

OCTOBER 2024 FREEDOM OF INFORMATION RESPONSES

Year	Month	FOI Reference	Topic
2019	Oct	FOI/19/133	Archival file request: Stalker/Sampson Inquiry
2019	Oct	FOI/19/174	Stormont talks negotiators: cancelled drinks event
2019	Oct	FOI/19/180	Correspondence with Dominic Cummings and the Institute for Economic Affairs
2019	Oct	FOI/19/181	Personal data storage
2019	Oct	FOI/19/188	Removal of Royal portraits: documentation, staff engagement and complaints
2019	Oct	FOI/19/189	Removal of Royal portraits: correspondence
2019	Oct	FOI/19/190	Brexit preparations: Alternative Arrangements Commission
2019	Oct	FOI/19/191	Government aide pay-outs
2019	Oct	FOI/19/195	Brexit preparations: Fujitsu meeting
2019	Oct	FOI/19/197	Staff training programmes: internal complaints
2019	Oct	FOI/19/200	Brexit preparations: resourcing
2019	Oct	FOI/19/201	Lost or stolen data storage devices
2019	Oct	FOI/19/203	Chauffeur driven vehicles
2019	Oct	FOI/19/204	Fire safety and first aid training
2019	Oct	FOI/19/206	Ministerial engagement with HRH The Prince of Wales
2019	Oct	FOI/19/208	International and domestic ministerial trips: Trump Hotels
2019	Oct	FOI/19/209	Ministerial vehicles
2019	Oct	FOI/19/210	Cross domain tracking project
2019	Oct	FOI/19/211	Archival files request: early release of protestant prisoners
2019	Oct	FOI/19/212	IT service management contract
2019	Oct	FOI/19/214	Departmental travel: carbon offset scheme
2019	Oct	FOI/19/215	Complaints, information requests, parliamentary questions and ministerial correspondence
2019	Oct	FOI/19/216	Usage of the Windows 7 operating system
2019	Oct	FOI/19/217	Foreign government secondments
2019	Oct	FOI/19/218	Complaints about offensive portraits
2019	Oct	FOI/19/219	Staff pay review for 2019/20

2019	Oct	FOI/19/220	Staff absence rates
2019	Oct	FOI/19/221	Spending on taxis
2019	Oct	FOI/19/222	Subsidised childcare and maternity leave
2019	Oct	FOI/19/223	Subsidised childcare and paternity leave

FOI Request Reference	FOI/19/133
Month Issued	October 2019
Request	<i>I am carrying out research into the so-called 'Stalker Affair' in 1986, when John Stalker, Deputy Chief Constable of the Greater Manchester Police, was removed from his inquiry into police shootings in Northern Ireland. I note from the Public Record's catalogue that the following files under the title "RUC: Stalker/Sampson inquiry, inquiry by John Stalker and Colin Sampson into police shootings in NI" have been retained:</i> • CJ4/6274 • CJ4/6275 • CJ4/6276 • CJ4/6277 • CJ4/6278 • CJ4/6279 • CJ4/6285 • CJ4/6286 <i>It is now more than 30 years since his inquiry, and I would like access to these files in order to complete my research. I would be grateful if this could be arranged.</i>
Response	Under section 22 of the FOIA we are not obliged to provide information that is intended for future publication. In line with the terms of this exemption in the Freedom of Information Act, we have considered whether it would be in the public interest for us to provide you with the information ahead of publication, despite the exemption being applicable. This request is denied under section 22 of the FOI Act. The information you have requested will be transferred to The National Archives in due course as required under the Public Records Act. We consider that the public interest lies in being able to make the files available to the public through the transfer to The National Archives in accordance with planned timescales. Any unintended delay incurred, such as by having to retain the files following an FOI request and potential subsequent request for Internal Review or Information Commissioner complaint is not in the public interest. Therefore we are unable to provide you with access to this information. You can find out more about Section 22 by reading the full text of the Act, available at http://www.legislation.gov.uk/ukpga/2000/36/section/22
FOI Request Reference	FOI/19/174

Month Issued	October 2019
Request	<i>Please provide all emails from June 2019 concerning the planned and subsequently cancelled drinks reception for Stormont talks negotiators, scheduled for 18 June 2019.</i>
Response	I can confirm that we hold a number of records which are within the scope of your request but are exempt from disclosure under the terms of Section 36 of the FOI Act, as being likely to inhibit full and frank provision of advice and exchange of views. Officials need a safe space to discuss options with peers within and outside their organisations, email is one method that can expedite those discussions and any release that could potentially stifle those discussions or lead to them not being fully recorded is against the public interest. <u>Section 36(2)(b)(i)(ii)(c)</u> In line with the terms of this exemption in the FOI Act we have considered whether it would be in the public interest for the Department to provide this information. Section 36 of the FOI Act provides that information can be withheld if, in the opinion of a qualified person, it would, or would be likely to prejudice – the free and frank provision of advice or the exchange of views for the purposes of deliberation or be likely otherwise to prejudice, the effective conduct of public affairs. 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 stakeholders are conducted. However, these factors are of modest weight in this case, as the information relates to logistical details surrounding planning for an event which did not, in the end, take place; suggestions or requests for views on how to take forward the event and its cancellation; and drafts of statements which were eventually made public. This information was provided with a reasonable expectation that it would not be released into the public domain; it was advice provided to senior officials and the Secretary of State, in line with the normal functioning of a government department, or, in some cases, simply an exchange of views between colleagues for the purposes of deliberation on a number of points. Much of the advice provided was then reflected in public statements/texts. To release the information could put a greater focus on process and on suggestions which were not pursued, rather than on final decisions. After careful consideration we have concluded that it is in the public interest to withhold the documents.

FOI Request Reference	FOI/19/180
Month Issued	October 2019
Request	<i>This is a request for information under the Freedom of Information Act. I would like to request the following information. Please note this request has several parts.</i> 1. <i>Since being appointed in July 2019 to the day this request is processed, I would like to request all correspondence and communications between Boris Johnson's adviser, Dominic Cummings, and Julian Smith.</i>

	2. <i>I would also like to request all internal correspondence and communications held by Julian Smith that mentions, or refers to, Dominic Cummings.</i> 3. <i>Since July 2019 to the day this request is processed, I would like to request all external correspondence and communications between Julian Smith and representatives of the Institute for Economic Affairs, including Shanker Singham and Mark Littlewood.</i> 4. <i>Since July 2019 to the day this request is processed, I would like to request all internal correspondence and communications held by Julian Smith that mentions, or refers to, the Institute for Economic Affairs and its representatives.</i> <i>By “correspondence and communications”, I define this as including, but not limited to:</i> • <i>Emails</i> • <i>Letters</i> • <i>Memos</i> • <i>Briefings</i> • <i>Research documents</i> • <i>Press clippings</i> • <i>Notes taken during telephone conversations</i> • <i>Minutes taken during meetings</i> • <i>Text and WhatsApp messages, as well as other forms of messaging</i>
Response	Your request has been handled under the Freedom of Information Act 2000 (FOIA). Please find the responses to your requests below: 1. Since being appointed in July 2019 to the day this request is processed, I would like to request all correspondence and communications between Boris Johnson’s adviser, Dominic Cummings, and Julian Smith. No information held. 2. I would also like to request all internal correspondence and communications held by Julian Smith that mentions, or refers to, Dominic Cummings. I can confirm that the department holds electronic media reports that references Dominic Cummings, which are attached separately.

I can also confirm that the department holds other information that you have asked for, but it is exempt from disclosure.

We are not obliged to provide information if it relates to the formulation of government policy. In this case, the information is exempt under section 35(1)(a)(b) of the Freedom of Information Act which protects information relating to the formulation or development of government policy.

Section 35 is a qualified exemption and I have considered whether the balance of the public interest favours our release of this material.

Public interest considerations in favour of disclosure:

While there is a public interest in the way in which government decisions are made, and how relationships with other stakeholders are conducted, good government depends on good decision-making. This needs to be based on the best advice available and a full consideration of all the options without fear of premature disclosure of matters that are subject to the ongoing formulation of government policy.

Public interest considerations against disclosure:

Ministers and officials also need a safe space to be able to conduct rigorous and candid risk assessments of their policies and programmes including considerations of the pros and cons without there being premature disclosure.

After careful consideration we have concluded that s 35(1)(a)(b) is engaged and it is in the public interest to withhold the documents.

3. Since July 2019 to the day this request is processed, I would like to request all external correspondence and communications between Julian Smith and representatives of the Institute for Economic Affairs, including Shanker Singham and Mark Littlewood.

No information held.

4. Since July 2019 to the day this request is processed, I would like to request all internal correspondence and communications held by Julian Smith that mentions, or refers to, the Institute for Economic Affairs and its representatives.

No information held.

If you require further guidance on S.35 please refer to the guidance at the end of this template and the ICO guidance on 'section 35' at: <https://ico.org.uk/for-organisations/guide-to-freedom-of-information/>

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/35>

EXPLANATION OF FOIA - SECTION 35 – FORMULATION OF GOVERNMENT POLICY

We have provided below additional information about Section 35 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 35: Formulation of government policy

- (1) Information held by a government department or by the Welsh Assembly Government is exempt information if it relates to—
 - (a) the formulation or development of government policy,
 - (b) Ministerial communications,
 - (c) the provision of advice by any of the Law Officers or any request for the provision of such advice, or
 - (d) the operation of any Ministerial private office.
- (2) Once a decision as to government policy has been taken, any statistical information used to provide an informed background to the taking of the decision is not to be regarded—
 - (a) for the purposes of subsection (1)(a), as relating to the formulation or development of government policy, or
 - (b) for the purposes of subsection (1)(b), as relating to Ministerial communications.
- (3) The duty to confirm or deny does not arise in relation to information which is (or if it were held by the public authority would be) exempt information by virtue of subsection (1).

- (4) In making any determination required by section 2(1)(b) or (2)(b) in relation to information which is exempt information by virtue of subsection (1)(a), regard shall be had to the particular public interest in the disclosure of factual information which has been used, or is intended to be used, to provide an informed background to decision-taking.
- (5) In this section—
- “government policy” includes the policy of the Executive Committee of the Northern Ireland Assembly and the policy of the Welsh Assembly Government;
- “the Law Officers” means the Attorney General, the Solicitor General, the Advocate General for Scotland, the Lord Advocate, the Solicitor General for Scotland, the Counsel General to the Welsh Assembly Government and the Attorney General for Northern Ireland;
- “Ministerial communications” means any communications—
- (a) between Ministers of the Crown,
- (b) between Northern Ireland Ministers, including Northern Ireland junior Ministers, or
- (c) between members of the Welsh Assembly Government and includes, in particular, proceedings of the Cabinet or of any committee of the Cabinet, proceedings of the Executive Committee of the Northern Ireland Assembly, and proceedings of the Cabinet or any committee of the Cabinet of the Welsh Assembly Government;
- “Ministerial private office” means any part of a government department which provides personal administrative support to a Minister of the Crown, to a Northern Ireland Minister or a Northern Ireland junior Minister or any part of the administration of the Welsh Assembly Government providing personal administrative support to the members of the Welsh Assembly Government;
- “Northern Ireland junior Minister” means a member of the Northern Ireland Assembly appointed as a junior Minister under section 19 of the M1 Northern Ireland Act 19

Guidance

Section 35 is aimed at protecting the policy-making process in order to maintain the delivery of effective government. It only applies to government departments (including a Northern Ireland Government Department) and the Welsh Assembly Government.

Section 35 covers information that ‘relates to’:

- formulation or development of government policy
- ministerial communications
- provision of advice by any of the Law Officers
- the operation of ministerial private offices

	Information 'relating to' one of the categories above will include the substantive information falling within the description, for example, information which describes a new government policy, or is contained in a ministerial communication. It will also include other information which is about that information.
--	--

FOI Request Reference	FOI/19/181
Month Issued	October 2019
Request	<i>This is a request under the Freedom of Information Act for the following:</i> <i>1. Who provides the data storage service for the department?</i> <i>2. Do you store personal data (as defined in GDPR) about UK citizens</i> <i>3. Do you store personal data (as defined in GDPR) about EU citizens</i> <i>4. What countries are these personal data stored in?</i> <i>5. Where data are stored outside of the UK, what is the nature of the data, e.g. personal, anonymised, environmental or demographic?</i> <i>6. Where personal data of UK citizens are being held in EU member states, what provisions have been made to ensure the free flow of that personal data between the UK and those EU member states?</i> <i>7. What provisions have been made to do so in the event of a no-deal Brexit?</i> <i>8. Are there any plans to move the data before the 31st October?</i> <i>9. Is there a department risk assessment about data access? Please include any such assessment as part of your response.</i>
Response	In respect of your questions 1 -8, 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 your question 9, information you have requested is exempt under section 31(1) (a) of the Freedom of Information Act. The relevant parts of section 31 exempt information if its disclosure would prejudice the prevention or detection of crime. The information contains details about the detection and prevention of crime which would assist criminals to plan and execute criminal acts and to avoid detection. Disclosure would thus make the prevention of certain crimes more difficult and reduce the effectiveness of the police service in detecting the perpetrators. <u>Public Interest Test</u> The exemption in Section 31 is a qualified exemption and 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 also recognise a public interest in assuring the public that effective arrangements are in place for the prevention and detection of crime. I have weighed these public interests against a strong public interest in the prevention and detection of crime. It is contrary to this public interest to disclose information which would facilitate the commission of crime or hinder its detection. Taking into account all the circumstances of this case, I have concluded that the balance of the public interest favours withholding this information.
--	--

FOI Request Reference	FOI/19/188
Month Issued	October 2019
Request	<i>I'd like to redefine my request [FOI/19/153] and remove question 1.</i> <i>2. Total number of portraits removed and which NIO offices they were removed from?</i> <i>3. Those portraits that have been removed where are their current location?</i> <i>4. Did the NIO engage with staff or unions prior to the removal of portraits?</i> <i>5. Since 2015 how many complaints has the NIO received from staff or members of the public regarding perceived offensive portraits hung in NIO offices?</i>
Response	Thank you for refining your request. We have carried out a further search based on these date ranges. Even with this refined date range, the number of results returned in the search exceed the fees limit. 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). 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. 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 provide more detail on the type of information you are seeking. 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. Please note that, as in this instance, a further refined request may still not fall within the FOIA cost limit.
--	--

FOI Request Reference	FOI/19/189
Month Issued	October 2019
Request	<i>Request refined from FOI/19/159</i> <i>Please provide copies of any internal correspondence relating to portraits of the Queen at Stormont House/NIO property in Belfast.</i> <i>Can you keep it to the first week - July 11 to 18? And if possible July 31, August 1 and 2?</i>
Response	Thank you for refining your request. We have carried out a further search based on these date ranges. Even with this refined date range, the number of results returned in the search exceed the fees limit. 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). 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. 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 provide more detail on the type of information you are seeking. 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. Please note that, as in this instance, a further refined request may still not fall within the FOIA cost limit.
--	---

FOI Request Reference	FOI/19/190
Month Issued	October 2019
Request	<i>I would like to narrow the request [FOI/19/183] to the following:</i> <i>I would like to request the following information:</i> <i>1. Since 01 February 2019, please provide all external correspondence and communications between the ministers listed below and representatives of the Alternative Arrangements Commission.</i> <i>2. Since 01 February 2019, please provide all internal correspondence and communications that mentions, or refers to the Alternative Arrangements Commission held by the ministers listed below.</i> <i>Please conduct searches among the following ministers, past and present:</i> <i>• Julian Smith (appointed in July 2019)</i> <i>• Karen Bradley, previous Secretary of State</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 determine whether we can provide the information that has been asked for in a request (section 12 (2), FOIA). We regret to advise that your request has been declined on these grounds. In order to identify whether the Department holds any records which fall within the scope of the request, officials would be required to locate, analyse and extract a large number of electronic messages held by numerous officials across various Departments (taking into account staff turnover). The cost of doing so would engage the cost limits outlined above.

	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 request, for example by refining the types of communication records, the subject matter of the records or a specific timeframe you are seeking access to. Please note that, as in this instance, a further refined request may still not fall within the FOIA cost limit. 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
--	--

FOI Request Reference	FOI/19/191
Month Issued	October 2019
Request	<i>I am writing in regards to the recent changes at the NIO.</i> https://www.thetimes.co.uk/article/boris-johnsons-sacking-spree-leaves-taxpayers-with-bill-for-1m-dtxfnsrq6 <i>Please list any such pay-outs associated with the NIO. I require a list of names and what he/she received.</i>
Response	In response to your request, I can confirm that the department holds information that you have asked for, however this is exempt from disclosure under Sections 22 of the FOIA. We are not obliged to provide information that is intended for future publication in our annual report and accounts (Section 22 of the Act). In line with the terms of this exemption in the Freedom of Information Act, we have considered whether it would be in the public interest for us to provide you with the information ahead of publication, despite the exemption being applicable. In this case, I have concluded that the public interest favours withholding the information.

FOI Request Reference	FOI/19/195
Month Issued	October 2019
Request	<i>This is a request for information under the Freedom of Information Act. I would like to request the following information:</i> <i>According to the government transparency data, Chloe Smith had a meeting with Fujitsu to “discuss EU Exit” on 17th October 2017. For this meeting, please provide the following:</i> <i>A full list of attendees, including the full names and titles of each attendee, as well as who each attendee represents</i>

	• <i>The exact time, date and duration of when the meeting took place</i> • <i>The location of the meeting</i> • <i>A copy of the agenda for the meeting</i> • <i>Materials that were handed out and received during the meeting, such as presentation slides, brochures, reports, and leaflets</i> • <i>Minutes taken during the meeting, as well as any accompanying briefing notes and papers</i>
Response	The Northern Ireland Office does not hold any information within the scope of your request.

FOI Request Reference	FOI/19/197
Month Issued	October 2019
Request	<i>This is an information request relating to internal complaints and staff training.</i> <i>Please itemise the information for 2016-17, 2017-18 and 2018-19:</i> • <i>How many internal complaints arose as a result of staff training programmes?</i> <i>The above question excludes language training.</i> <i>If Section 12 limitations arise, please fulfil the request for London-based staff only.</i>
Response	The NIO does not hold any recorded information in relation to complaints that arose as a result of staff training programmes.

FOI Request Reference	FOI/19/200
Month Issued	October 2019
Request	<i>Under the Freedom of Information Act, please can you provide me with:</i> <i>1. How many of the department's staff are currently working on Brexit preparations</i> <i>2. How many of the department's staff have been seconded to other departments to work on Brexit preparations</i> <i>3. How many staff the department employs directly</i>
Response	In response to question 1, EU exit affects a number of work areas across the department and will therefore encompass a proportion of workload for many staff, the amount of which will vary over time. As such it is difficult to quantify the number of staff working on preparing for the UK to leave the EU.

	In response to question 2, there have been no staff members seconded or transferred from other government departments or agencies into the Northern Ireland Office (NIO), nor have any staff members of the NIO been seconded or transferred out to other departments or agencies, to work on Brexit. In response to question 3 the NIO's current headcount is 148 and an additional 42 staff are seconded in from the Northern Ireland Civil Service.
--	--

FOI Request Reference	FOI/19/201
Month Issued	October 2019
Request	<i>I would like to submit the following FOI Request to your organisations.</i> <i>Please do let me know if you have any questions on the following request:</i> 1. <i>How many employee devices that can store data (such as devices including smartphones, laptops, PDAs, external storage devices [hard drives, memory cards, CDs and DVDs] and tablets) were lost or stolen between 1st June 2018 and 1st June 2019</i> a. <i>Of these devices, if available, how many were lost and how many were stolen</i> b. <i>Of these devices, if available, how many were recovered after they were lost or stolen</i> 2. <i>Where were devices lost or stolen?</i> a. <i>At work</i> b. <i>At home</i> c. <i>During the commute between home and work</i> d. <i>During business travel – e.g. to another region or country</i> e. <i>Other – e.g. out-of-work activity</i> 3. <i>Of the devices that were lost or stolen, how many were</i> a. <i>Encrypted (i.e. the data was protected by either manufacturer provided encryption or third-party encryption)</i> b. <i>Not encrypted</i> 4. <i>Following the loss or theft of a device, how many employees were: disciplined, sent on training course, reminded of security practices.</i>

	5. <i>When was your last audit by the Information Commissioners Office</i>
Response	In respect of your questions The Northern Ireland Office can confirm the following: - 1. In respect of question one there has been one device that can store data (such as devices including smartphones, laptops, PDAs, external storage devices [hard drives, memory cards, CDs and DVDs] and tablets) lost or stolen between 1st June 2018 and 1st June 2019. 2. In respect of question two the item involved was lost/stolen during the commute from work 3. In respect of question three the items lost/stolen were encrypted. 4. In respect of question four no employees were disciplined, sent on training courses or reminded of security practices following the loss or theft of items. 5. In respect of question five the department has not been audited by the Information Commissioner's Office.

FOI Request Reference	FOI/19/203
Month Issued	October 2019
Request	• <i>How many chauffeur driven cars are currently used by the department?</i> • <i>Please indicate the make, model, price and whether the car is rented, for each vehicle. If the car is rented, please indicate the cost per month.</i> • <i>Please provide the title of all those who have such vehicles made available to them.</i> • <i>Please provide the total spend on chauffeur-driven vehicles and chauffeurs in 2019 and 2018.</i>
Response	The Northern Ireland Office holds information that you have requested, however this will not be disclosed by virtue of s24 which relates to national security, s31(1)(a) which relates to law enforcement and s38(1)(a)(b) which relates to the health and safety of any individual. Section 24 - We are not obliged to provide information required for the purpose of safeguarding national security. In line with the terms of this exemption in the FOIA, we have also considered whether it would be in the public interest for us to provide you with the information, despite the exemption being applicable. In this case, we have concluded that the public interest favours withholding the information (please see below under public interest considerations). You can find out more about s 24 by reading the full text of the Act available at: https://www.legislation.gov.uk/ukpga/2000/36/section/24 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. In this case, we have concluded that the public interest favours withholding the information (please see below under public interest considerations). You can find out more about s 31 by reading the full text of the Act available at: http://www.legislation.gov.uk/ukpga/2000/36/section/31 Section 38 of the FOIA is a qualified exemption; we have carried out a public interest test in reaching our decision. In this case, we have concluded that the public interest favours withholding the information (please see below under public interest considerations). You can find out more about Section 38 by reading the full text of the Act available at: http://www.legislation.gov.uk/ukpga/2000/36/section/38 <u>Public interest considerations to disclose information</u> • Provide the public with increased transparency around the use of vehicles, drivers or security personnel; • 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 • Greater transparency makes government departments more accountable and increases public trust and scrutiny. <u>Public interest considerations against the disclosure of information</u> • 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.
--	---

FOI Request Reference	FOI/19/204
Month Issued	October 2019
Request	<i>This is an information request relating to fire safety and first aid.</i> <i>Please itemise the information for 2016-17, 2017-18 and 2018-19:</i> • <i>How many internal staff were designated to run fire safety and first aid training?</i> <i>If Section 12 limitations arise, please fulfil the request for London-based staff only.</i>

Response	I can confirm that no internal staff were designated to run fire safety or first aid training for the years 2016-17, 2017-8 and 2018-19. The NIO has a number of staff that are trained as fire wardens and in first aid, however they are not designated to provide training to staff.
-----------------	---

FOI Request Reference	FOI/19/206
Month Issued	October 2019
Request	<i>I would like to request the following information via The Environmental Information Regulations.</i> <i>Please note that I am only interested in information which relates to the period 23 July 2019 to the present day.</i> <i>Please note that my reference to The Secretary of State in the questions below should include The Secretary of State him/herself; his/her private secretary (ies) as well as anyone in his/her private office able to correspond on his/her behalf.</i> <i>Please note that my reference to The Prince of Wales in the questions below should include His Royal Highness, His Private Secretary (ies); his Press Secretary and anyone in his private office able to correspond on his behalf.</i> <i>Please note that I am interested in receiving copies of all written correspondence and communication including but not limited to letters, faxes; emails (irrespective of whether they were sent through private or official accounts) and messages sent through so called encrypted services.</i> <i>1. During the aforementioned period did The Prince of Wales write to The Secretary of State about the environment or issues and policy areas which have implications for the environment as defined by The Environmental Information Regulations?</i> <i>2. If the answer is yes can you please provide copies of this correspondence and communication?</i> <i>3. During the aforementioned period did The Secretary of State reply to the above or take it upon himself to write to The Prince about the environment or issues and policy areas which have implications for the environment as defined by The Environmental Information Regulations?</i> <i>4. If the answer to question three is yes can you please provide copies of this correspondence and communication?</i> <i>5. During the aforementioned period did The Secretary of State meet with The Prince of Wales to discuss either the environment or issues and policy areas which could have implications for the environment as defined by The Environmental</i>

	<i>Information Regulations? Please note that I am only interested in meetings at which these two individuals were present although other individuals could have be in attendance. I am only interested in receiving information relating to pre-arranged meetings between the two individuals. Please do NOT include any chance meetings at social occasions. Please also include those meetings which have already been agreed but which have yet to take place.</i> 6. <i>If the answer to question five is yes can you state when and where the meeting took place? In the case of each meeting can you provide a full list of those in attendance? In the case of each meeting can you detail the topics under discussion? In the case of each meeting can you please provide copies of any briefing notes prepared for The Secretary of State and any other departmental staff and representatives in attendance? Please also include details of meetings which have been arranged but which have yet to take place.</i> 7. <i>If any documentation relevant to this request has been destroyed can you please supply the following information?</i> a. <i>Can you provide a full list of documents which were destroyed? In the case of each document can you state when it was destroyed and why? In the case of each document can you please provide a brief outline of its contents?</i> b. <i>In the case of each destroyed piece of correspondence and communication can you provide details of the author, the recipient as well as the date sent? Can you also provide a brief outline of the contents?</i> <i>If any destroyed documentation including but not limited to correspondence and communication continues to be held in another form can you please provide copies of that documentation.</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/19/208
Month Issued	October 2019
Request	<i>I am requesting information on:</i> 1. <i>The amount spent on accommodation for international and domestic ministerial trips in Trump International Hotel Washington D.C., Trump National Doral Miami, Trump International Hotel Waikiki, Mar-a-lago, Trump International Hotel and Tower Chicago, Trump International Hotel Las Vegas, Trump International Hotel and Tower New York, Albemarle Estate at Trump Winery, Trump International Hotel And Tower Vancouver, Trump Golf Links at Ferry Point, Trump international Golf Club West Palm Beach, Trump National Golf Course Bedminster, Trump National Golf Course Charlotte, Trump National Golf Course Colts Neck, Trump National Golf Course Hudson Valley, Trump National Golf Course Jupiter, Trump National Golf Course Los Angeles, Trump National Golf Course Philadelphia, Trump National Golf Course</i>

	<i>Washington D.C., Trump National Golf Course Westchester, Trump International Golf Links and Hotel Doonbeg, Trump Turnberry and Trump MacLeod House and Lodge for the Financial year 2013/14, 2014/15, 2015/16, 2016/17, 2017/18 and 2018/19, broken down by:</i> <i>Property</i> <i>Number government officials involved in the relevant trips</i> <i>Purpose of visit</i> 2. <i>The amount spent on accommodation for international and domestic ministerial trips in Trump Towers Istanbul, Trump Towers Sunny Isles Beach, Trump Tower White Plains, Trump Towers Pune, Trump Tower Kolkata, Trump Tower Manila, Trump Bay Street, Trump World Tower, The Trump Building, Trump Parc, Trump Parc East, Trump Parc Stamford, Trump Park Avenue, Trump Park Residences, Trump Hollywood, Daewoo Trump World, for the Financial year 2013/14, 2014/15, 2015/16, 2016/17, 2017/18 and 2018/19, broken down by:</i> <i>Property</i> <i>Number government officials involved in the relevant trips</i> <i>Purpose of visit</i>
Response	The Northern Ireland Office does not hold any information within the scope of your request and no costs have been incurred.

FOI Request Reference	FOI/19/209
Month Issued	October 2019
Request	<i>Please can you tell me, as of this date (19th September 2019):</i> <i>The number of ministerial vehicles allocated to the department</i> <i>The make and model of each vehicle</i> <i>The fuel type of the vehicle</i> <i>The CO2 emissions of the vehicles</i>
Response	The Northern Ireland Office holds information that you have requested, however this will not be disclosed by virtue of s31(1)(a) which relates to law enforcement, s38(1)(a)(b) which relates to the health and safety of any individual and s40(2) which relates to Personal information. 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. In this case, we have concluded that the public interest favours withholding the information (please see below under public interest considerations).

	You can find out more about s 31 by reading the full text of the Act available at: http://www.legislation.gov.uk/ukpga/2000/36/section/31 Section 38 of the FOIA is a qualified exemption; we have carried out a public interest test in reaching our decision. In this case, we have concluded that the public interest favours withholding the information (please see below under public interest considerations). You can find out more about Section 38 by reading the full text of the Act available at: http://www.legislation.gov.uk/ukpga/2000/36/section/38 Public interest considerations to disclose information • Provide the public with increased transparency around the use of vehicles, drivers or security personnel; • 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 • Greater transparency makes government departments more accountable and increases public trust and scrutiny. Public interest considerations against the disclosure of information • 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. 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 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.
FOI Request Reference	FOI/19/210
Month Issued	October 2019
Request	<i>This is a request under the Freedom of Information Act.</i> <i>It relates to the government's Cross Domain Tracking Project, whereby departments have been asked to work with the Government Digital Service (GDS) to allow it to track user data across GOV.UK.</i>

	<i>Please provide the following:</i> • <i>Any correspondence between the department and 10 Downing Street, the Cabinet Office and/or GDS relating to cross-domain tracking since the start of July 2019;</i> • <i>The memorandum of understanding with the Cabinet Office/GDS that the department signed in relation to cross-domain tracking;</i> • <i>Any technical guidance provided to the department by GDS in relation to implementing the cross-domain tracking.</i>
Response	We have undertaken a search of our records and can confirm that the Office of the Secretary of State for Northern Ireland does not hold the information you requested.

FOI Request Reference	FOI/19/211
Month Issued	October 2019
Request	<i>I refer to the release of Government Papers (NIO) on 1st January 2003 and particularly that document relative to... 'A meeting with Representatives of the Provisional IRA' on Tuesday 20 June 1972, which was also highlighted during the recent screening of the BBC series ... Spotlight on the Troubles.'</i> <i>I am particularly interested in the content within paragraph 12 of the minute of that meeting, which can now be openly viewed in the public domain.</i> <i>In that particular section of the minute, the IRA reps called for the early release of three prisoners from Crumlin Road jail, naming one of their own members, McKee, along with one or possibly two Protestants. All of whom they claimed, were 'framed'. The NIO representatives advised that they would convey these matters to the Secretary of State.</i> <i>Whilst not disclosed in the said paragraph, it must be assumed that the two Protestant prisoners would have been identified by name, during the meeting, and subsequently those names, conveyed to SoS William Whitelaw thereafter.</i> <i>I therefore make application/request for sight/copies under the Freedom of Information Act 2000, of any telephone conversation or memorandum or notes, made during that meeting or any later fully-up response, which might identify, by actual name, the one/two Protestants referred to in Para 12 of the documented minute dated 20 June 1972.</i>
Response	The law allows us to decline to answer FOI requests when we estimate it would cost us more than £600 (equivalent to 3.5 working days' worth of work, calculated at £25 per hour) to identify, locate, extract and then provide the information that has been asked for.

	To comply with the request and to enable us to identify whether we hold any such material, officials would be required to open and read a large amount of records individually. You should not infer from this that the Northern Ireland Office holds a large amount of information relating to the subjects you have asked about, only that we would need to search through a large amount of records in order to find out whether we hold any information relevant to your request. You can find out more about Section 12(1) by reading the extract from the Act and some guidance points we consider when applying this exemption, attached at the end of this letter. You can also find more information by reading the full text of the Act, available at http://www.legislation.gov.uk/ukpga/2000/36/section/12. Although we cannot answer your request at the moment, we might be able to answer a further refined request within the cost limit. It may help you to understand that the file you quote from is a 'PREM' file. These files are released by the Cabinet Office. It is likely that any following papers are on their files and even though we are a government department we have no greater access to the open parts than the public. The best advice I can give is that you look at the file at TNA and subsequent parts. If there are redactions this will be obvious on the file and allow you to make a targeted FOI request. It is possible that the papers you require are on our files but most our files of the time in question are also open and again if there are redactions this will be obvious to you from the file and again you could ask us a more targeted request. Please note that, as in this instance, a further refined request may still not fall within the FOIA cost limit.
--	--

FOI Request Reference	FOI/19/212
Month Issued	October 2019
Request	<i>Please could you answer the following questions</i> <i>1. Is your current IT Service Management function and associated software application based in house or Outsourced to a 3rd Party?</i> <i>2. Please provide the full name and version of the ITSM software application in use?</i> <i>3. What is the lifetime value of the contract and over how many years?</i> <i>4. As part of the existing contract how many support operatives (agents) are licenced/subscribed to use the solution? (These are individuals who work on the desk in resolver groups, not customers using a Self-Service function).</i> <i>5. When is the contract due for renewal?</i> <i>6. How was the current solution procured – directly with the Vendor, through a Framework or via G Cloud?</i>

	7. <i>What are your published procurement thresholds for tendering purposes?</i> 8. <i>What is the Authority's strategy with regards to Cloud solutions as opposed to In House installations?</i> 9. <i>Has the organisation ever procured through the G Cloud Framework?</i>
Response	In respect of questions 1-8 - 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 to question 9 – Yes the Northern Ireland Office has procured through G Cloud framework.

FOI Request Reference	FOI/19/214
Month Issued	October 2019
Request	<i>Under the Freedom of Information Act please can you tell me whether your department has used a carbon offset scheme to try and compensate for the environmental impact of travel either by staff or ministers from 01/01/2017 to date?</i> <i>Please provide the following details –</i> <i>Which trip(s) were compensated including details of which minister and/or staff member were travelling, the form of transport, the dates and where the trip was to and from.</i> <i>How much was spent offsetting the carbon of the trip.</i> <i>What project the money was invested in - including the name/area/purpose of the project and the name of any third party the credits were purchased from.</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/19/215
Month Issued	October 2019
Request	<i>Can you please confirm how many of the following you received for your most recent tax year records (17/18 or 18/19):</i> <i>Complaints</i> <i>Data protection requests</i>

	• <i>Freedom of information requests</i> • <i>Questions from parliament</i> • <i>Correspondences from ministers</i> <i>Can you also confirm the name and contact details for the person within the Northern Ireland Office, who has accountability for response times for each of those areas?</i>
Response	The law allows us to decline to answer FOI requests when we estimate it would cost us more than £600 (equivalent to 3.5 working days' worth of work, calculated at £25 per hour) to identify, locate, extract and then provide the information that has been asked for. To comply with the request and to enable us to identify whether we hold any such material, officials would be required to open and read a large amount of records individually. You should not infer from this that the Northern Ireland Office holds a large amount of information relating to the subjects you have asked about, only that we would need to search through a large amount of records in order to find out whether we hold any information relevant to your request. You can find out more about Section 12(1) by reading the extract from the Act and some guidance points we consider when applying this exemption, attached at the end of this letter. You can also find more information by reading the full text of the Act, available at http://www.legislation.gov.uk/ukpga/2000/36/section/12. Although we cannot answer your request at the moment, we might be able to answer a further refined request within the cost limit. You may wish to consider a shorter timeframe for the request, reduce the number of questions or perhaps provide details of types of complaints. Please note that, as in this instance, a further refined request may still not fall within the FOIA cost limit. <u>ADDITIONAL INFORMATION ABOUT SECTION 12(1)</u> We have provided below additional information about Section 12 of the Freedom of Information Act. We have included some extracts from the legislation, as well as some of the guidance we use when applying it. We hope you find this information useful.

The legislation

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

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

Section 12: Cost of compliance exceeds appropriate limit

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

Guidance

The appropriate limit

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

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

	The following activities may be taken into account when public authorities are estimating whether the appropriate limit has been exceeded. • Determining whether it holds the information requested • Locating the information or documents containing the information • Retrieving such information or documents • Extracting the information from the document containing it.
--	---

FOI Request Reference	FOI/19/216
Month Issued	October 2019
Request	<i>I am contacting you to inquire about the use of the Windows 7 operating system within the Northern Ireland Office due to Microsoft's planned end of support for the OS.</i> <i>I have a couple of questions that I would appreciate a response to:</i> <i>1. How many computers within the Northern Ireland Office are currently running the Windows 7 operating system?</i> <i>2. Will all of these computers be updated with a newer operating system before Microsoft ends support of Windows 7 in January 2020?</i>
Response	In respect of your questions 1-2 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/19/217
------------------------------	------------

Month Issued	October 2019
Request	<i>I would like to make a request under the Freedom of Information Act.</i> <i>1. In 2018, how many of the Department's staff spent time on secondment to foreign countries, to work with foreign governments (or the institutions of foreign governments)?</i> <i>2. How much money did this cost the Department (including salary, relocation costs and any other associated costs).</i> <i>3. Please list the foreign countries whose governments (or the institutions of these governments) staff spent time on secondment with, during 2018.</i>
Response	In response to your request for information, the Northern Ireland Office did not have any employees on secondment to foreign countries in 2018, to work with any foreign governments or the institutions of foreign governments. This would also mean the department has not incurred any costs in relation to employees working with foreign governments.

FOI Request Reference	FOI/19/218
Month Issued	October 2019
Request	<i>Since 2015 how many complaints has the NIO received from staff or members of the public regarding perceived offensive portraits hung in NIO offices?</i>
Response	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 2018 (DPA). In this instance and where the figures are fewer than 5 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.

FOI Request Reference	FOI/19/219
Month Issued	October 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 employee group/s covered by the 2019/20 pay review.</i> <i>4) Please state the total number of employees covered by the 2019/20 pay review.</i> <i>5) 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>

	6) <i>Was the latest pay review concluded under the remit of the 2019/20 Civil Service Pay Guidance?</i> 7) <i>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> 8) <i>Please list the current grades and pay rates together with the previous year's grades and rates for the below roles or their equivalents if applicable:</i> a) <i>Administrative Assistant (AA)</i> b) <i>Administrative Officer (AO)</i> c) <i>Executive Officer (EO)</i> d) <i>Higher Executive Officer (HEO)</i> e) <i>Senior Executive Officer (SEO)</i> f) <i>Grade 6</i> g) <i>Grade 7</i> 9) <i>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 paybill allocated to fund these awards, the range of increases and whether or not the awards are consolidated.</i> 10) <i>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 paybill allocated to fund these awards.</i> 11) <i>Please state the overall paybill increase as a result of the latest pay review expressed as a percentage of the paybill.</i> 12) <i>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> 13) <i>Please state the name of the union/unions party to your main collective agreement covering pay and conditions if there are collective negotiations.</i> 14) <i>Please provide the name and contact details of the person/s responsible for overseeing your organisation's annual pay review.</i>
Response	Section 12 of the FOI Act allows us to decline to answer FOI requests when we estimate it would cost us more than £600 (equivalent to 3.5 working days' worth of work, calculated at £25 per hour) to identify, locate, extract and then provide the information that has been asked for. To comply with the request and to enable us to identify whether we hold any such material, officials would be required to open and read a large amount of records individually.

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

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

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

ADDITIONAL INFORMATION ABOUT SECTION 12(1)

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

The legislation

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

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

Section 12: Cost of compliance exceeds appropriate limit

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

	(3) In subsections (1) and (2) “the appropriate limit” means such amount as may be prescribed, and different amounts may be prescribed in relation to different cases. (4) The Secretary of State may by regulations provide that, in such circumstances as may be prescribed, where two or more requests for information are made to a public authority— (a) By one person, or (b) By different persons who appear to the public authority to be acting in concert or in pursuance of a campaign, the estimated cost of complying with any of the requests is to be taken to be the estimated total cost of complying with all of them. (5) The Secretary of State may by regulations make provision for the purposes of this section as to the costs to be estimated and as to the manner in which they are to be estimated. Guidance <u>The appropriate limit</u> The 'appropriate limit', for the purposes of section 12 of the Freedom of Information Act has been set at: • £600 for central government and Parliament. • The hourly rate is set at £25 per person per hour. The following activities may be taken into account when public authorities are estimating whether the appropriate limit has been exceeded. • Determining whether it holds the information requested • Locating the information or documents containing the information • Retrieving such information or documents • Extracting the information from the document containing it.
FOI Request Reference	FOI/19/220
Month Issued	October 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>
Response	The law allows us to decline to answer FOI requests when we estimate it would cost us more than £600 (equivalent to 3.5 working days' worth of work, calculated at £25 per hour) to identify, locate, extract and then provide the information that has been asked for. To comply with the request and to enable us to identify whether we hold any such material, officials would be required to open and read a large amount of records individually. You should not infer from this that the Northern Ireland Office holds a large amount of information relating to the subjects you have asked about, only that we would need to search through a large amount of records in order to find out whether we hold any information relevant to your request. You can find out more about Section 12(1) by reading the extract from the Act and some guidance points we consider when applying this exemption, attached at the end of this letter. You can also find more information by reading the full text of the Act, available at http://www.legislation.gov.uk/ukpga/2000/36/section/12. Although we cannot answer your request at the moment, we might be able to answer a further refined request within the cost limit. You may wish to consider a shorter timeframe for the request, perhaps provide a series of key phrases for us to search. Please note that, as in this instance, a further refined request may still not fall within the FOIA cost limit.
FOI Request Reference	FOI/19/221
Month Issued	October 2019
Request	<i>This is an information request relating to taxi costs.</i> <i>Please include the following information:</i> <i>1. The overall amount spent on taxis for members of staff in 2016-2017, 2017-2018 and 2018-2019.</i> <i>2. The overall amount of taxi journeys taken by members of staff in 2016-2017, 2017-2018 and 2018-2019.</i>

	<i>If taxi costs cannot be provided under Section 12 of the FOIA, then I would prefer this request to be restricted to headquarters staff only.</i>
Response	We have responded to your information request as follows: 1. The overall amount spent on taxis for members of staff in 2016-2017, 2017-18 and 2018-2019. The Department has spent the following amounts on taxis for members of staff: • 2016-2017 £18,981.22 • 2017-2018 £30,365.06 • 2018-2019 £37,920.92 2. The overall amount of taxi journeys taken by members of staff in 2016-2017, 2017-2018 and 2018-2019. We do not hold information on the numbers of taxi journeys taken by members of staff.

FOI Request Reference	FOI/19/222 & FOI/19/223
Month Issued	October 2019
Request	<i>This is an information request relating to the subsidised childcare and maternity leave of NIO staff</i> <i>Please include the following information for 2016-17, 2017-18 and 2018-19:</i> • <i>The overall amount spent running a crèche</i> • <i>The overall amount spent on approved childcare</i> • <i>The average percentage of total salary paid for the first six weeks of maternity leave in 2016-17, 2017-18 and 2018-19</i> • <i>The average amount paid for the next 33 weeks of maternity leave</i> • <i>The average percentage paid for the next 33 weeks of maternity leave</i> • <i>The total salary disbursement for staff that went on leave</i> <i>This is an information request relating to the subsidised childcare and paternity leave of NIO staff</i> <i>Please include the following information for 2016-2017, 2017-2018 and 2018-2019:</i>

	• <i>The overall amount spent running a crèche</i> • <i>The overall amount on approved childcare</i> • <i>The average length of paternity leave</i> • <i>The average amount paid per week of paternity leave</i> • <i>The average percentage of total salary paid per week of paternity leave</i> • <i>The total salary disbursement that went on paternity leave</i> <i>If leave is calculated on a calendar rather than a 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>
Response	Under section 12(4) we are aggregating your request of 10 October 2019 and 11 October 2019. Section 12(4) of the FOI Act allows us to decline to answer FOI requests when we estimate it would cost us more than £600 (equivalent to 3.5 working days' worth of work, calculated at £25 per hour) to identify, locate, extract and then provide the information that has been asked for. To comply with the request and to enable us to identify whether we hold any such material, officials would be required to open and read a large amount of records individually. You should not infer from this that the Northern Ireland Office holds a large amount of information relating to the subjects you have asked about, only that we would need to search through a large amount of records in order to find out whether we hold any information relevant to your request. You can find out more about Section 12(4) by reading the extract from the Act and some guidance points we consider when applying this exemption, attached at the end of this letter. You can also find more information by reading the full text of the Act, available at http://www.legislation.gov.uk/ukpga/2000/36/section/12. Although we cannot answer your request at the moment, we might be able to answer a further refined request within the cost limit. You may wish to consider a shorter timeframe for the request, perhaps provide a series of key phrases for us to search or to reduce the number of questions. Please note that, as in this instance, a further refined request may still not fall within the FOIA cost limit.

ADDITIONAL INFORMATION ABOUT SECTION 12(1)

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

The legislation

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

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

Section 12: Cost of compliance exceeds appropriate limit

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

Guidance

The appropriate limit

	The 'appropriate limit', for the purposes of section 12 of the Freedom of Information Act has been set at: • £600 for central government and Parliament. • The hourly rate is set at £25 per person per hour. The following activities may be taken into account when public authorities are estimating whether the appropriate limit has been exceeded. • Determining whether it holds the information requested • Locating the information or documents containing the information • Retrieving such information or documents • Extracting the information from the document containing it.
--	---