



# Department for Business, Energy & Industrial Strategy

Department for Business, Energy &  
Industrial Strategy  
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FOI2018/24041

11 December 2018

Dear Mr Richard Bales,

Thank you for your email of 7 November 2018 where you requested the following information:

*Following the recent appointment of a 'Shale Gas Commissioner', please would you provide answers to the following questions of detail:-*

1. *On what date was the vacancy first advertised?*
2. *Where was the vacancy listed / advertised / otherwise notified to the public?*
3. *When was the closing date for applications?*
4. *How many applications were received?*
5. *How many candidates were short-listed for interview?*
6. *How many candidates were interviewed at first round?*
7. *How many candidates were invited for second interview?*
8. *When was the preferred candidate identified?*
9. *Were references supplied and taken up, or any previous employers contacted for comment?*
10. *Were Industry representatives and Planning Authorities (as relevant stakeholders) consulted about the proposed appointment before the offer was made?*
11. *When was the offer made?*
12. *Is the position full time or part-time?*
13. *What are the details of Basic salary, hours of work, benefits package, notice period?*
14. *Are there any restrictions on what other types of paid employment (Directorships, Contracted employment, Consultancies etc,) that the successful candidate can accept whilst in this position?*
15. *Please provide details of all other current (ongoing)) paid employment that the successful candidate has declared.*
16. *Please provide details of the job specification, responsibilities and objectives.*
17. *Who does the position report to?*
18. *What other support staff report to this position?*
19. *Where is the position based?*
20. *Who provides office and administration, research and analytical services for this position?*
21. *What day to day supervision of the successful candidate's performance takes place?*

22. *How and how often is the successful candidate required to report back to the next line of management?*
23. *How is the Shale Gas Commissioner contactable and what steps have been taken to notify the public of such contact details?*

Under the Freedom of Information Act 2000 ('the Act'), you have the right to:

- know whether we hold the information you require
- be provided with that information (subject to any exemptions under the Act which may apply).

Response:

1. The position was advertised on the Cabinet Office Public Appointments Website from Monday 23 July to Sunday 29 July 2018.
2. See answer to 1.
3. See answer to 1.
4. A selection process was run in accordance with the governance code on public appointments. This included the use of an online public advert for the role on the cabinet office public appointments page and an appropriate advisory assessment panel, including a senior independent panel member, to conduct both the sift and interview stages. Candidates were judged solely on whether they were deemed to meet the essential criteria for the position. In total there were 18 applications received and four candidates were taken through to interview on the 14 August. Two candidates were deemed to be appointable.
5. See answer to 4.
6. See answer to 4.
7. See answer to 4.
8. See answer to 4.
9. Yes.
10. No. The Commissioner was appointed by the Minister of State for Energy & Clean Growth following a rigorous selection process run in accordance with governance code on public appointments. This was a confidential process.
11. Natascha Engel was offered the position on 7 September 2018 and the role commenced on 1 October 2018.
12. The commissioner will be a contact point for residents, to listen to their concerns, refer them to relevant and factual research and help improve communication with regulators and industry. The Commissioner has been appointed for a 2-year term and will be remunerated at the level of £500 per day with an expected annual effort of 96 days, which is open to review. Remuneration levels were subject to BEIS Senior Civil Servant Recruitment Panel scrutiny and approval.
13. See answer 12.
14. There are no restrictions if the post-holder has time to do the role effectively and is not conflicted. All candidates must declare if a family member has any personal or business interest or potential conflict of interest with the activities of the Body. Candidates will also be required to uphold the standards of conduct established by the Committee of Standards in Public Life, also known as the Nolan Principles.
15. Not released – Section 40 Personal Information.
16. Please see applicant pack as published on the Cabinet Office Public Appointments Page [attached].
17. The Commissioner is an independent Ministerial appointment and is not required to have day to day supervision. The Commissioner's performance will be assessed half yearly by

the Senior Sponsor (BEIS SCS) on behalf of the Minister of State in accordance with their duties.

18. No staff report to the Shale Commissioner. Some basic assistance is given to manage administrative tasks such as expenses claims and correspondence tracking.
19. The Commissioner does not have a fixed location as the role is focussed on local engagement. The Commissioner can be reached for correspondence via Dept for Business, Energy and Industrial Strategy at 1 Victoria Street, London, SW1H 0ET or via [natascha.engel@shalecommissioner.org.uk](mailto:natascha.engel@shalecommissioner.org.uk)
20. See answer 18.
21. See answer 18.
22. See answer 17.
23. <https://www.gov.uk/government/organisations/shale-commissioner>

## **Section 40 – Personal Information**

Section 40(2) provides an absolute exemption for personal data which then falls to be dealt with under the Data Protection Act 2018. Personal data of third parties can only be disclosed in accordance with the data protection principles. In particular, the first data protection principle requires that disclosure must be lawful, fair and transparent and must comply with one of the conditions in Article 6(1) of the General Data Protection Regulation (GDPR). We consider that to disclose the names of a third party within some of the documents would contravene one or more of those data protection principles. The definition of personal information to which section 40 applies is wide and can include references to identifiable individuals. Our view is that the release of the names would not be lawful, fair and transparent and none of the conditions of Article 6(1) of GDPR are met.

## **Appeals procedure**

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original request and should be addressed to the Information Rights Unit:

Information Rights Unit  
Department for Business, Energy and Industrial Strategy  
1 Victoria Street  
London  
SW1H 0ET  
Email: [FOI.Requests@beis.gov.uk](mailto:FOI.Requests@beis.gov.uk)

Please remember to quote the reference number above in any future communications.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Yours sincerely,

Department for Business, Energy and Industrial Strategy