

**My Ref:** IG-13280  
**Your Ref:**  
**Contact:** Freedom of Information Team  
**Email:** [FOI@nottinghamcity.gov.uk](mailto:FOI@nottinghamcity.gov.uk)



**Nottingham**  
**City Council**

**Freedom of Information Team**  
**Information Compliance**  
**Legal & Governance**  
2<sup>nd</sup> Floor  
Loxley House  
Station Street  
Nottingham  
NG2 3NG

Requester

At contact address specified for request number above

**Tel:** 0115 876 4376

**Email:**

[FOI@nottinghamcity.gov.uk](mailto:FOI@nottinghamcity.gov.uk)

[www.nottinghamcity.gov.uk](http://www.nottinghamcity.gov.uk)

19 February 2020

Dear Requester

### **Request under the Freedom of Information Act 2000 (the Act)**

The council has considered your request which was received on 23 January 2020 and our response to your questions is shown below.

*Please provide the organisational structure charts (including names, job title and contact details) for the Education directorate covering the following job titles: Director, Assistant Director, Head of Service, Service Manager.*

See attached structure chart for the council's Education team.

Regarding your request for the names, job titles and contact details of all Service Managers, the council is withholding the names of employees below the level of Head of Service. In accordance with section 40(2) of the Act, the personal information about identifiable living individuals is exempt if disclosure to a third party would contravene one of the General Data Protection Regulations (GDPR) principles.

The council are required under section 40(2) to take in account the GDPR, in particular Article 4 which states: "personal data' means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person".

The council have considered the principles of the GDPR and the Data Protection Act 2018 in our decision as to whether to disclose the names of these employees. The council must also consider whether it is fair in general terms to disclose the information. The Information Commissioner's guidance states 'It is reasonable to expect that a public authority would disclose more information relating to senior employees than more junior ones...the disclosure must not cause unwarranted interference with the rights, freedoms and legitimate interests of the employee'. The individuals concerned would not expect their details to be shared in response to a



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Freedom of Information request, as it is the council's general guidance not to do so for staff below the level of Head of Service. The council have therefore determined that in this instance the disclosure of this information to you otherwise than under the Act would contravene Principle (a) of the GDPR – lawfulness, fairness and transparency.

The council is withholding some of the requested information as detailed above under section 40(2). Please accept this letter as a partial refusal notice issued in accordance with section 17 of the Act.

In accordance with section 16(1) of the Act, the council has a duty to provide advice and assistance to you, as far as it is reasonable to do so. The council can advise Nottingham City Council does not respond to unsolicited requests regarding sales, procurement and commissioning. Departments must follow a strict procedure as the council has a responsibility to spend public money to achieve the best possible value and outcomes for its citizens whilst maximising the wider social, economic and environmental aims. The council can direct you to the council's website pages for procurement opportunities, events and how to sell to the council, where you can also find the contact details for the Procurement Team including an email address and phone number:

<http://www.nottinghamcity.gov.uk/business-information-and-support/doing-business-with-nottingham-city-council/>

The council can provide the names of senior management for the council's Education team, the switchboard number for Nottingham City Council is: 0115 915 5555:

#### **Education:**

Director For Education Services – Nicholas Lee

Head of Access to Learning – Peter McConnochie

Head of SEND and Vulnerable Pupils – Janine Walker

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If you are unhappy with the response provided or with the handling of your request, you can ask for an internal review in writing stating the reasons for your dissatisfaction. Your request for an internal review should be made to the council within forty working days of the date of this letter. Please quote reference IG-13272 in all communications.

You can contact the Freedom of Information Team either by email:

[FOI@nottinghamcity.gov.uk](mailto:FOI@nottinghamcity.gov.uk) or writing to the **Freedom of Information Team, Information Compliance, Legal & Governance, 2<sup>nd</sup> Floor, Loxley House, Station Street, Nottingham, NG2 3NG.**

If you remain unhappy after receiving the 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](mailto:mail@ico.gsi.gov.uk).

Yours sincerely

Freedom of Information Team  
Legal & Governance  
Nottingham City Council