

My Ref: IGO/10-6661
Your Ref:
Contact: S Pearson
Email: information.governance@nottinghamcity.gov.uk



Nottingham
City Council

Information Governance
Resources
The Guildhall
Nottingham
NG1 4BT

Tel: 0115 915 4155
Fax: 0115 915 4082
www.nottinghamcity.gov.uk

James Moore

Sent by email;
Request-26521-f39ba009@whatdotheyknow.com

10th March 2010

Dear Mr Moore

Re: Your request for an internal review

I am in receipt of your email dated 10th February 2010 requesting an internal review and stating you wished to know *'the identity of all the individuals who have attended Common Purpose at the ratepayer's expense'*.

In addition you raised a new question which was not asked in your original request, namely for us to *'please describe precisely what benefits the ratepayer by Council employees attending common purpose at ratepayers expense'*.

Initially I can answer the new question and advise that this development of individuals was sponsored by Nottingham City Council to facilitate benefits to the Organisation and partner organisations that we work with. Therefore these individuals did attend in a professional capacity. In addition I can confirm that individuals would have nominated themselves to attend this programme and that the benefits to their attendance would have been discussed and identified by the Manager and the individual. Records however are not held detailing these discussions and therefore in accordance with section 1 cannot be provided to you.

As I understand it, each programme has a specific curriculum and is designed to provide opportunities to develop leadership skills, social responsibility and enhanced partnership working throughout the public, voluntary and private sectors.

One of the more recent attendees on a Common Purpose course was able to provide me with the information for Common Purpose Nottingham Profile 2008 course as follows:-

"What is Profile?

Profile is an intensive two-day briefing about Nottingham. You will get an overview of Nottingham, what the key issues are. You will meet top decision-makers and have the opportunity to question them about their vision and leadership. There will be time to debate and reflect as a delegate group (up to 15 people from the private, public and voluntary/community sectors) about what you are learning.



Main themes:

- *input of major investment schemes*
- *quality of education and retaining talent*
- *what partnerships are making a difference*
- *reducing crime and feeling safe*
- *exploring the psyche of Nottingham*

What are the benefits?

- *new leaders get integrated faster and are able to contribute to the area's success*
- *leaders who have been in the area for some time are able to get a fresh perspective and reflect on how to get more involved*
- *connections are made across sectors that can lead to increased collaboration and cooperation*

Profile is for senior people from all sectors who...

- *are relatively new to Nottingham and need to gain an overview quickly*
- *have recently been promoted to senior decision-making positions and need a wider perspective*
- *are eager to broaden and deepen their knowledge, insight and networks"*

I trust the above explains the benefits of attendance. In addition I can confirm that we have provided you with the amount of money that has been paid to this organisation in each year since 2001 and that where held, we have provided you with copies of all invoices. I have noted the above as I believe this to be relevant in my determination not to release the further names of attendees on Common Purposes courses.

In relation to your request to know the names of individual attendees, I can confirm that I uphold the original decision taken by my Officer, namely that we were correct to release the names of the 3 individuals whose consent to release we have been able to obtain, as these individuals still work for the Council, and to withhold the names of individuals who attended on the other 8 instances identified in our original response, on the basis that it is not possible to contact them to seek their consent or ascertain their expectations with regards to confidentiality and privacy.

I note that consent in itself should not be the only thing to be considered when deciding whether to use the section 40(2) exemption, but believe in this instance as I am unable to ascertain these individuals expectations or consent, and that without having this consent or knowing these expectations, I am unable to assess whether release of the information requested would be reasonable. I therefore agree with my officer that their names represent personal data, as the individuals are living individuals who can be identified from this information, i.e. from their names, and therefore that their names can be exempt information under section 40(2) by virtue of section 40(3)(a)(i). Further I believe that the release of these names would be unfair to those persons and therefore incompatible with the first principle of the Data Protection Act 1998 and that any disclosure could not satisfy one of the conditions for processing in Schedule 2 of the Act and therefore cannot be released.

I can further confirm that upon reviewing my officers original decision I have also taken into account how senior the individuals were that attended the training. I can confirm that the individuals who attended were not within the top two tiers of management and therefore it is the policy of this Authority to redact the names of individuals unless they are already in the public domain. We consider this approach to be fair in maintaining the balance between providing open and transparent government but also fairness to individual rights to privacy.

In addition I can confirm that I have considered the public interest element of your request and have concluded that there is no legitimate interest in publishing the names of attendees as I do not see what would be gained by this activity in terms of openness in light of the information that has already been provided to you in fulfilment of this request. However I can see how it could be claimed by the individual attendees that they had a right to privacy and that this has been unfairly interfered with.

Please therefore again accept this letter as a refusal notice issued in accordance with section 17 of the Freedom of Information Act 2000.

If you remain dissatisfied after receiving this response to your initial complaint you can request an independent review from the Information Commissioner's Office at **FOI/EIR Complaints Resolution, Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF**. You may also contact the Information Commissioner's Office by telephone on 01625 545745 or by email at mail@ico.gsi.gov.uk.

Yours sincerely,

Mrs S Pearson
Service Manager
Information Governance
Resources