



## By Email

4th February 2019

Dear Mr Chlymer

I am responding to you on behalf of the National Citizen Service Trust ("NCS"), in relation to your email dated 8th January 2019. In your email you asked the NCS to carry out an internal review of its response to your request made under the Freedom of Information Act 2000 ("FOIA") on 7th December 2018 ("the Response"), as follows:

*"Please provide the total number of staff with gross annual salaries equal to or above £70,000 separated by department and the average (mean) of salaries equal to or above this value, again separated by department. Can I also have the same for salaries equal to or over £90,000.00 gross" ("the Request")"*

As I had no involvement in the handling of your request or the preparation of the Response, I was appointed to carry out an internal review, considering i) your request and whether the NCS was correct to withhold the information you requested; and ii) the handling of your request and the response provided.

### Internal Review

I can confirm that we hold the information you have requested. Upon the carrying out of an internal review, I have determined that the Response was correct in withholding the information on the basis of the exemption(s) set out in the Response (and explained below for ease of reference).

### Exempt Information

As we advised in our Response, the information requested is exempt under section 40(2) FOIA as it contains personal data (as defined under the Data Protection Act 2018 ("DPA") and the General Data Protection Regulation 2016 ("GDPR")), of third parties. Section 40(2) FOIA states that third party personal data should not be disclosed to a requester if such disclosure would be in breach of the data protection principles under the DPA.

The personal data was provided to the NCS on the understanding that such information would be kept confidential and not disclosed to the world at large. The individuals' roles are neither public facing, nor particularly senior, they do not have responsibility for making decisions on how public money is spent and they would not expect their involvement in this matter to be known publicly. As such, disclosure of this information would be in breach of the first data protection principle under section 34(1) DPA and article 5(1) GDPR.

## **Handling of your Request and the Response**

I have reviewed the handling of your Request by the NCS and have found that this was dealt with appropriately. A thorough investigation was carried out on receipt of your Request to identify the information; the NCS team involved took into account the NCS' duty as a public authority to be open and transparent, balancing this with the various arguments for withholding the information on the basis of the exemption(s). The Response explained the exemption(s) that applied and the detailed reasons for withholding the information and this was communicated to you clearly and within appropriate time frames.

## **Change of circumstances**

Although we applied the exemption(s) in the correct way and handled your Request appropriately, we have taken this opportunity to consider whether certain other information could have been disclosed to you. We are pleased to confirm that we can signpost you to more detailed information that is already available.

Our annual report is available here:

<https://www.ncsyes.co.uk/sites/default/files/2018-11/Annual%20Report%202017%20-%202018.pdf>

On page 47 of the report you will find a more detailed breakdown of salaries greater than £60000 broken down into £5000 bands. This is additional to the detail about the salaries of the senior leadership team on page 28. We are committed to publishing this level of detail in our annual report and this is common practice for organisations like NCS.

## **Freedom of Information complaints procedure**

The NCS is committed to making information available under the FOIA and to ensuring that the service it provides for those wishing to gain access to information is simple, efficient and effective.

If you feel the service you have received does not meet these aims or your expectations, the next step is for you to refer your complaint to:

The Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
[www.ico.org.uk](http://www.ico.org.uk)

Yours sincerely



**Simon Woods**  
**Chief Information Officer**