or proportion of foreign workers.</p>

<b>FOI Request Reference</b>	FOI/18/177
<b>Month Issued</b>	July 2018
<b>Request</b>	<p><i>Please may I have the following information on the department? Please treat this as a request under the freedom of information act.</i></p> <p><i>Please take "employee" below to refer to all permanent or temporary staff employed directly by the department or seconded to the department from other departments or private firms.</i></p>

	<ul style="list-style-type: none"> <li>• <i>The number of investigations into allegations of sexual assault or inappropriate behaviour against employees for each individual year from 2012 until 2017, as well as for 2018 so far.</i></li> <li>• <i>The number of employees against whom disciplinary proceedings for allegations of sexual assault or inappropriate behaviour have been started for each individual year from 2012 until 2017, as well as for 2018 so far.</i></li> <li>• <i>The number of employees against whom disciplinary proceedings for allegations of sexual assault or inappropriate behaviour have been upheld for each individual year from 2012 until 2017, as well as for 2018 so far.</i></li> <li>• <i>The number of investigations into allegations of bullying against employees for each individual year from 2012 until 2017, as well as for 2018 so far. - The number of employees against whom disciplinary proceedings for allegations of bullying have been started for each individual year from 2012 until 2017, as well as for 2018 so far.</i></li> <li>• <i>The number of employees against whom disciplinary proceedings for allegations of bullying have been upheld for each individual year from 2012 until 2017, as well as for 2018 so far.</i></li> </ul>
<b>Response</b>	I can advise you that no recorded complaints have been made about sexual assault or inappropriate behaviour and no investigations into allegations of bullying have taken place from 2012 to date.

<b>FOI Request Reference</b>	FOI/18/183
<b>Month Issued</b>	July 2018
<b>Request</b>	<p><i>I have some information I'd like to receive under the Freedom of Information Act from Northern Ireland Office.</i></p> <p><i>This is in regards to your guidance for safeguarding children and vulnerable adults that your organisation and staff must follow.</i></p> <p><b>Incidents and Discipline</b></p> <ul style="list-style-type: none"> <li>• <i>Have you had a reported incident regarding staff not following your safeguarding guidance in the last three years? If so, how many?</i></li> <li>• <i>How many legal actions have been taken against you due to staff not following safeguarding guidance?</i></li> <li>• <i>Has anyone been disciplined or fired due to staff not following safeguarding guidance in the last three years?</i></li> </ul> <p><b>Training</b></p> <ul style="list-style-type: none"> <li>• <i>How often do you undertake any education or training around safeguarding guidance?</i></li> </ul> <p><b>Updating and Dissemination</b></p> <ul style="list-style-type: none"> <li>• <i>How often are safeguarding guidance standards updated?</i></li> </ul>

	<ul style="list-style-type: none"> <li>• <i>When was the last complete review of your safeguarding guidance?</i></li> </ul> <p><b>Storage and accessibility</b></p> <ul style="list-style-type: none"> <li>• <i>In what format and programme do you hold your safeguarding guidance?</i></li> <li>• <i>In what format and programme do staff access this guidance?</i></li> <li>• <i>Can you access safeguarding guidance on mobile devices?</i></li> <li>• <i>If so, can this guidance be accessed while offline?</i></li> </ul> <p><b>Audit and Review</b></p> <ul style="list-style-type: none"> <li>• <i>Can your workforce audit their compliance to central standards regarding safeguarding guidelines and so identify any shortfalls?</i></li> <li>• <i>Do you have the capability to audit delivery standards against current safeguarding guidance?</i></li> </ul> <p><b>Quantitative measures</b></p> <ul style="list-style-type: none"> <li>• <i>How many pages of safeguarding guidance does your organisation have?</i></li> </ul>
<b>Response</b>	<p>Your request has been handled under the Freedom of Information Act.</p> <p>I can advise that the Northern Ireland Office does not have specific safeguarding guidance as our staff do not deal with children or vulnerable adults as part of their work. There have been no reported incidents to date, however we would seek to address any concerns raised under our whistleblowing or conduct and discipline policies if required.</p>

<b>FOI Request Reference</b>	FOI/18/155
<b>Month Issued</b>	August 2018
<b>Request</b>	<p><i>This is a request for information under the Freedom of Information Act, and refers to communications with DUP leader Arlene Foster.</i></p> <p><i>As released in a previous response the PS to the Secretary of State spoke with Arlene Foster on August 15 2017 in relation to the then forthcoming position paper on Northern Ireland.</i></p> <ol style="list-style-type: none"> <li>1. <i>Please provide all details of this phone conversation including any briefing notes made in advance of, during or after this call. Please provide a summary of what was discussed during this call.</i></li> <li>2. <i>Please provide any email correspondence from 1 June 2017 to 1 September 2017 between the PS to the Secretary of State and Arlene Foster.</i></li> </ol>

	<ol style="list-style-type: none"> <li>3. <i>Please provide any email correspondence from 1 June 2017 to 1 September 2017 between the PS to the Secretary of State and DUP MP Sammy Wilson.</i></li> <li>4. <i>Please provide any email correspondence from 1 June 2017 to 1 September 2017 between the Secretary of State and Arlene Foster.</i></li> <li>5. <i>Please provide any email correspondence from 1 June 2017 to 1 September 2017 between the Secretary of State and DUP MP Sammy Wilson.</i></li> </ol>
<b>Response</b>	<p>Your request has been dealt with under the Freedom of Information Act 2000 (FOIA). This information is exempt under section 36 of the FOIA, prejudice to effective conduct of public affairs.</p> <p>We have considered the public interest in disclosing this information. On the one hand, there is a public interest in the briefing given to Ministers and the call readouts outlining views of NI parties. Disclosure would help the public to appreciate the considerations of NI parties, and the context in which Ministers operate. Release of the briefing document could demonstrate the quality of advice provided by the Department. However, these factors are of modest weight in this case, as the NIO proactively deposits meeting readouts in the National Archives after a fixed period and the briefing simply reflected the key points of the NI position paper, which is in the public domain.</p> <p>This briefing was provided with a reasonable expectation that it would not be released into the public domain; it was short bullet points summarising key points to make. The readout of the call will be deposited in the National Archive in the usual way. It would seem a reasonable assumption that many of the comments made would have been reflected in media and public reactions from NI parties, given the proximity of the calls to publication.</p> <p>After careful consideration we have concluded that it is in the public interest to withhold the documents.</p>

<b>FOI Request Reference</b>	FOI/18/170
<b>Month Issued</b>	August 2018
<b>Request</b>	<p><i>Legal advice received regarding different criteria being applied in Northern Ireland to the rest of the UK for the recruitment of UK Border Force Officers</i></p> <p><i>Under the Freedom of Information Act, I would like to request the following information:</i></p> <ol style="list-style-type: none"> <li>1. <i>Date that legal advice was requested by the NIO regarding the recruitment of UK Border Force Officers in Northern Ireland;</i></li> <li>2. <i>Date that the NIO received the legal advice regarding the recruitment of UK Border Force Officers in Northern Ireland;</i></li> </ol>

	<p>3. <i>A copy of the legal advice which the Northern Ireland Office received regarding the recruitment of UK Border Force Officers in Northern Ireland;</i></p> <p>4. <i>Copies of any correspondence which the Northern Ireland Office received from the Equality Commission and/or other bodies/organisations regarding the recruitment of UK Border Force Officers in Northern Ireland.</i></p> <p><i>It would be helpful if you were to provide any brief notes which might be necessary to understand the context of the information provided.</i></p>
<b>Response</b>	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>The NIO has not requested, nor received, any legal advice regarding the recruitment of UK Border Force Officers in Northern Ireland. On the information requested under paragraph 4, we have conducted a search of our systems and identified documents that fall within the scope of this request. However, following an assessment of these documents, they are exempt from disclosure under sections 28 (relations within the UK), 40 (personal information) and 41 (information provided in confidence) of the FOIA.</p>

<b>FOI Request Reference</b>	FOI/18/171
<b>Month Issued</b>	August 2018
<b>Request</b>	<p><i>I would like to submit a request for information.</i></p> <p><i>Can you please send me an update of the organisation's mobile phone contract?</i></p> <ol style="list-style-type: none"> <li>1. <i>Network Provider(s) - Please provide me with the network provider name e.g. EE, Telefonica, Vodafone, Three</i></li> <li>2. <i>Annual Average Spend- Can you please provide me with the average annual spend over the 3 years. If this is a new contract can you please provide the estimated annual spend.</i></li> <li>3. <i>Number of Connections- Number of connections for each network provider. Please split the connection into the following, Voice Only, Voice and Data and Data. Please provide me with a figure for each one including if the organisation doesn't have any.</i></li> <li>4. <i>Duration of the contract- please state if the contract also includes contract extensions for each provider.</i></li> <li>5. <i>Contract Start Date- please can you provide me with the start date of the signed agreement. Please do not provide me with the framework contract date. I require the contract dates of the signed agreement.</i></li> <li>6. <i>Contract Expiry Date- please can you provide me with the expiry date of the signed agreement. Please do not provide me with the framework contract date I require the contract dates of the signed agreement. If the contract is rolling please state.</i></li> </ol>

	<p>7. <i>Contract Review Date- Please can you provide me with a date on when the organisation plans to review this contract.</i></p> <p>8. <i>The person within the organisation responsible for this particular contract. Can you send me the full contact details Contact Name, Job Title, Contact Number and direct email address for each network provider? If full contact details cannot be provided please send me their actual job title.</i></p>
<b>Response</b>	<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 number 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 subject 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.</p> <p>You can find out more about Section 12(1) by reading the full text of the Act, available at <a href="http://www.legislation.gov.uk/ukpga/2000/36/section/12">http://www.legislation.gov.uk/ukpga/2000/36/section/12</a>.</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 reduce the time frame for your request. Please note that, as in this instance, a further refined request may still not fall within the FOIA cost limit.</p>
<b>FOI Request Reference</b>	FOI/18/173
<b>Month Issued</b>	August 2018
<b>Request</b>	<p><i>Please could you provide me with all letters sent by your department to the BBC Head of News or the News Editor of any BBC news programme, or any senior BBC employee since 01.04.2017 where there is a complaint in relation to the news coverage in any way? Please also provide me with copies of any responses?</i></p> <p><i>Please could you provide me with all letters sent by your department to the Channel 4 News Head of News or the News Editor or any senior Channel 4 employee since 01.04.2017 where there is a complaint in relation to the news coverage in any way? Please also provide me with copies of any responses?</i></p>

<b>Response</b>	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>Following a search of our paper and electronic records, we have established that the information you have requested is not held by the department.</p>
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<b>FOI Request Reference</b>	FOI/18/175
<b>Month Issued</b>	August 2018
<b>Request</b>	<p><i>I would like to request the following information under the Freedom of Information Act.</i></p> <p><i>My request concerns the issue of 'Queen's Consent which is a process whereby Ministers consult The Queen on aspects of bills and proposed legislative changes which have implications either for her as The Duke of Lancaster or her Duchy of Lancaster estate.</i></p> <p><i>Please note that in the context of this request the reference to The Queen should include The Queen, the Queen in her role as the Duke of Lancaster, the Queen's private office and any legal representatives or agents acting specifically on behalf of The Duchy of Lancaster.</i></p> <p><i>Please note that the reference to The Secretary of State should include the Secretary of State and their private office. Please do treat any environmental information as a request for information under the Environmental Information Regulations (EIRs). Please note that I am only interested in information generated between 1 November 2017 to the present day.</i></p> <ol style="list-style-type: none"> <li><i>1. During the aforementioned period did The Secretary of State write to The Queen requesting Queen's Consent for any particular bill or legislative change? If the answer is yes can you please provide copies of this correspondence and communication including emails</i></li> <li><i>2. During the aforementioned period did The Queen reply to this request for Queen's Consent? If the answer is yes can you please provide copies of this correspondence and communication including emails?</i></li> </ol>
<b>Response</b>	<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.</p>

<b>FOI Request Reference</b>	FOI/18/178
<b>Month Issued</b>	August 2018
<b>Request</b>	<i>I am sending this request under the Freedom of Information Act to ask for the following information:</i>

1. *Please can you tell me the current FTE civil service staffing level of your department broken down by the following job grades:*
  - a. *Administrative Assistant/Administrative Officer*
  - b. *Executive Officer*
  - c. *Senior Executive Officer/Higher Executive Officer*
  - d. *Grade 6 & Grade 7*
  - e. *Senior Civil Service*
  
2. *Please can you tell me the average length of employment (in months) for FTE civil servants in your department in each of the following job grades since 14 July 2016:*
  - a. *Administrative Assistant/Administrative Officer*
  - b. *Executive Officer*
  - c. *Senior Executive Officer/Higher Executive Officer*
  - d. *Grade 6 & Grade 7*
  - e. *Senior Civil Service*
  
3. *Please can you tell me the current numbers of staff in your department on transfer/loan from other government departments broken down by:*
  - a. *Administrative Assistant/Administrative Officer*
  - b. *Executive Officer*
  - c. *Senior Executive Officer/Higher Executive Officer*
  - d. *Grade 6 & Grade 7*
  - e. *Senior Civil Service*
  
4. *Please can you tell me the average length of transfer/loan (in months) for civil servants in your department who have been transferred/loaned from other government departments in each of the following job grades since 14 July 2016:*
  - a. *Administrative Assistant/Administrative Officer*
  - b. *Executive Officer*
  - c. *Senior Executive Officer/Higher Executive Officer*
  - d. *Grade 6 & Grade 7*
  - e. *Senior Civil Service*

Response

	Q1 Current FTE civil service staffing level of the NIO broken down by the following job grades AA-SCS:	Q2 Average length of employment in months for FTE civil servants in job grades AA-SCS since 14 July 2016:	Q3 Current numbers of staff in the NIO on transfer/loan from other government Departments broken down by job grades AA-SCS:	Q4 Average length in months of transfer/loan for civil servants in the NIO from other government departments in job grades AA-SCS since 14 July 2016:
<b>Administrative Assistant / Administrative Officer</b>	9.54	19	5<	2
<b>Executive Officer</b>	15.6	18	5<	21
<b>Senior Executive Officer / Higher Executive Officer</b>	40.63	19	9	10
<b>Grade 6 &amp; 7 (Band A)</b>	30.24	15	11	9
<b>Senior Civil Service</b>	14	19	5<	13

The information provided relates only to Home Civil Servants employed by the Northern Ireland Office (NIO) and excludes staff seconded to the NIO from the Northern Ireland Civil Service (NICS) who remain on NICS terms and conditions, including pay.

In response to question 3 a, b and e, 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, under section 40(2) 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.

<b>FOI Request Reference</b>	FOI/18/179
<b>Month Issued</b>	August 2018
<b>Request</b>	<i>Please tell me how many settlement agreements including a non-disclosure clause have been agreed by the Northern Ireland Office in each year over the last 10 years.</i>  <i>Please tell me the financial value of these agreements for each year over the past 10 years.</i>

<b>Response</b>	The Northern Ireland Office has no records of settlement agreements in the past 10 years that included a non-disclosure clause.
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<b>FOI Request Reference</b>	FOI/18/180
<b>Month Issued</b>	August 2018
<b>Request</b>	<i>Freedom of Information request - The Report of the Patrick Finucane Review</i>  <i>Is it possible for an updated version of the report to be released, where names of people who have since passed away or have since been revealed by other sources such as newspapers are no longer redacted?</i>
<b>Response</b>	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. The Report was written by the late Sir Desmond de Silva rather than the NIO. There are no plans to update the report.

<b>FOI Request Reference</b>	FOI/18/181
<b>Month Issued</b>	August 2018
<b>Request</b>	<i>I am submitting a freedom of information request to ask for the following details:</i>  <i>1. How much does the Northern Ireland Office pay towards the apprenticeship levy?</i> <i>2. How much of its apprenticeship levy funding has the Northern Ireland office spent since April 2017?</i> <i>3. What has the Northern Ireland Office spent its apprenticeship levy on since April 2017?</i>
<b>Response</b>	Your request has been handled under the Freedom of Information Act 2000 (FOIA).  We have responded to your information request as follows:  <i>1. The NIO pays 0.5% of our pay bill towards the apprenticeship levy less the £15,000 employer's allowance.</i> <i>2. The organisation has spent £5,500 (virtually all of our levy) since April 2017.</i> <i>3. We have spent the levy on National Vocational Qualifications for our current apprenticeships. (As the number of apprentices is less than 5, we are not able to break this down by apprenticeships and start dates).</i>

<b>FOI Request Reference</b>	FOI/18/182
<b>Month Issued</b>	August 2018
<b>Request</b>	<i>Under the Freedom of Information Act 2000, I am requesting the following information from your department:</i>

	<ul style="list-style-type: none"> <li><i>The total departmental spend on advertising on each of the Breitbart, Politicalite, The Canary, and Evolve Politics websites for the years 2016/17 and 2017/18.</i></li> </ul>
<b>Response</b>	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>The Northern Ireland Office did not spend any money on Breitbart, Politicalite, The Canary, and Evolve Politics websites for the years 2016/17 and 2017/18.</p>

<b>FOI Request Reference</b>	FOI/18/184
<b>Month Issued</b>	August 2018
<b>Request</b>	<p><i>Please can you provide the following under the Freedom of Information Act?</i></p> <ul style="list-style-type: none"> <li><i>The name of your department / agency</i></li> <li><i>For the years 2015-16, 2016-17 and 2017-18:</i> <ul style="list-style-type: none"> <li><i>The full budget of the department / agency</i></li> <li><i>The amount paid to all external contractors or agencies in total</i></li> <li><i>The amount spent on providing your services or function in house</i></li> <li><i>The number of full-time equivalent employees who work for the department /agency</i></li> </ul> </li> <li><i>For the financial year 2017-18 please also provide a list of your external contractors. In this list please include:</i> <ul style="list-style-type: none"> <li><i>The company name of the contractor</i></li> <li><i>A description of the service provided (I have provided three rows to be compatible with typical transactional reports)</i></li> <li><i>The start date of the contract (only if readily available in your spreadsheets)</i></li> <li><i>The value of the contract</i></li> </ul> </li> </ul>
<b>Response</b>	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA)</p> <p>As 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</p>

	<p>can take into account when making this calculation, but you may be interested to know that the limit is equivalent to 31/2 working days' worth of work, calculated at £25 per hour.</p> <p>The Department does not hold the information you have requested in a form that allows it to be provided in the detail that you have requested. It is therefore not possible to supply this information at this time as in order to comply with this request the Department would need to manually review all expenditure in the periods requested and carry out a detailed analysis.</p> <p>You may wish to make a refined request by narrowing the scope of your request; this may however still engage s12.</p>
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<b>FOI Request Reference</b>	FOI/18/185
<b>Month Issued</b>	August 2018
<b>Request</b>	<p><i>I hereby request under the FOI act the following information:</i></p> <p><i>All information to include emails, minutes or any other recorded methods regarding the Secretary of State's consideration of reducing MLA's salary following the collapse of Stormont.</i></p> <p><i>All recorded communications with all political parties or individual politicians including the Prime Minister's Office regarding MLA salaries and any proposed reduction to include recorded notes and email communications to or from those individual politicians/parties or the Prime Minister's Office regarding any representations/views by those politicians or political parties regarding MLA salary.</i></p> <p><i>An answer or reason why the Secretary of State has not implemented the recommendation from Mr Trevor Rainey's report to reduce MLA salaries.</i></p> <p><i>The cost of the report by Mr Trevor Rainey.</i></p>

<b>Response</b>	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>In relation to the Secretary of State' consideration of reducing MLA's salary and communications with the Prime Minister and political parties, I can confirm the department holds such information, but it is exempt from disclosure under Section 35 (1)(a), which protects information relating to the formulation or development of government policy.</p> <p>I can confirm that no written representations were received from the political parties on the issue of MLA pay.</p> <p>On the implementation of Mr Rainey's recommendations, the Secretary of State is carefully considering all the issues and will set out the next steps on this matter in due course.</p> <p>Finally, the cost of Trevor Rainey's independent advice was £4,696.65. The cost was paid as a daily rate plus mileage.</p>
<b>FOI Request Reference</b>	FOI/18/187
<b>Month Issued</b>	August 2018
<b>Request</b>	<p><i>I am sending this request under the Freedom of Information Act to ask for the following information:</i></p> <ol style="list-style-type: none"> <li>1) <i>Could you give me your total FTE civil service staff headcount as of 1 January 2017?</i></li> <li>2) <i>If possible could you breakdown the figure given in the answer to Q1 by job grade and policy area?</i></li> <li>3) <i>Could you give me your total FTE civil service staff headcount as of 1 July 2018 (or the closest date that you have data for)?</i></li> <li>4) <i>If possible could you breakdown the figure given in answer to Q3 by job grade and policy area?</i></li> <li>5) <i>Please can you tell me how many staff have been (a) hired and (b) loaned from other departments by the Northern Ireland Office (NIO) since 9 January 2017?</i></li> <li>6) <i>Please can you indicate how many of those identified in the answer to Q5 were hired due to the lack of an executive at Stormont?</i></li> <li>7) <i>Please can you give me the combined annual salary figure of those identified in the answer to Q6?</i></li> </ol>
<b>Response</b>	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <ol style="list-style-type: none"> <li>1) The total FTE civil service staff headcount is 128.32 at 1 February 2017, the closest date to 1 January 2017 for which data is held.</li> <li>2) Please see table 1 below giving a breakdown of the total FTE civil service headcount as of 1 February 2017 by job grade and table 2 giving the total FTE civil service headcount as of 1 February 2017 by policy area.</li> </ol>

Table 1

	SCS	Band A	Band B	Band C	Band D	Band E	Band F
<b>FTE</b>	14.2	23	27.64	25	27.8	9.68	1

Table 2

Policy Area	FTE
Senior Management Team	9
Private Office	12
Legacy	9.2
Engagement	12
Strategy & Implementation	8
Business Delivery	30.68
Security & Protection	27
Economy & Constitution/Economy & Fiscal/Political & Human Rights	7.84
EU Exit	7
Communications	5.6

- 3) The total FTE civil service staff headcount is 151.12 at 1 June 2018, the closest date to 1 July 2018 for which data is held.
- 4) Please see table 1 below giving a breakdown of the total FTE civil service headcount as of 1 June 2018 by job grade and table 2 giving the total FTE civil service headcount as of 1 June 2018 by policy area.

Table 1

	SCS	Band A	Band B	Band C	Band D	Band E	Band F
<b>FTE</b>	14.8	37.64	38	21.8	25.2	12.68	1

Table 2

Policy Area	FTE
Senior Management Team	8
Private Office	14
Legacy	11.8
Engagement	12
Strategy & Implementation/Emerging Priorities	16

	Business Delivery	32.68
	Security & Protection	31
	Economy & Domestic Policy	7.8
	Constitutional & Rights	6.24
	Negotiations, Borders & Exits	4
	Communications	7.6
<p>5) 13 members of staff have been hired by the NIO since 9 January 2017 and 52 have been loaned from other departments since 9 January 2017. The information relating to staff loaned from other government departments by the NIO, include members of staff from the Northern Ireland Civil Service (NICS) who join the NIO on secondment as well as staff from other HCS departments. The NIO operates a loan/secondment policy with each lasting between 2-3 years. The number of loans, secondments and other exits that have ended since 9 January 2017 has been 34.</p> <p>6) The NIO have not hired or loaned any staff due to the lack of an Executive in Stormont.</p> <p>7) Please see answer to question 6 above; no salary costs have therefore been incurred.</p>		

<b>FOI Request Reference</b>	FOI/18/188
<b>Month Issued</b>	August 2018
<b>Request</b>	<p><i>I am writing to make an open government request for all the information to which I am entitled under the Freedom of Information Act 2000, the Freedom of Information (Scotland) Act 2002, and otherwise.</i></p> <p><i>Please send to me all records of information on United Kingdom general elections, United Kingdom local elections, United Kingdom mayoral elections, and United Kingdom referendums which allege electoral fraud (the staging of a desired election outcome), or referendum fraud (the staging of a desired referendum outcome), was legalised, or found to be legal and constitutionally permissible, and committed at any of the elections and referendums listed below.</i></p> <p><i>Elections and referendums:</i></p> <ol style="list-style-type: none"> <li><i>1. The May 5<sup>th</sup>, 2016, United Kingdom local elections and London mayoral election.</i></li> <li><i>2. The June 23<sup>rd</sup>, 2016, United Kingdom European Union membership referendum.</i></li> <li><i>3. The May 4<sup>th</sup>, 2017, United Kingdom local elections.</i></li> <li><i>4. The June 8<sup>th</sup>, 2017, United Kingdom general election.</i></li> <li><i>5. The May 3<sup>rd</sup>, 2018, United Kingdom local elections and mayoral elections.</i></li> </ol>
<b>Response</b>	Your request has been handled under the Freedom of Information Act.

	The NIO does not hold any information within the scope of your request. Any allegations of electoral fraud in Northern Ireland would be reported to the Chief Electoral Officer for Northern Ireland or the Police Service for Northern Ireland.
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<b>FOI Request Reference</b>	FOI/18/190
<b>Month Issued</b>	August 2018
<b>Request</b>	<p><i>I am writing to you under the Freedom of Information Act 2000 to request the following information from the Northern Ireland Office (NIO):</i></p> <ul style="list-style-type: none"> <li><i>Ministerial Directive on the Holding of Firearms By Dealers. Dated July 2005.</i></li> </ul>
<b>Response</b>	<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 2005, 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> <p>A copy of the Ministerial Directive regarding Firearms Dealers - Keeping of Firearms (2005) is attached. It was superseded in 2009 with a revised Directive.</p>

<b>FOI Request Reference</b>	FOI/18/191
<b>Month Issued</b>	August 2018
<b>Request</b>	<p><i>I am writing to make a request for all the information to which I believe that I am entitled to under the Freedom of Information Act 2000.</i></p> <p><i>I would like to request any assessments that this department has made (if any) on the impact of a 'no deal' outcome, or an outcome in which the UK loses open access to the EU Single Market, in the UK's negotiations to leave the European Union.</i></p>
<b>Response</b>	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>The law, specifically Section 12(1), 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>We regret to advise that your request has been declined on these grounds.</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>.

Although we cannot answer your request at the moment, we might be able to answer a further refined request within the cost limit. For example by focusing the request to a particular forum or subject matter.

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

The Government wants a positive future relationship with the EU, encompassing both economic and security cooperation as set out in our recent White Paper, The future relationship between the United Kingdom and the European Union. We are confident that this is in the interests of both sides, so we approach these negotiations anticipating success. We do not want or expect a no deal outcome. However, a responsible government should prepare for all potential outcomes, including the unlikely scenario in which no mutually satisfactory agreement can be reached and that is exactly what we are doing.

Over the coming months, we will be providing further information on our plans for a range of exit scenarios in order to guide businesses and the public on how they can best prepare for our exit from the EU. As the Prime Minister and Secretary of State set out in Parliament on 18th July the government will be publishing a set of technical notices to help businesses and citizens prepare for March 2019 in the event of a 'no deal' scenario. These will be published in August and September and will be available on gov.uk in a centralised location that is easy for people to access and use.

#### **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.

<b>FOI Request Reference</b>	FOI/18/192
<b>Month Issued</b>	August 2018
<b>Request</b>	<p><i>Under the Freedom of Information Act, I would like to request the following information from your department:</i></p> <ol style="list-style-type: none"> <li><i>1. In the last three financial years (2015-16, 2016-17, and 2017-18), how many staff members employed working in your department have reported bullying by another staff member? I would be grateful if you could break down by year.</i></li> <li><i>2. How many of these incidents were dropped or withdrawn, and how many were formally investigated?</i></li> <li><i>3. Broken down again by the years above, I would be grateful if you could provide a full breakdown of incidents, including the job title of the alleged perpetrator and what the allegation was based on. Please also state what the outcome was. Should this exceed cost limit, please just provide this information requested in (3) or the financial year 2017-18 only.</i></li> </ol>
<b>Response</b>	I can advise you that no recorded complaints have been made from staff members about bullying in the past three years.

<b>FOI Request Reference</b>	FOI/18/193
<b>Month Issued</b>	August 2018
<b>Request</b>	<p><i>I am writing to make an open government request for all the information to which I am entitled under the Freedom of Information Act 2000, the Freedom of Information (Scotland) Act 2002, and otherwise.</i></p> <p><i>Please send to me all records of information on the Grenfell Tower fire incident of June 14<sup>th</sup>, 2017, which allege the aforementioned incident was perpetrated by a state institution or state entity.</i></p>
<b>Response</b>	<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.</p>

<b>FOI Request Reference</b>	FOI/18/194
<b>Month Issued</b>	August 2018
<b>Request</b>	<p><i>I am writing to make an open government request for all the information to which I am entitled under the Freedom of Information Act 2000, the Freedom of Information (Scotland) Act 2002, and otherwise.</i></p> <p><i>Please send to me all records of information on the news story linked to below which allege that the aforementioned news story is factually incorrect and fabricated.</i></p> <p>News story: <a href="https://www.bbc.co.uk/news/uk-politics-45058728">https://www.bbc.co.uk/news/uk-politics-45058728</a></p>

<b>Response</b>	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.
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<b>FOI Request Reference</b>	FOI/18/169
<b>Month Issued</b>	September 2018
<b>Request</b>	<i>Under the FOIA Act, I am seeking the following:</i> <ul style="list-style-type: none"> <li>• <i>Copies of all records relating to the accidental sending of briefing notes of the Northern Secretary to journalists on Sunday, June 17. This request to cover all records created in the period June 17 to June 24.</i></li> </ul>
<b>Response</b>	Your request has been handled under the Freedom of Information Act 2000 (FOIA).  In regard to your request there are two records relating to the occasion you refer to, both are attached. 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). 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.

<b>FOI Request Reference</b>	FOI/18/186
<b>Month Issued</b>	September 2018
<b>Request</b>	<i>I am writing to make a request for all the information to which I am entitled under the Freedom of Information Act 2000.</i>  <i>I'd like to request all publishable internal correspondence relating to the employment of Special Advisors in each of the last three years.</i>
<b>Response</b>	Your request has been handled under the Freedom of Information Act 2000 (FOIA).  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.  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 further refined request within the cost limit. You may wish to consider narrowing your request to certain aspects of the recruitment, such as start dates or resignations for example or to limit the number of officials or Spads the request covers by naming the ones you are interested in. You may also want to consider limiting the timeframe, but as we are not clear from your request what aspect of the appointments you are interested we do not feel we can advise you what that timeframe should be to capture that information. Please note that, as in this instance, a further refined request may still not fall within the FOIA cost limit, and other exemptions may also apply.

#### **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.

<b>FOI Request Reference</b>	FOI/18/195
<b>Month Issued</b>	September 2018
<b>Request</b>	<p><i>Could the department provide information on the amount spent on external consultants for any area within the department for the last three years, by year? In addition, what was the highest day rate or hourly cost for any one consultant?</i></p> <p><i>Which firm, if any, has been the biggest provider of consultancy services for the department?</i></p>

**Response**

Your request has been handled under the Freedom of Information Act 2000 (FOIA)

The amount of spend on external consultants for any area within the Department is disclosed in the Annual Report and Accounts which can be found at <https://www.gov.uk/government/publications>.

Mercator IT Solutions has been the biggest provider of consultancy services for the Department in this period.

We are not obliged to provide information relating to commercial interests. In this case, we believe that the information would be likely to prejudice the commercial interests of any person including the department who holds it.

In line with the terms of section 43(2) of 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.

You can find out more about Section 43 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/43>

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

- There is a general public interest in promoting transparency, accountability, public understanding and involvement in the democratic process.

Public interest considerations favouring withholding the information

- The information would be likely to prejudice the commercial interests of any person including the department who holds it.
- This information relates to a specific commercial arrangement but is provided in response to a general question and is not likely to greatly increase the public's understanding.

We reached the view that, on balance, the public interest is better served by withholding this information under Section 43 of the Act at this time.

<b>FOI Request Reference</b>	FOI/18/196
<b>Month Issued</b>	September 2018
<b>Request</b>	<p><i>I am writing to make a request for all the information to which I am legally entitled.</i></p> <p><i>Please send to me all records of information on the news stories (from the 6<sup>th</sup> August, 2018, onwards) linked to below, pertaining to Boris Johnson, which allege or prove that any of the aforementioned news stories are factually incorrect with the intention of defaming Boris Johnson.</i></p> <p><i>News stories: <a href="https://www.bbc.co.uk/news/topics/c8nq32jw8r1t/boris-johnson">https://www.bbc.co.uk/news/topics/c8nq32jw8r1t/boris-johnson</a></i></p>
<b>Response</b>	<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.</p>

<b>FOI Request Reference</b>	FOI/18/197
<b>Month Issued</b>	September 2018
<b>Request</b>	<p><i>I am writing to make a request for all the information to which I am entitled.</i></p> <p><i>Please send to me all records of information on the news story linked to below which allege, or prove, that the aforementioned news story is factually incorrect.</i></p> <p><i>News story: <a href="https://www.bbc.co.uk/news/uk-politics-45098550">https://www.bbc.co.uk/news/uk-politics-45098550</a></i></p>
<b>Response</b>	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>The law, specifically Section 12(1), 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>We regret to advise that your request has been declined on these grounds.</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 <a href="http://www.legislation.gov.uk/ukpga/2000/36/section/12">http://www.legislation.gov.uk/ukpga/2000/36/section/12</a>.</p>

	<p>In order to determine whether the Department holds any records which fall within the scope of the request, officials across the Department would be required to locate, analyse and extract large number of records. The cost of doing so would engage the cost limits outlined above.</p> <p>Although we cannot answer your request, we might be able to answer a refined request within the cost limit. However, please note that, as in this instance, a further refined request may still not fall within the FOIA cost limit, or may engage one or more FOIA exemptions.</p>
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<b>FOI Request Reference</b>	FOI/18/198
<b>Month Issued</b>	September 2018
<b>Request</b>	<p><i>I am hoping that you can assist me with some research I am undertaking with reference to the operation and implications of the Good Friday Agreement.</i></p> <p><i>In the run-up to the referendum on the agreement the text was circulated to every household, followed a week or so later by another explanatory document. This “plain man’s guide” was, appropriately, plainer looking, no photo cover, just grey A4 with lettering, to the best of my recollection. I kept a copy until a couple of years ago when, unfortunately, I got rid of it in a clear-out. I would like now to refresh my memory of its contents, but I have drawn a blank at the Linen Hall Library, PRONI and the Stormont Library.</i></p> <p><i>It has been suggested to me that the document was probably prepared by and distributed under the aegis of the Northern Ireland Office and therefore that it is highly likely that you will have retained a copy. For the avoidance of confusion, the document I am looking for is not the text of the GFA itself, with a photographic cover entitled “The Agreement....It’s Your Choice”, which I have, but the accompanying explanatory brochure. I would be happy to visit your offices to examine it if it is available.</i></p>
<b>Response</b>	Your request has been handled under the Freedom of Information Act 2000 (FOIA). We have conducted a search of our records and can confirm that we do not hold any information which falls within the scope of your request.

<b>FOI Request Reference</b>	FOI/18/199
<b>Month Issued</b>	September 2018
<b>Request</b>	<p><i>I am writing to you under the Freedom of Information Act 2000 to request information regarding telecoms.</i></p> <ol style="list-style-type: none"> <li>1. <i>Mobile Telephony</i> <ul style="list-style-type: none"> <li>• <i>Name of supplier:</i></li> </ul> </li> </ol>

- *Total spend with supplier in a recent 12 month period (all spend, including hardware):*
- *Of total spend, how much of the spend related to mobile device usages charges including line rental*
- *Current number of connections (SIMs)*
- *Contract model (co-terminus / term per connection / both):*
- *Contract end date:*
- *What procurement route has been used for your mobile contract:*
- *Contact details of the key decision maker when the contract is renewed or retendered –*
  - *Name*
  - *Department*
  - *Job Description*
  - *Telephone*
  - *Email*

## *2. Fixed Line Telephony*

- *Name of supplier:*
- *Total spend with supplier (on fixed line telephony) in a recent 12 month period:*
- *Number of ISDN30 bearers:*
- *Number of ISDN30 channels:*
- *Number of PSTN lines:*
- *Number of SIP trunks:*
- *Number of SIP channels:*
- *Contract End Date:*
- *What procurement route has been used for your fixed line contract:*
- *Contact details of the key decision maker when the contract is renewed or retendered –*
  - *Name*
  - *Department*
  - *Job Description*
  - *Telephone*
  - *Email*

## *3. Internal Telephony*

	<ul style="list-style-type: none"> <li>• <i>Name of PBX infrastructure maintenance supplier:</i></li> <li>• <i>Total spend with supplier (on internal telephony maintenance and hardware) in a recent 12 month period:</i></li> <li>• <i>Of total spend, what was the spend on physical kit:</i></li> <li>• <i>Of total spend, what was the spend on licences:</i></li> <li>• <i>Switch Manufacturer(s) and Model Number(s):</i></li> <li>• <i>Number of ports being used:</i></li> <li>• <i>Contract End Date for maintenance contract:</i></li> <li>• <i>For contracts requiring OJEU or frameworks, what procurement route is currently used:</i></li> <li>• <i>Contact details of the key decision maker when the contract is renewed or retendered –</i> <ul style="list-style-type: none"> <li>- <i>Name</i></li> <li>- <i>Department</i></li> <li>- <i>Job Description</i></li> <li>- <i>Telephone</i></li> <li>- <i>Email</i></li> </ul> </li> </ul>
<b>Response</b>	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>For sections 1 The Northern Ireland Office receives managed Telephony services from IT Assist (ITA) which is a service provided by Enterprise Shared Services, a body within the Department of Finance and Personnel, Northern Ireland. The information requested is, therefore, not held by this Department. This information may be available from the Department of Finance and Personnel, Northern Ireland who can be contacted at <a href="mailto:info.csd@dfpni.gov.uk">info.csd@dfpni.gov.uk</a></p> <p>For sections 2 and 3 The Northern Ireland Office receives managed Telephony services in Belfast from IT Assist (ITA) which is a service provided by Enterprise Shared Services, a body within the Department of Finance and Personnel, Northern Ireland. The information requested is, therefore, not held by this Department. This information may be available from the Department of Finance and Personnel, Northern Ireland who can be contacted at <a href="mailto:info.csd@dfpni.gov.uk">info.csd@dfpni.gov.uk</a></p> <p>The Northern Ireland Office receives managed Telephony services in London from Cabinet Office. The information requested is, therefore, not held by this department. This information may be available for the Cabinet Office who can be contacted on <a href="mailto:foi-team@cabinetoffice.gov.uk">foi-team@cabinetoffice.gov.uk</a></p>
<b>FOI Request Reference</b>	FOI/18/200

<b>Month Issued</b>	September 2018
<b>Request</b>	<i>Please can you disclose any correspondence the secretary of state has received from members of the public or lobby groups about legalising abortion in Northern Ireland since the start of this calendar year?</i>
<b>Response</b>	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>Freedom of information 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 in a request (section 12 FOIA).</p> <p>We have made the decision to decline your request on this basis, as 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 different records individually stored in a number of locations, and given the broad scope of your request we consider this would cost over £600.</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 reconsider the scope of your FOI request and submit a revised and more targeted request by providing a shorter timeframe/date range or more specific types of stakeholders.</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 number 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.</p> <p>You can also find more information by reading the full text of the Act, available at <a href="http://www.legislation.gov.uk/ukpga/2000/36/section/12">http://www.legislation.gov.uk/ukpga/2000/36/section/12</a>.</p> <p>Although we cannot answer your request at the moment, we might be able to answer a refined request within the cost limit. You may wish to consider focusing your request on a narrower range of issues and/or on records produced during a more focussed set of dates.</p> <p>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—
  - 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:

	<ul style="list-style-type: none"> <li>• £600 for central government and Parliament.</li> <li>• The hourly rate is set at £25 per person per hour.</li> </ul> <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"> <li>• determining whether it holds the information requested</li> <li>• locating the information or documents containing the information</li> <li>• retrieving such information or documents</li> <li>• extracting the information from the document containing it.</li> </ul>
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<b>FOI Request Reference</b>	FOI/18/202
<b>Month Issued</b>	September 2018
<b>Request</b>	<p><i>Can you please provide me with the following information under the Freedom of Information Act 2000:</i></p> <ul style="list-style-type: none"> <li>• <i>Whether your organisation currently provides or previously provided Arlene Foster with a vehicle/vehicles, drivers or security personnel, for travelling purposes. If so, please confirm</i></li> <li>• <i>the number of vehicles, drivers and/or security personnel involved</i></li> <li>• <i>the period of time during which your organisation provided vehicles, drivers and/or security personnel</i></li> <li>• <i>how often these vehicles are/were made available to transport Mrs Foster</i></li> <li>• <i>the purpose for which these vehicles were provided</i></li> <li>• <i>whether any guidance existed for your organisation, the drivers/security personnel or for Mrs Foster and her representatives</i></li> <li>• <i>How arrangements were made for the vehicle to collect Mrs Foster; did it have to be booked in advance and justification provided or was it a daily routine. Please provide details on this.</i></li> <li>• <i>where these personnel have been re-directed from, what were they employed doing before this role, what grade they are employed at,</i></li> <li>• <i>a detailed breakdown the cost, to date of providing these vehicles, personnel and all associated costs including salaries, insurance, depreciation, fuel etc</i></li> <li>• <i>how many miles have been covered by vehicles in the process of transporting/collecting Mrs Foster</i></li> <li>• <i>when a decision was made to provide such a vehicle/vehicles</i></li> <li>• <i>where the funding to cover the costs of this operation are sourced</i></li> </ul>

	<p><i>Please be advised that for the purposes of this request, vehicle means a vehicle by itself, or a vehicle driven by another individual as well as any form of transportation.</i></p> <p><i>Please provide any documentation, advice, meetings of minutes or calls, emails etc that relate to the provision of vehicles to Mrs Foster since 1<sup>st</sup> January 2016.</i></p>
<p><b>Response</b></p>	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>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 s38 of the FOIA which relates to the health and safety of any individual. 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.</p> <p>As s38 of the FOIA is a qualified exemption, we have carried out a public interest test in reaching our decision. The factors taken into account are set out below.</p> <p>Public interest considerations favouring confirming or denying that information is held</p> <ul style="list-style-type: none"> <li>• Provide the public with increased transparency around the use of vehicles, drivers or security personnel;</li> <li>• Revealing information would allow the public to be assured that public funds are used effectively and that the public interest has been maintained and safeguarded; and</li> <li>• Greater transparency makes government departments more accountable and increases public trust and scrutiny.</li> </ul> <p>Public interest considerations against confirming or denying that information is held</p> <ul style="list-style-type: none"> <li>• Disclosure of information relating to vehicles, drivers or security personnel could endanger the personal safety of any individual who may make use of a vehicle, including any drivers or security personnel.</li> </ul> <p>In this case, we have concluded that the public interest favours withholding the information.</p> <p>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 <a href="http://www.legislation.gov.uk/ukpga/2000/36/section/38">http://www.legislation.gov.uk/ukpga/2000/36/section/38</a></p> <p><b>EXPLANATION OF FOIA - SECTION 38 –HEALTH AND SAFETY</b></p>

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;

	<ul style="list-style-type: none"> <li>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)</li> <li>disclosing information about negotiations with kidnappers, where disclosure could endanger the safety of hostages</li> </ul>
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<b>FOI Request Reference</b>	FOI/18/203
<b>Month Issued</b>	September 2018
<b>Request</b>	<p><i>Please could I request the following information under the FOI Act?</i></p> <p>1) <i>Your department's annual spend on private investigators (surveillance of individuals) over the past five years</i></p> <p>2) <i>Why the private investigators were hired</i></p>
<b>Response</b>	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA)</p> <p>The Department does not hold any information within the scope of your request.</p>

<b>FOI Request Reference</b>	FOI/18/204
<b>Month Issued</b>	September 2018
<b>Request</b>	<p><i>Please accept this as a request under the freedom of information act 2000</i></p> <p><i>The information I am requesting is as follows:</i></p> <ul style="list-style-type: none"> <li><i>Transcripts of any and all WhatsApp groups used by ministers and officials to coordinate or discuss departmental business.</i></li> <li><i>Any and all pictures or other digital media sent and received by the above group(s)</i></li> </ul> <p><i>Please provide the entire transcript from when the group was created until today. If that would push the request over cost limits, please provide the transcript for the last 12 months.</i></p>
<b>Response</b>	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>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, therefore, not held by this Department. This information may be available from the Department of Finance, Northern Ireland who can be contacted at <a href="mailto:foi@finance-ni.gov.uk">foi@finance-ni.gov.uk</a></p>

<b>FOI Request Reference</b>	FOI/18/205
<b>Month Issued</b>	September 2018
<b>Request</b>	<i>I am asking under the terms of the Freedom of Information Act for a list of all the books and articles about Ireland and Northern Ireland recommended to the secretary of state Rt. Hon Karen Bradley MP by officials in the NIO when she was appointed secretary of state for Northern Ireland</i>
<b>Response</b>	Your request has been handled under the Freedom of Information Act 2000 (FOIA).  The Northern Ireland Office does not hold this information.

<b>FOI Request Reference</b>	FOI/18/206
<b>Month Issued</b>	September 2018
<b>Request</b>	<i>I see in today's press that there has been a release of the cost for cleaning up after the 12<sup>th</sup> July parades this year as per the link below</i>  <a href="https://www.bbc.co.uk/news/uk-northern-ireland-45187951">https://www.bbc.co.uk/news/uk-northern-ireland-45187951</a>  <i>I would request a similar amount of information for the cleaning up after Nationalist parades, bonfires and demonstrations throughout Northern Ireland please? All of them. Especially the ones where the names of Crown Forces are burnt on bonfires watched over by Crown Forces.</i>
<b>Response</b>	Your request has been handled under the Freedom of Information Act 2000 (FOIA).  The article quotes figures supplied by Belfast City Council. To obtain comparable figures you will need to contact the relevant councils as this is not information that will be held by the NIO.

<b>FOI Request Reference</b>	FOI/18/207
<b>Month Issued</b>	September 2018
<b>Request</b>	<i>Please provide the following information under the FOI Act:</i>  <ol style="list-style-type: none"><li><i>1. Details of meetings between the Northern Ireland Secretary and representatives of the DUP regarding the advancement of LGBTI rights in Northern Ireland from June 2017 onwards.</i></li><li><i>2. Minutes of above meetings. Where minutes are unavailable, details of purpose of meeting.</i></li><li><i>3. Details of meetings between the Northern Ireland Secretary and other groups or individuals regarding the advancement of LGBTI rights in Northern Ireland from June 2017 onwards.</i></li></ol>

	<p>4. <i>Minutes of above meetings. Where minutes are unavailable, details of purpose of meeting.</i></p>
<b>Response</b>	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>The Secretary of State regularly meets with the Democratic Unionist Party to discuss a range of different issues; details of which will be made available to the National Archives in line with the Constitutional Reform &amp; Governance Act 2010 where public records will be released after 20 years.</p> <p>With regards to the third element of your request, ministerial meetings with external groups are published quarterly and can be found at the following link: <a href="https://www.gov.uk/government/publications?departments%5B%5D=northern-ireland-office">https://www.gov.uk/government/publications?departments%5B%5D=northern-ireland-office</a></p>
<b>FOI Request Reference</b>	FOI/18/208
<b>Month Issued</b>	September 2018
<b>Request</b>	<p><i>In The National Archives in London I found some documents in relation to the Red Brigades and the IRA and other terrorist groups, but also to the measures that governments have taken to combat those forms of terrorism.</i></p> <p><i>I found in The National Archives a document which is available in your office the reference is - CJ 4/2820 - IRA terrorism in Great Britain: anti-IRA measures, and I would like to know if i could consult it.</i></p> <p><i>And I'd also like to know if, in your office or your archives, are available other documents which are related to my area of research, and if so I would ask you how and when I could see those documents.</i></p>
<b>Response</b>	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</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</p>

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>

You also asked if other material relating to your area of research may be available. Each year the Northern Ireland Office releases its historic files to The National Archives for access to the public. Most files transferred in this way are available however some material may remain closed for different periods of time, as set by the Freedom of Information Act.

#### **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—
  - (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.

<b>FOI Request Reference</b>	FOI/18/209
<b>Month Issued</b>	September 2018
<b>Request</b>	<i>Please provide the following under the FOI Act:</i>  <i>Documents relating to the advancement of LGBTI rights in Northern Ireland from June 2017 onwards.</i>

**Response**

Your request has been handled under the Freedom of Information Act 2000 (FOIA).

Freedom of information 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 determine whether we can provide the information that has been asked for in a request (section 12 FOIA).

We have made the decision to decline your request on this basis, as to comply with the request and to enable us to identify whether we hold any such information, officials would be required to open and read a large amount of different records individually stored in a number of locations, and given the broad scope of your request we consider this would cost over £600.

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 reconsider the scope of your FOI request and submit a revised and more targeted request, for example by providing a series of key phrases/terms for us to use in searching our records, specific types of documents, or a shorter timeframe/date range.

You should not infer from this that the NIO 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 of the FOIA 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>

I am sorry that on this occasion the NIO has not been able to process or answer your request. You have the right to appeal this decision if you think it is incorrect and is not in accordance with the Freedom of Information Act 2000. You may ask the NIO for an internal review within two calendar months of the date of this letter. If you request an internal review you should do so in writing, stating the reasons, and send it to [foi@nio.gov.uk](mailto:foi@nio.gov.uk)

**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

	<ul style="list-style-type: none"> <li>• retrieving such information or documents</li> <li>• extracting the information from the document containing it.</li> </ul>
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<b>FOI Request Reference</b>	FOI/18/210
<b>Month Issued</b>	September 2018
<b>Request</b>	<p><i>I am writing under the Freedom of Information Act 2000 and would like the following information provided:</i></p> <ul style="list-style-type: none"> <li><i>i). To know whether or not your department asks Senior Civil Service staff to do unconscious bias training in relation to race?</i></li> <li><i>ii). To know whether or not your department offers unconscious bias training to Senior Civil Service staff in your department in relation to race?</i></li> <li><i>iii). To know what percentage of Senior Civil Service staff in your department have undergoing some form of unconscious bias training or racial awareness training?</i></li> <li><i>iv). Has any assessment been done to see the level of unconscious bias by race for Senior Civil Servants in your department?</i></li> <li><i>v). The results of any assessment to see the level of unconscious bias by race for Senior Civil Servants in your department.</i></li> </ul> <p><i>2) Summary details of the unconscious bias and racial awareness training offered to Executive Officers in the Civil Service of your department?</i></p>
<b>Response</b>	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>In relation to questions i) - iii) I can advise that all staff, including SCS, are expected to undertake unconscious bias training and keep this updated regularly. The minimum requirement is to complete an e-learning module on Civil Service Learning. In addition, during May/ June 2018, as part of the roll-out of a new performance management process, all staff, including SCS, were invited to attend face-to-face training which included a section on unconscious bias. This training was mandatory for all line managers. Unconscious bias training does not relate specifically to race, although it promotes diversity and inclusion and aims to prevent areas of unconscious bias in the workplace.</p> <p>In respect of questions iv) - v) and 2) I can advise that this information is not held by the department.</p>

<b>FOI Request Reference</b>	FOI/18/211
<b>Month Issued</b>	September 2018

<b>Request</b>	<p><i>I am emailing you in regards of obtaining contact information for the most suitable person to contact via telephone/email/post. If possible, could you forward me on relevant contact information for any persons specialising in;</i></p> <ul style="list-style-type: none"> <li>• <i>Information Security</i></li> <li>• <i>Information Technology</i></li> <li>• <i>Data Protection</i></li> <li>• <i>Information Governance</i></li> </ul> <p><i>I would be very grateful if you could state their position within the company also.</i></p>
<b>Response</b>	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>The Deputy Director responsible for this area of work is Mr Mark Byers, who can be contacted at the following address:</p> <p>The Northern Ireland Office 1 Horse Guards Road London SW1A 2HQ</p>

<b>FOI Request Reference</b>	FOI/18/212
<b>Month Issued</b>	September 2018
<b>Request</b>	<p><i>I have seen on the National Archives website that you are in possession of this file:</i></p> <p><i>Provisional IRA: reports and comments on activities and personalities</i></p> <p><i>National Archive original ref CJ 4/2829</i></p> <p><i>Date: 1978 Jan 01 - 1979 Dec 31</i></p> <p><i>Held by: Creating government department or its successor, not available at The National Archives</i></p> <p><i>Former reference in its original department: 108911/2004-1</i></p> <p><i>Legal status: Public Record(s)</i></p> <p><i>Closure status: Closed Or Retained Document, Open Description</i></p> <p><i>Access conditions: Retained by Department under Section 3.4</i></p>

	<i>Please could you let me know if this file is available under FOI?</i>
<b>Response</b>	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA). I can confirm that the NIO holds information falling within the scope of your request but it is exempt from disclosure by virtue of section 23 of the Freedom of Information Act.</p> <p>Section 23(1) of the Freedom of Information Act relates to information supplied by or related to bodies dealing with security matters. Public authorities such as this department are not required to release information covered by this exemption. Section 23 of the FOIA 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>You can find out more about Section 23 by reading the extract from the FOI 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 <a href="http://www.legislation.gov.uk/ukpga/2000/36/section/23">http://www.legislation.gov.uk/ukpga/2000/36/section/23</a></p> <p><b>Further information relating to Section 23 (FOIA): Information supplied by, or relating to, bodies dealing with security matters.</b></p> <p><b><u>Section 23: Information supplied by, or relating to, bodies dealing with security matters.</u></b></p> <p>(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).</p> <p>(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.</p> <p>(3) The bodies referred to in subsections (1) and (2) are—</p> <ul style="list-style-type: none"> <li>(a) the Security Service,</li> <li>(b) the Secret Intelligence Service,</li> <li>(c) the Government Communications Headquarters,</li> <li>(d) the special forces,</li> <li>(e) the Tribunal established under section 65 of the Regulation of Investigatory Powers Act 2000,</li> <li>(f) the Tribunal established under section 7 of the Interception of Communications Act 1985,</li> <li>(g) the Tribunal established under section 5 of the Security Service Act 1989,</li> <li>(h) the Tribunal established under section 9 of the Intelligence Services Act 1994,</li> <li>(i) the Security Vetting Appeals Panel,</li> </ul>

- (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.

<b>FOI Request Reference</b>	FOI/18/213
<b>Month Issued</b>	September 2018
<b>Request</b>	<i>I write to request copies of correspondence received by your office in relation to payment of MLA salaries during the current 'failure to create an executive' which has been since the last Assembly election.</i>

	<p><i>I am disturbed that members are drawing full salaries of almost £50000 per annum and not attending to their Assembly duties. I am very concerned that despite 'being minded' to review the salaries and despite the report prepared by Mr Trevor Reaney CBE you have taken no action.</i></p> <p><i>Under Freedom of Information I would seek copies of correspondence you received from the NI political parties in relation to this subject.</i></p>
<b>Response</b>	<p>Thank you for your email to the Secretary of State of 22 August regarding MLA pay. We have been asked to reply on her behalf.</p> <p>As you may know, the Secretary of State for Northern Ireland recently announced a two-stage reduction in MLA pay. This is alongside measures to enable departments to continue to take decisions in Northern Ireland in the public interest, and legislation to carry out vital Public Appointments.</p> <p>While MLAs from all parties continue to carry out constituency work and provide valuable support in their communities, it is clear that during any interim period they will not be performing the full range of their legislative functions. Therefore, in line with the recommendations made by former Assembly clerk and chief executive Trevor Reaney, the Secretary of State will reduce Assembly members' salaries by 15% from November, with a further second reduction of 12.5% to follow automatically if there is not Executive in place.</p> <p>We are treating your request for copies of correspondence we received from the NI political parties in relation to this subject as a Freedom of Information request.</p> <p>Your request has been handled under the Freedom of Information Act 2000 (FOIA). I can confirm that no written representations were received from the political parties on the issue of MLA pay.</p>
<b>FOI Request Reference</b>	FOI/18/214
<b>Month Issued</b>	September 2018
<b>Request</b>	<i>Please can you send me the total figure for the amount paid towards the apprenticeship levy by the department from April 2017 to date (or 2017/2018 Q1 to Q4 and 2018/2019 Q1). If that is not possible then April 2017-April 2018 is fine.</i>
<b>Response</b>	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>The total figure paid by the Organisation towards the apprenticeship levy is as follows:</p>

	2017/18	2018/19*	Total
	£16,295.04	£11,264.10	£27,559.14

\*the 2018/19 figure relates to April to August 2018.

<b>FOI Request Reference</b>	FOI/18/215
<b>Month Issued</b>	September 2018
<b>Request</b>	<p><b><i>Secondment - NI-70-18 - Senior Policy Adviser</i></b>  <i>Please can you provide the following information on the above recruitment competition:</i></p> <ol style="list-style-type: none"> <li>1. <i>How many applications were received for the 10 posts?</i></li> <li>2. <i>How many candidates met the essential and desirable criteria?</i></li> <li>3. <i>How many applicants were interviewed?</i></li> <li>4. <i>What was the process for selecting candidates for interview?</i></li> </ol>
<b>Response</b>	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>Question 1: The number of applications received for the 10 posts was 93.  Question 2: The number of candidates who met the essential and desirable criteria. Information in relation to this question is not held.  Question 3: There were 21 applicants interviewed for the 10 posts.  Question 4: Candidates who had demonstrated in their application form that they met the competence criteria were selected for interview.</p>

<b>FOI Request Reference</b>	FOI/18/219
<b>Month Issued</b>	September 2018
<b>Request</b>	<p><i>Under FOI laws, please could I request details from July 1 2017 to the current date of any written reference by a minister, official or spokesperson for this department to something being "a priority" for either the department or the Government?</i></p> <p><i>This could be in the form of a press release, comment or statement, published through official government channels or sent from a department email address to a journalist or news organisation. This can include where reference to "a priority" is made in the Notes to Editors section. Note – personal correspondence should not be included.</i></p> <p><i>Please reply with the release / statement in question and the date it was sent.</i></p>

	<i>Any reference to something being “one of our (department’s / Government’s) priorities” should also be included in this search.</i>
<b>Response</b>	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>Freedom of information 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 in a request (section 12 FOIA).</p> <p>We have made the decision to decline your request on this basis, as 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 different records individually stored in a number of locations, and given the broad scope of your request we consider this would cost over £600.</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 reconsider the scope of your FOI request and submit a revised and more targeted request by providing a shorter timeframe/date range or more specific types of stakeholders.</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 number 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 <a href="http://www.legislation.gov.uk/ukpga/2000/36/section/12">http://www.legislation.gov.uk/ukpga/2000/36/section/12</a>.</p> <p>Although we cannot answer your request at the moment, we might be able to answer a refined request within the cost limit. You may wish to consider focusing your request on a narrower range of issues and/or on records produced during a more focussed set of dates.</p> <p>Please note that, as in this instance, a further refined request may still not fall within the FOIA cost limit.</p> <p><b><u>ADDITIONAL INFORMATION ABOUT SECTION 12(1)</u></b></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>

## **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.

	<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"> <li>• determining whether it holds the information requested</li> <li>• locating the information or documents containing the information</li> <li>• retrieving such information or documents</li> <li>• extracting the information from the document containing it.</li> </ul>
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<b>FOI Request Reference</b>	FOI/18/223												
<b>Month Issued</b>	September 2018												
<b>Request</b>	<p><i>I would like the total number of days off work taken by employees of the Northern Ireland Office where the reason given was for stress at work or anything related to stress. I would like this data to cover 2015-2016, 2016-2017, and 2017-2018 so far.</i></p> <p><i>Can you also provide the total number of employees? Again, I would like this data to cover 2015-2016, 2016-2017, and 2017-2018 so far.</i></p> <p><i>Please treat this as a request under the Freedom of Information Act 2000.</i></p>												
<b>Response</b>	<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. The information relates to actual working days lost as this is how the Cabinet Office has requested it is reported.</p> <table border="1" data-bbox="510 962 1473 1150"> <thead> <tr> <th>Year</th> <th>Number of staff in post</th> <th>Actual working days lost due to mental health related illness</th> </tr> </thead> <tbody> <tr> <td>2015-16</td> <td>104</td> <td>197 days</td> </tr> <tr> <td>2016-17</td> <td>97</td> <td>418 days</td> </tr> <tr> <td>2017-18</td> <td>116</td> <td>93 days</td> </tr> </tbody> </table> <p>A wide range of conditions are encapsulated under the term “Mental Health”. This includes conditions such as stress, anxiety, depression, mood-affective disorders, disorders of personality and behaviour and schizophrenia.</p>	Year	Number of staff in post	Actual working days lost due to mental health related illness	2015-16	104	197 days	2016-17	97	418 days	2017-18	116	93 days
Year	Number of staff in post	Actual working days lost due to mental health related illness											
2015-16	104	197 days											
2016-17	97	418 days											
2017-18	116	93 days											

<b>FOI Request Reference</b>	FOI/18/228
<b>Month Issued</b>	September 2018

<b>Request</b>	<p><i>I am writing to request information under the Freedom of Information Act.</i></p> <p><i>I am looking for information about sexual harassment complaints. Please could you provide me with the following:</i></p> <ol style="list-style-type: none"> <li><i>1. How many complaints of sexual harassment have been made by staff in the department in the three calendar years (up to and including September 2018)? Please could you break this information down by year and gender?</i></li> <li><i>2. How many members of staff have faced civil service disciplinary investigations as a result of a sexual harassment claim made against them in the last three calendar years (up to and including September 2018)? Please could you break this information down by year, gender? In each case, please could you state whether any misconduct was found and, if so, what type of disciplinary action was taken including verbal/written/final warnings, suspension, dismissal etc.</i></li> <li><i>3. Please could you state in any of the cases above whether the police was notified of the staff member's sexual harassment complaint/if any investigation/charges were brought? Please could you break this information down by year?</i></li> </ol>
<b>Response</b>	<p>Your request has been handled under the Freedom of Information Act 2000 (FOIA).</p> <p>No complaints of sexual harassment have been made by staff in the Northern Ireland Office in the three calendar years up to September 2018.</p>