

NOVEMBER 2020 FREEDOM OF INFORMATION RESPONSES

Year	Month	FOI Reference	Topic
2020	Nov	FOI/20/170	IT infrastructure: cybersecurity
2020	Nov	FOI/20/171	Covid-19 pandemic: resourcing
2020	Nov	FOI/20/172	IT operating systems
2020	Nov	FOI/20/174	Staff performance management procedures
2020	Nov	FOI/20/175	Hanbury Strategy contracts
2020	Nov	FOI/20/176	Official Secrets Act declarations
2020	Nov	FOI/20/177	Northern Ireland (Executive Formation and Exercise of Functions) Bill: Queen's consent
2020	Nov	FOI/20/178	Bridge project between Northern Ireland and Scotland
2020	Nov	FOI/20/179	IT infrastructure: staffing and budget
2020	Nov	FOI/20/180	IT operating systems
2020	Nov	FOI/20/184	Staff complaints: mistreatment on the basis of gender, sexuality or race
2020	Nov	FOI/20/188	Microsoft Office 365 licensing agreement

FOI Request Reference	FOI/20/170
Month Issued	November 2020
Request	<i>Under the Freedom of Information Act 2000 may I kindly request the following information about your IT Infrastructure Information? The information needed is as follows:</i> SECURITY / CYBERSECURITY: <i>1. What SEIM (Security Event and Incident Management) solution is used by your organisation?</i> <i>2. When does your SEIM platform license subscription come up for renewal?</i> <i>3. If the SEIM (Security Event and Incident Management) solution was purchased via third party please disclose the contracting party's details?</i> <i>4. Do you outsource your security management to a third party (managed security service provider)? If so can you disclose the name of the managed security service provider?</i> <i>5. When does the current service contract from the current managed security service provider end?</i> <i>6. Can you provide the email address of the individual that is responsible for your IT Security?</i> ICO - breaches: <i>1. How many cyber security breaches has your organisation had over the past 2 yrs?</i>
Response	The Northern Ireland Office received managed ICT services from IT Assist (ITA), which is a service provided by Enterprise Shared Services, a body within the Department of Finance, Northern Ireland. The information requested is, therefore, not held by this Department. This information may be available from the Department of Finance, Northern Ireland who can be contacted at foi@finance-ni.gov.uk.

FOI Request Reference	FOI/20/171
Month Issued	November 2020
Request	<i>1. Please tell me how many (full-time equivalent) civil servants in this department have been moved or reassigned from their previous responsibilities in order to work on matters related to the Government's response to the coronavirus emergency.</i> <i>2. Please include civil servants moved internally within the department and also transferred to other departments.</i> <i>3. And, within that total, please tell me how many civil servants been reassigned from responsibilities/roles that had previously been related to preparations for Brexit after the end of the transition period.</i>
Response	In response to question one, 10 civil servants were moved or reassigned from their previous responsibilities in order to work on matters related to the Government's response to the coronavirus emergency.

	In response to question 2, none of these were transferred to other departments. In response to your question 3, no civil servants been reassigned from responsibilities/roles that had previously been related to preparations for Brexit after the end of the transition period.
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FOI Request Reference	FOI/20/172
Month Issued	November 2020
Request	<i>I am writing to you under the Freedom of Information Act 2000 to request the following information for :</i> <i>1. Who is responsible for your Windows 10 environment? Name/Role and contact details if available.</i> <i>2. How many end users do you have across the organisation?</i> <i>3. How many Windows end point devices do you have?</i> <i>4. Roughly what % are running on Windows 7?</i> <i>5. Do you still use Java, Flash or Internet Explore based applications?</i> <i>6. Are you Cyber Essentials Plus accredited?</i> <i>7. Do you have any devices that require Windows 7 connectivity such as SMB1?</i> <i>8. Who is responsible for IT Security? Name / Role and contact details if available.</i>
Response	Please find our replies to your questions below: - 1. See Annexe 1 2. 292 3. 258 4. See Annexe 2 5. See Annexe 2 6. See Annexe 1 7. See Annexe 2 8. See Annexe 3 <u>Annexe 1</u> The Northern Ireland Office received managed ICT services from IT Assist (ITA), which is a service provided by Enterprise Shared Services, a body within the Department of Finance, Northern Ireland. The information requested is, therefore, not held

	by this Department. This information may be available from the Department of Finance, Northern Ireland who can be contacted at foi@finance-ni.gov.uk. <u>Annexe 2</u> 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. <u>Annexe 3</u> 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 set out in Article 5 of the General Data Protection Regulation (GDPR). In this case, I believe disclosure would contravene data protection principle (a), which provides that personal data must be processed fairly and lawfully. Section 40(2) is an absolute exemption and the Northern Ireland Office is not obliged to consider whether the public interest favours disclosing the information.
FOI Request Reference	FOI/20/174
Month Issued	November 2020
Request	1. Did you use "guided distribution" or "forced distribution" as part of your staff performance management procedures for your most recently completed staff appraisal cycle? Please give the month or months and year (if it was not 2020) in which final markings were given to staff. 2. Are you using this method as part of your current or ongoing staff appraisal cycle? Please give the month or months, and year, in which final markings are planned to be given to staff.

	3. <i>If the answer to (ii) is "yes", do you plan to make this the last performance cycle in which you propose to use this method?</i> 4. <i>Did you continue to use forced or guided distribution after the 2016 decision of the Cabinet Office (re-delegating performance management to departments) for at least one performance cycle, and cease to do so in the interim? If so, please give the month and year in which the last forced or guided distribution-based performance markings were given to staff.</i> 5. <i>Did you immediately abandon this method after the 2016 announcement notwithstanding that an appraisal cycle was already in progress?</i> 6. <i>If you no longer use guided or forced distribution, do you still use moderation sessions or meetings?</i> 7. <i>If you no longer use guided or forced distribution but still use moderation sessions or meetings, do you use or have regard to "bell curve" expectations in conjunction with such sessions or meetings?</i> <i>Please make sure your response covers both the main department and any and all supporting public bodies and agencies.</i>
Response	In response to questions 1, 4 and 5 'guided distribution' was last used in the Northern Ireland Office (NIO) in the 2017/18 performance management year, when end of year markings were given to 31 March 2018. In response to question 2, since June 2018 the department has been using a Performance and Development Scheme, which captures box markings on a quarterly basis. No final box markings are assigned under this Scheme. For question iii, I refer to the response for question ii. In response to question 6, box markings are reviewed at SCS level on a quarterly basis to ensure consistency and fairness, and to agree support needed for performance concerns, as well as stretch for the individuals in the talent pipeline. For question 7, there are no expectations of a bell curve. Moderation is based on evidence and discussion to ensure a consistent and fair application of markings.
FOI Request Reference	FOI/20/175
Month Issued	November 2020
Request	<i>I am writing to you with a request under the Freedom of Information act.</i> <i>My request relates to Hanbury Strategy, a firm that says it provides political and strategic advice.</i> https://hanburystrategy.com/about/

	1. Under the act, I would like to ask how many contracts have been awarded by the Northern Ireland Office since January 1 2018 to Hanbury Strategy. 2. Under the act, for each of these contracts, I would like to ask when was each of these contracts awarded, what are the duration of each of these contracts, and what is the value of each of these contracts. 3. Under the act, for each of these contracts, I would like to ask for a brief description of each contract. 4. Under the act, I would like to request complete copies of each of these contracts.
Response	We have consulted our Department Records. There is no record of any contracts being issued or awarded to Hanbury Strategy since, or prior to, January 1 2018 by the Northern Ireland Office.

FOI Request Reference	FOI/20/176																
Month Issued	November 2020																
Request	1. How many staff were asked to sign an Official Secrets Act Declaration in the calendar year: a. 2019? b. 2018? 2. What is the breakdown of that total by grade? 3. How many contractors and/or non-staff members were asked to sign an Official Secrets Act Declaration in the calendar year: a. 2019? b. 2018?																
Response	In response to Q1, it is not necessary for a person to have signed the Official Secrets Act in order to be bound by it. The 1989 Act states that a person can be “notified” that he or she is bound by it; and Government employees will usually be informed via their contract of employment if they must observe the Act. Further information is available through the following link: https://commonslibrary.parliament.uk/research-briefings/cbp-7422/ In this respect the number of staff who signed contracts, in which they were bound by the Official Secrets Act, for the calendar year 2019 was 16 and for the calendar year 2018 was nine. In response to Q2 for the total breakdown by grade for the years 2019 and 2018 inclusive, please see the table below: <table><tr><td></td><td>SCS</td><td>Band A</td><td>Band B</td><td>Band C</td><td>Band D</td><td>Band E</td><td>Band F</td></tr><tr><td>Number by Grade</td><td><5</td><td>7</td><td><5</td><td><5</td><td>6</td><td><5</td><td><5</td></tr></table>		SCS	Band A	Band B	Band C	Band D	Band E	Band F	Number by Grade	<5	7	<5	<5	6	<5	<5
	SCS	Band A	Band B	Band C	Band D	Band E	Band F										
Number by Grade	<5	7	<5	<5	6	<5	<5										

	In response to Q3, in the calendar years 2019 and 2018 inclusive, as there were fewer than five contractors and/or non-staff members, 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.
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FOI Request Reference	FOI/20/177
Month Issued	November 2020
Request	<i>I am writing to you with a request under the Freedom of Information act.</i> <i>My request relates to the Queen's consent for the Northern Ireland (Executive Formation and Exercise of Functions) Bill.</i> <i>On 30 October 2018, Lord Taylor of Holbeach told the House of Lords: "My Lords, I have it in command from Her Majesty the Queen to acquaint the House that Her Majesty, having been informed of the purport of the Northern Ireland (Executive Formation and Exercise of Functions) Bill, has consented to place her prerogative, so far as it is affected by the Bill, at the disposal of Parliament for the purposes of the Bill."</i> <i>I have attached a link to this passage here : https://hansard.parliament.uk/Lords/2018-10-30/debates/54DBAA81-B66E-4FDF-878A-56D7C15B9F72/NorthernIreland(ExecutiveFormationAndExerciseOfFunctions)Bill</i> <i>Under the act, I would like to ask for :</i> <i>1) An itemised list of all documents held by the Northern Ireland Office concerning Queen's Consent for the Northern Ireland (Executive Formation and Exercise of Functions) Bill. For each document, please provide the date it was created and a short title or description.</i> <i>2) Copies of all documents falling under part 1) of this request.</i>
Response	Your request has been handled with under the Freedom of Information Act 2000. For question (1) there is no information held. For question (2) we are releasing the text of a letter from the Private Secretary to the Secretary of State for Northern Ireland seeking Queen's consent, dated 23 August 2018. This is attached at Annex A.

	The Northern Ireland Office does hold other information within scope of your request. However, this information falls within section 37(1)(a) which covers information relating to communications with or on behalf of the Sovereign. Section 37(1)(a) is an absolute exemption which means we do not have to consider the balance of public interest in this instance. Some of the information you have requested is also exempt under section 42 of the Freedom of Information Act 2000 (Legal professional privilege). Section 42 is a qualified exemption, which requires us to consider a public interest test. There is a general public interest in disclosure of information and we recognise that openness in government may increase public trust in and engagement with the government. There is also a definite public interest in understanding the legal background to decisions taken by the government. Against this there is a strong public interest in protecting the confidentiality of communications between lawyers and their clients, ensuring that free and frank legal advice can be given and no party might be discouraged from giving or receiving advice. Taking into account all the circumstances of this case, we have determined that the balance of the public interest favours withholding this information. Please note that certain personal data has been redacted in line with section 40 of the Freedom of Information Act 2000.
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FOI Request Reference	FOI/20/178
Month Issued	November 2020
Request	<i>Could you please send me all information which your department holds on plans for a bridge between Northern Ireland and Scotland since July 2019?</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). 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 more specific types of correspondence.

	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.
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FOI Request Reference	FOI/20/179
Month Issued	November 2020
Request	<i>Under the Freedom of Information Act 2000 may I kindly request the following information about your IT Infrastructure Information. The information needed is as follows:</i> Employees: • <i>How many FTE (full time employees) work for your organisations?</i> • <i>How many employees / including contractors work within your Information Technology Department)?</i> Budget Spend: • <i>What was your organisations total budget for all Information Technology related activity for financial year 2019/2020</i>
Response	The Northern Ireland Office currently employs 160 full-time employees. 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. The Northern Ireland Office's total budget for all corporate Information Technology related activity for the financial year 2019/2020 was £555,490.

FOI Request Reference	FOI/20/180
Month Issued	November 2020

Request	<i>Could you please provide a list of the most popular operating systems used in the department?</i>
Response	The Northern Ireland Office does not hold this information.

FOI Request Reference	FOI/20/184
Month Issued	November 2020
Request	<i>I would like to put in an FOI request for the following from your department.</i> <i>1. How many staff – both political and civil servants – work in your department?</i> <i>2. How many official complaints have been made by staff about their treatment at work based on their gender in the past 12 months?</i> <i>3. How many official complaints have been made by staff about their treatment at work based on their sexual preference in the past 12 months?</i> <i>4. How many official complaints have been made by staff about their treatment at work based on their race in the past 12 months?</i>
Response	In answer to question 1, we currently have 185 staff working in the NIO. The answer to questions 2, 3 and 4 is that we have had no official complaints in the past 12 months based on gender, sexual preference or race.

FOI Request Reference	FOI/20/188
Month Issued	November 2020
Request	<i>Regarding the department's Microsoft Office 365 licensing agreement;</i> <i>1. Is the department currently using the "FromSA" product SKU in its licensing agreement?</i> <i>2. What is the date of the department's next agreement renewal for this subscription?</i> <i>3. Did the department "relinquish" the ownership of its prior perpetual licences in order to obtain discounts from Microsoft?</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.