

To: Helen Cross

Freedom of Information
Northern House
9 Rougier Street
York
YO1 6HZ
FOI@northernrailway.co.uk

30th June 2022

Dear Helen Cross

Freedom of Information Request ref FOI264

We write in connection with your request for information which was received by Northern Trains on 01/06/2022:

“Please provide me with a copy of the following information:

- 1) The minutes of any meetings of the Remuneration Committee that were held during the 2021/22 financial year.*
- 2) The minutes of any meetings of the Audit and Risk committee that were held during the 2021/22 financial year.*

For clarity, the committees that I am referring to are referenced in Appendix A of the NTL Annual Governance Statement for the 2021/22 financial year.”

Under Section 1 (1)(a) of the FOI act we can confirm that we hold the information you have requested. The minutes from the Audit and Risk Committee are attached, with redactions applied to protect Personal Data.

We consider that the minutes from the Remuneration Committee are exempt from disclosure pursuant to sections 36(2)(b)(i), 36(2)(b)(ii) (disclosure would inhibit the free and frank provision of advice and exchange of views) and 36(2)(c) (prejudice to effective conduct of public affairs) of the Act.

We consider that disclosure of the information you have requested would potentially be prejudicial to any financial decisions that are currently under discussion and would inhibit staff from engaging in such discussions as candidly in the future which could ultimately lead to poorer decision making that is not in the best interests of the public.

There is a need for Northern to have a safe space, away from public or media involvement, in which to develop ideas or make decisions relating to significant policies affecting the financial

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affairs of the organisation. This includes by providing a safe space in which Northern can make decisions about its remuneration, free from public scrutiny. We consider that disclosure of this information would significantly erode Northern's ability to maintain that space.

In applying section 36 of the Act, we are required to consider the public interest test to assess whether the public interest in maintaining the exemption outweighs the public interest in disclosure.

We consider that any public interest in the information you have requested is outweighed by the need for preserving a safe space in which Northern is able to seek advice about, plan and candidly discuss issues and proposals affecting its future. We consider that there is a strong public interest in ensuring Northern is able to candidly assess options and carry out statutory processes, in an orderly and timely manner and free from public scrutiny, in order to ensure that all proposals are thoroughly reviewed, and that fully informed decisions are drawn which will best benefit Northern and the travelling public. It would not be in the public interest to hinder this process as we consider it would result in less well formulated decisions.

On the basis of the above, Northern considers the public interest in maintaining the exemption in sections 36(2)(b)(i), 36(2)(b)(ii) and 36(2)(c) of the Act outweighs that in disclosing the information.

We hope this information is of use to you.

Yours faithfully

Freedom of Information, Northern Trains Ltd

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Appeal Rights

If you are unhappy with the way your request has been handled and wish to request a review of our decision, please contact us at FOI@northernrail.co.uk

You should specify why you do not agree with our response and what factors you would like to be taken into account as part of the review. This should include any public interest arguments for disclosure. Your request must be submitted within 40 working days of receipt of this letter.

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

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