

NOVEMBER 2019 FREEDOM OF INFORMATION RESPONSES

Year	Month	FOI Reference	Topic
2019	Nov	FOI/19/187	Closure of archival records on the Kincora Boys' Home
2019	Nov	FOI/19/224	Digital applications
2019	Nov	FOI/19/225	Correspondence with Randox
2019	Nov	FOI/19/226	Staff with mental health conditions: career progression prospects
2019	Nov	FOI/19/227	Telephone system maintenance contract
2019	Nov	FOI/19/228	House of Commons tea room surgeries
2019	Nov	FOI/19/229	Staff sickness absence rates
2019	Nov	FOI/19/230	Departmental travel: carbon offset scheme
2019	Nov	FOI/19/231	Staff pay review for 2019/20
2019	Nov	FOI/19/232	IT service management contract
2019	Nov	FOI/19/233	Northern Ireland (Executive Formation) Act 2019: abortion decriminalisation
2019	Nov	FOI/19/234	Information management: departmental contacts, quality standards and expenditure
2019	Nov	FOI/19/236	Ministerial engagement with Lubov Chernukhin

FOI Request Reference	FOI/19/187
Month Issued	November 2019
Request	<i>In respect of existing or proposed applications to ACNRA by NIO to close or redact material from files on, or relating to, the Kincora Boys Home, please specify:</i> <i>(1) the files (or parts thereof) NIO seeks (or will seek) to have closed at the National Archives;</i> <i>(2) the number, extent and nature of redactions sought (or to be sought) by NIO. Please also specify any Kincora files (or parts thereof) which NIO:</i> <i>a) seeks (or will seek) to retain for whatever purpose (including destruction);</i> <i>b) has already destroyed.</i>
Response	Your request has been handled under the Freedom of Information Act 2000 (FOIA) and I can confirm that the NIO holds information relevant to it. A copy of this information is attached as an annex to this letter. Applications to close the files falling within the scope of your request have been forwarded to the Advisory Council on National Records and Archives ahead of their November 2019 meeting. The attached table contains details of these files and whether the closure/retention sought is of the whole file or part. Where we seek to close or retain we do so under a range of permissible FOI exemptions, including section 27 (international relations), section 38 (health and safety), and section 40 (personal information). Departments may also retain information under section 3(4) of the Public Records Act 1958. From the 88 files relating to Kincora selected for permanent preservation at The National Archives (TNA), there are 346 documents that will be retained in part or in whole under this permitted criteria, along with the 3 whole files marked as retained on the table. The table also provides details of the files the NIO has previously destroyed or which are currently identified for destruction, as they have been appraised to contain no content worthy of selection for permanent preservation. These decisions are taken after a full sensitivity review and in line with the collection policies and selection criteria from The National Archives (TNA). The information included in the table will be published in due course on The National Archives' "Discovery" catalogue. As such, your request has been considered under section 22 - Information intended for future publication. Section 22 allows for a public interest test to assess whether the public interest in withholding the information outweighs the public interest in publishing. On this occasion we have concluded that the information requested should be provided. The details of the file titles provided are as they currently appear on the physical files but the information which will appear on "Discovery" may differ as it must conform to the TNA's cataloguing standards. Please note that the timing of the upload of these details to "Discovery" is at the discretion of The National Archives.

	The TNA catalogue can be accessed from their website (direct link: https://discovery.nationalarchives.gov.uk/).
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FOI Request Reference	FOI/19/224
Month Issued	November 2019
Request	<i>I would like to know the following under the Freedom of Information Act.</i> <i>The total number of applications (apps) in use within your organisation, broken down by year, over the last three financial years.</i> <i>If possible, please provide detail on the nature or function of apps e.g. 12 accounting apps, 18 apps for expenses, 3 apps for managing workloads etc.</i> • FY 19/20 • FY 18/19 • FY 16/17
Response	In respect of your questions we have taken Apps to mean non-standard work applications to carry out the specific business functions you listed. The Northern Ireland Office standard offering does not include any of these applications, however, users may request access to specific applications, but this information would not be held by us. The Northern Ireland Office receives 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 foi@finance-ni.gov.uk.

FOI Request Reference	FOI/19/225
Month Issued	November 2019
Request	<i>I am writing to you with a request under the Freedom of Information act.</i> <i>My request relates to correspondence involving Randox, a healthcare company. https://www.randox.com/</i> <i>Under the act, I would like to ask :</i>

	1. <i>The number of times Randox or its representatives have sent correspondence to your department's ministers or special advisors;</i> 2. <i>The dates of each piece of correspondence relevant to point 1) above;</i> 3. <i>Copies of any correspondence relevant to point 1) above.</i> <i>Under the act, I would also like to ask :</i> 1. <i>The number of times ministers or special advisers in your department have sent correspondence to Randox or its representatives;</i> 2. <i>The dates of each piece of correspondence relevant to point 1) above;</i> 3. <i>Copies of any correspondence relevant to point 1) above.</i> <i>Please limit your search for relevant material to 1 January 2017 to the present day.</i>
Response	We have conducted a search of our records and I can confirm that the Northern Ireland Office has one piece of correspondence relevant to your request. On Tuesday 20th August 2019 the Secretary of State's office extended an invitation to Randox for a Business Reception on Friday 23rd August, organised by the Secretary of State and attended by around 50 small to large businesses in Northern Ireland. Representatives from Randox responded to the invitation on Tuesday 3rd September sending their apologies. Please see attached a copy of the emails at Annex A which have been redacted under section 40 of the FOIA. We are not obliged, under section 40(2) of the Act, to provide information that is the personal information of another person if releasing it would contravene any of the provisions in the Data Protection Act 2018 (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 mean that we do not have to consider whether or not it would be in the public interest to release the information.

FOI Request Reference	FOI/19/226
Month Issued	November 2019
Request	<i>I'd like to make a request under the Freedom of Information Act concerning the career progression prospects for employees who disclose a mental health condition during the course of their employment between the years 2010 - 2019.</i> <i>I would prefer for all results to be separated according to each year.</i>

	1. How many employees who disclosed to their line manager/department that they were suffering from a mental health condition were still in employment two years on? 2. Of those employees who disclosed a mental health condition how many have managed to move up a grade? 3. How many have remained at the same grade? 4. How many were moved down to a lower grade? 5. How many have either left the organisation or been dismissed? 6. How many have transferred over to another department? <i>I would prefer for the results to be expressed either in percentages or actual headcount.</i>
Response	In response to your questions and as there is no specified time requested any information is based on the last two financial years, 2017/18 and 2018/19. Although this information is not held in this format, where an employee discloses a health condition, including a mental health condition, a full range of support is available such as Occupational Health or through reasonable adjustments being made. Recognising staff wellbeing is an ongoing priority within the department with staff having access to confidential support through the Employee Assistance Programme, as well as support from Mental Health First Aiders. The NIO also has a Staff Wellbeing Guide through which they can be signposted to other sources of support which are available.

FOI Request Reference	FOI/19/227								
Month Issued	November 2019								
Request	<i>I would like to request the following Information with regards to the organisation's telephone system maintenance contract (VOIP or PBX, other) for hardware and software maintenance and support.</i> <i>1. Which manufacturer (PBX or VOIP) are you using as your core telephone system? e.g. Avaya, BT, Cisco, Mitel, Skype for Business?</i> <i>2. Approximately how many extensions does the system support across your organisation?</i> <i>3. Who is the incumbent/support partner for the maintenance of your VOIP/PBX?</i> <i>4. How many of those extensions are contact centre/customer service agents?</i> <i>5. When does your PBX/VOIP support contract expire?</i>								
Response	In respect of your questions The Northern Ireland Office can confirm the following: - <table><tr><td>Item No.</td><td>London</td><td>Belfast</td></tr><tr><td></td><td></td><td></td></tr></table>			Item No.	London	Belfast			
Item No.	London	Belfast							

	1	Avaya	Cisco
	2	80	204
	3	Supplied by MOU with Cabinet Office	Supplied by SLA with IT Assist
	4	N/A	N/A
	5	See Annexe A	See Annexe A
<u>Annexe A</u> In respect of your questions The Northern Ireland Office can neither confirm nor deny that it holds the information you requested as the duty in section 1(1) (a) of the FOI Act does not apply, by virtue of both section 24(2) that relates to national security and sections 31(1) (a) and 31(3) (a) that relates to law enforcement and the prevention of crime. However, this should not be taken as conclusive evidence that the information you have requested exists or does not exist. Section 24 is a qualified exemption and so we have considered whether it would be in the public interest for us to confirm or deny whether we hold the information. In this case, we have concluded that the public interest favours neither confirming nor denying whether the requested information is held. Section 31 is a prejudice based exemption and is subject to the public interest test. With regard to your request, we recognise the public interest in knowing whether the government holds particular information. Balanced against this, is the public interest in not releasing information that would aid a criminal intent on launching cyber-attacks on the Department's IT systems. In this case we consider that the wider public interest lies in neither confirming nor denying that information, which may have been disclosed in an unauthorised manner, is held.			

FOI Request Reference	FOI/19/228
Month Issued	November 2019
Request	<i>I request the following under the Freedom of Information Act:</i> <i>Since 2017, has the department held any "tea room surgeries" in the Members tea room in the House of Commons, and if so, what dates were they held and which MPs attended?</i>
Response	We have conducted a thorough search of our records and I can confirm the Northern Ireland Office does not hold any information within the scope of this request.

FOI Request Reference	FOI/19/229
Month Issued	November 2019

Request	<i>This is an information request relating to absence rates.</i> <i>Please include the following information for 2016-17, 2017-18 and 2018-19:</i> <i>• The absence rate of employees on a Monday morning.</i> <i>• The absence rate of employees on a Friday afternoon.</i> <i>If leave is calculated on a calendar rather than financial year basis, please include that.</i> <i>If absence rates cannot be provided under Section 12 of the FOIA, then I would prefer the Freedom of Information request be restricted to headquarters staff only.</i> <i>Can you refine my original request [FOI/19/220] to sick absence on Monday mornings and Friday afternoons in 2016-2017, 2017-2018 and 2018-2019.</i>
Response	The NIO does not hold the information in the format that you have requested. Details of Civil Service sick absence can be found here https://www.gov.uk/government/publications/civil-service-sickness-absence

FOI Request Reference	FOI/19/230
Month Issued	November 2019
Request	<i>I would like to submit a few questions under the terms of the freedom of information act about carbon offsetting schemes for ministerial / official flights.</i> <i>My questions are as follows:</i> <i>1. What is the carbon offsetting policy of the department and could you please send a copy?</i> <i>2. Which carbon offsetting schemes has the department paid into during 2017, 2018 and 2019 in return for ministerial and official air travel?</i> <i>3. How much money has been paid into each of those schemes in each of those years?</i> <i>4. Please provide any more specific detail about where money has gone to if possible - for example if specific programmes within schemes have been selected.</i> <i>5. Please provide information on the method by which the schemes are selected. I.e. what assessment is done of each one?</i>

Response	The department does not currently use a carbon offsetting scheme. The department uses contracted agencies to provide travel services for NIO staff and ministers. They are currently investigating carbon offsetting schemes, the department as a government body adheres to environmental targets and policies.
FOI Request Reference	FOI/19/231
Month Issued	November 2019
Request	<i>Under the Freedom of Information Act:</i> <i>1. Please state the effective date (day, month and year) of your organisation's 2019/20 pay review.</i> <i>2. If the 2019/20 pay review has yet to be finalised please state the month in which you anticipate it will be concluded.</i> <i>3. Please state the total number of employees covered by the 2019/20 pay review.</i> <i>4. Please provide a copy of your 2019/20 pay agreement (if applicable) or generic pay circular sent to employees (that is one that does not identify any individual employee) outlining the outcome of the latest pay review if there are no collective negotiations.</i> <i>5. Was the latest pay review concluded under the remit of the 2019/20 Civil Service Pay Guidance?</i> <i>6. Please state the % consolidated basic pay rise received by the lowest-paid adult (aged 18 and over) employee as a result of the latest pay review.</i> <i>7. If an employee's annual pay award is determined solely according to an assessment of their individual performance (commonly known as a merit increase) as opposed to an across-the-board pay rises (where all employees generally receive the same increase irrespective of their individual performance) please state the percentage of the pay bill allocated to fund these awards, the range of increases and whether or not the awards are consolidated.</i> <i>8. If any employees were eligible for individual performance-related payments or bonuses over and above the general pay rise please state the range of increases (either as a percentage of their base salary or a cash amount as applicable), whether or not they were consolidated into basic pay and please state the overall % of the pay bill allocated to fund these awards.</i> <i>9. Please state the overall pay bill increase as a result of the latest pay review expressed as a percentage of the pay bill.</i> <i>10. Have any other changes been made to terms and conditions (for example holiday entitlement, sick pay provision and the like) as part of the latest pay review? If yes, please state what they are.</i> <i>11. Please state the name of the union/unions party to your main collective agreement covering pay and conditions if there are collective negotiations.</i>
Response	The Northern Ireland Office comes under the terms and conditions of the MoJ who negotiate our pay settlement each year. This link to the Cabinet Office website https://www.gov.uk/government/publications/civil-service-pay-remit-guidance-2019-to-2020/civil-service-pay-remit-guidance-2019-to-2020 sets out the Civil Service pay remit guidance for 2019/20. For further

	information on the MoJ pay settlement, which most of these queries are related to, you should contact them at data.access@justice.gov.uk. However, two of your queries which are not directly related to the pay settlement negotiations (3 and 8) are answered below. 3. Please state the total number of employees covered by the 2019/20 pay review The Northern Ireland Office had 135 employees in scope (as of August 2019) for the MoJ's 2019-20 pay review. 8. If any employees were eligible for individual performance-related payments or bonuses over and above the general pay rise please state the range of increases (either as a percentage of their base salary or a cash amount as applicable), whether or not they were consolidated into basic pay and please state the overall % of the pay bill allocated to fund these awards. The Northern Ireland Office operates a non-consolidated, in-year reward and recognition scheme. The scheme is capped at 1.27% of the department's overall pay bill. Home Civil Servants (HCS) and Northern Ireland Civil Servants (NICS), on secondment to the NIO, are both eligible for an award through the scheme. The scheme operates on a rolling 12 month period. Over the past 12 months, individual monetary awards have been made ranging from £100 to £1000 to employees within the department.
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FOI Request Reference	FOI/19/232
Month Issued	November 2019
Request	<i>Could you kindly provide me with the below information about your organisation:</i> <i>What software product(s) are you using to manage your IT Service Management (e.g. ServiceNow, Cherwell, Hornbill etc.)?</i> <i>Who is your current vendor?</i> <i>When does the contract with your current service desk provider end?</i> <i>How much does your current ITSM service desk tool cost annually?</i> <i>When will you be looking to review your current service desk tool?</i> <i>What software product(s) are you using to manage your desktops ITAM e.g. SCCM, Manage engine etc.)?</i> <i>Who is your current vendor?</i> <i>When does the contract with your current desktop provider end?</i>

	• <i>How much does your current ITAM desktop tool cost annually?</i> • <i>When will you be looking to review your current desktop tool?</i> • <i>Who is your primary IT company contact?</i>
Response	The Northern Ireland Office receives 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 foi@finance-ni.gov.uk With regards to your question regarding the primary IT company contact, personal data may be disclosed in response to an FOI request if its disclosure will not contravene any of the data protection principles of the Data Protection Act. Where disclosure would be inconsistent with any of those data protection principles, the personal data is exempt from disclosure by virtue of section 40 of the FOIA. The relevant principle to consider in this instance is the first data protection principle, which states that personal data shall be processed fairly and lawfully and shall not be processed unless a condition in schedule 2, and for sensitive personal data, also a condition in schedule 3 of the DPA is met. In this case, I judge it would be unlawful/unfair to disclose this personal data because those concerned would not be aware of the disclosure or that their data was to be disclosed in this manner. All individuals have a clear and strong expectation that their personal data will be held in accordance with the DPA and not disclosed to the public under the FOIA. The first data protection principle would, therefore, be breached therefore the schedules or further principles do not need to be considered.

FOI Request Reference	FOI/19/233
Month Issued	November 2019
Request	<i>I wish to submit a request, under the Freedom of Information Act, for any documents, papers, reports, meeting transcripts, records, files or logs from meetings that have taken place at the Northern Ireland Office, pertaining to the implementation of the Northern Ireland (Executive Formation) Act 2019 and the moratorium on criminal proceedings on abortion related crimes.</i>
Response	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). In relation to your request, 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 range of documents held by several colleagues, as well as the department's ministers and their Private Offices, and this would involve a

	large amount of different records individually stored in a number of locations, and given the scope of your request, even to just collate a list of the documents we may hold within scope of this 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. 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.
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FOI Request Reference	FOI/19/234
Month Issued	November 2019
Request	<i>Under the FOIA I'd like to request the following information please.</i> <i>1. Name of SIRO (Senior Information Risk Owner) or similar post (Chief Information Governance Officer etc), or responsible person for SIRO duties.</i> <i>2. Contact email of person named in request No. 1.</i> <i>3. Name of DPO (Data Protection Officer) or responsible person for DPO duties.</i> <i>4. Contact email of DPO.</i> <i>5. Name of person with overall responsibility for Cyber security or equivalent (excluding persons in q1 and q3).</i> <i>6. Contact email of person in Q5.</i> <i>7. Name of person with overall responsibility for information security or equivalent (excluding persons in q1, q3 and 5).</i> <i>8. Contact email of person in Q7.</i> <i>9. Name of person with overall responsibility for information Governance or equivalent (excluding persons in q1, q3, q5 and q7).</i> <i>10. Contact email of person in Q9</i> <i>11. Do you have appointed IAO's? If so, whom are they, if they have been defined?</i> <i>12. Are you or have you considered becoming ISO 27001 compliant or certified? If so whom is responsible for maintaining this? (as in, the person)</i> <i>13. Contact email of person in Q: 11.</i> <i>14. Are you required to connect to the PSN Code of Connection (CoCo)? If so whom is responsible for complying with its requirements? (as in, the person)</i> <i>15. Contact email of person in Q: 13.</i>

	16. What is the annual budget for Cyber Security? 17. What was the annual spend on external assistance for cyber security last financial year? (Excluding products/systems, when I refer to external assistance I mean things like consultancy/training) 18. What is the annual budget for data protection activities? 19. What was the annual spend on external assistance for data protection activities last year? (Excluding products/systems, when I refer to external assistance I mean things like consultancy/training) <i>It would be preferable for q's 2, 4, 6, 8, 10, 13 and 15 for you to disclose their personal organisation email, however if this is not in line with your FOI release policies a generic email is sufficient, e.g. dpo@***.com.</i>
Response	In respect of questions 1, 5, 7 & 9 - The Director of Business Delivery Group, Colin Perry, has overall responsibility for these roles within the Northern Ireland Office. In respect of question 3 - Jonathan McAdams is currently the DPO for the Northern Ireland Office. In respect of questions 2, 4, 6, 8 and 10 these officials can be contacted by email using foi@nio.gov.uk In respect of question 11 - Each business area within the department is responsible for identifying an IAO. The IAO details you have requested, such as name and email addresses, constitutes personal information and therefore this information is being withheld under section 40(2) of the Freedom of Information Act. The staff details provided above relate to Senior Civil Servants and are disclosable under the Freedom of Information Act. Section 40(2) exempts personal information from disclosure if that information relates to someone other than the applicant, and if disclosure of that information would, amongst other things, contravene one of the data protection principles in schedule 1 of the Data Protection Act. In this case, I believe disclosure would contravene the first data protection principle, which provides that personal data must be processed fairly and lawfully. Section 40(2) is an absolute exemption and the Office is not obliged to consider whether the public interest favours disclosing the information. In respect of questions 12 - 15 - The Northern Ireland Office receives 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 foi@finance-ni.gov.uk

	In respect of questions 16 - 19 - The Northern Ireland Office does not maintain specific budgets for these costs; therefore, any costs incurred would be met from normal operating budgets.
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FOI Request Reference	FOI/19/236
Month Issued	November 2019
Request	<i>This is a request for information under the Freedom of Information Act, which relates to reports of Karen Bradley, then Northern Ireland Secretary, having dinner with Lubov Chernukhin in 2019. Please see: https://news.sky.com/story/lubov-chernukhin-wife-of-former-putin-ally-has-dinner-with-prime-minister-11708329</i> <i>I would like to request the following information:</i> <i>1. During her time as Northern Ireland Secretary, please provide all external correspondence and communications between Karen Bradley and Lubov Chernukhin.</i> <i>2. Please also provide all internal correspondence and communications that Karen Bradley may have received as Northern Ireland Secretary that mentions Lubov Chernukhin.</i>
Response	We have conducted a search of our records and I can confirm that the Northern Ireland Office does not hold any information relevant to your inquiry.