



Northamptonshire County Council

By Email
S. Russell
request-328710-ad27aeef@whatdotheyknow.com

Please ask for: Freedom of Information
Tel: 01604 368360
Our Ref: FR6429
Your ref:
Date: 21st April 2016

Dear Sir/Madam,

Information Request:FR6429

Thank you for your Freedom of Information request dated 15th April 2016. Your request has been dealt with under the Freedom of Information Act 2000 and is detailed below in italics with our response in bold.

Our Response

The Freedom of Information Team has been provided with the following information in response to your recent request on behalf of Northamptonshire County Council (NCC).

1. Can you please provide or direct us to the relevant link to obtain details of how a parent can complain concern the conduct of social workers in a children's matter.

Details of how to complain can be found on our web page:

<http://www.northamptonshire.gov.uk/en/councilservices/Council/consultations/Pages/Compliments-suggestions-comments-complaints.aspx>

or by telephone on : 0300 126 1000

**or in writing to The Complaints and Compliments Team
Room 225, County Hall
George Row
Northampton
NN1 1ED**

Northamptonshire County Council
County Hall
Northampton
NN1 1ED

w. www.northamptonshire.gov.uk
t. 01604 368360
e. freedomofinformation@northamptonshire.gcsx.gov.uk



**Northamptonshire
County Council**

2. *can you please provide a copy of the relevant codes of conduct and any other professional standards relating to conduct of social workers who are working in the children's department.*

Social worker conduct and standard are overseen by the Health Care and Professions Council (HCPC). Details can be found:

<http://www.hpc-uk.org/assets/documents/10003b08standardsproficiency-socialworkersinengland.pdf>

3. *Please provide an outline including any allegations made against social workers regarding children's cases and the disposal/outcome of those allegations within the last 3 years, you may use the receipt date of this e mail as the last day of the 3 year period.*

If a complaint is made against an individual then it is recorded on the personnel records of that individual. This is not something that could be released to a third party via a Freedom of Information request. We have therefore applied FOIA 2000 exemption s.40, Personal Information, to this section of your request. See below for full details.

40. - (1) Any information to which a request for information relates is exempt information if it constitutes personal data of which the applicant is the data subject.

(2) Any information to which a request for information relates is also exempt information if-

- (a) it constitutes personal data which do not fall within subsection (1), and**
- (b) either the first or the second condition below is satisfied.**

(3) The first condition is-

(a) in a case where the information falls within any of paragraphs (a) to (d) of the definition of "data" in section 1(1) of the Data Protection Act 1998, that the disclosure of the information to a member of the public otherwise than under this Act would contravene-

- (i) any of the data protection principles, or**
 - (ii) section 10 of that Act (right to prevent processing likely to cause damage or distress),**
- and**

(b) in any other case, that the disclosure of the information to a member of the public otherwise than under this Act would contravene any of the data protection principles if the exemptions in section 33A(1) of the Data Protection Act 1998 (which relate to manual data held by public authorities) were disregarded.

(4) The second condition is that by virtue of any provision of Part IV of the Data Protection Act 1998 the information is exempt from section 7(1)(c) of that Act (data subject's right of

access to personal data).

(5) The duty to confirm or deny-

(a) does not arise in relation to information which is (or if it were held by the public authority would be) exempt information by virtue of subsection (1), and

(b) does not arise in relation to other information if or to the extent that either-

(i) the giving to a member of the public of the confirmation or denial that would have to be given to comply with section 1(1)(a) would (apart from this Act) contravene any of the data protection principles or section 10 of the Data Protection Act 1998 or would do so if the exemptions in section 33A(1) of that Act were disregarded, or

(ii) by virtue of any provision of Part IV of the Data Protection Act 1998 the information is exempt from section 7(1)(a) of that Act (data subject's right to be informed whether personal data being processed).

(6) In determining for the purposes of this section whether anything done before 24th October 2007 would contravene any of the data protection principles, the exemptions in Part III of Schedule 8 to the Data Protection Act 1998 shall be disregarded.

(7) In this section-

"the data protection principles" means the principles set out in Part I of Schedule 1 to the Data Protection Act 1998, as read subject to Part II of that Schedule and section 27(1) of that Act;

"data subject" has the same meaning as in section 1(1) of that Act;

"personal data" has the same meaning as in section 1(1) of that Act.

Notes of a client's dissatisfaction with a staff member may be noted on the client's record but would not be recorded centrally and would entail a search of each individual record.

Unfortunately, I have estimated that the time it will take to undertake this exercise will exceed the fee limit as set out in the Appropriate Limit and Fees Regulations. Therefore, the Council is not obliged to provide a response and I will not be processing your request further. For information purposes, the fee limit set down by the Regulations is £450.00 and in our case this equates to a maximum of 18 hours' of search and retrieval time.

In accordance with Section 17 of the Freedom of Information Act 2000, this letter acts as a refusal to release the information you have requested.

Section 12-Exemption where cost of compliance exceeds appropriate limit

- (1) Section 1 (1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.**

The information supplied is provided for private use, such as non-commercial research purposes, and news reporting. Any other type of re-use will require the permission of the copyright owner under the Re-use of Public Sector Information Regulations 2005.

If you are unhappy with the way in which the Council has handled your request, you can ask the Council to review it. To do this, please write to the address below:

Janine Lythe
Corporate Support Manager
Northamptonshire County Council
Room 223
County Hall
Northampton
NN1 1ED

Email – dataprotection@northamptonshire.gcsx.gov.uk

If our internal review does not resolve the issue to your complete satisfaction, you have the right to apply to the Information Commissioner for a decision at the following address:

Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF

Or, if you have any complaints in respect of your information request please complete the on-line comments form that can be found at www.northamptonshire.gov.uk, along with a full set of guidance.

Yours sincerely

Freedom of Information/Data Protection Officer
Business Intelligence and Performance Improvement
Email- freedomofinformation@northamptonshire.gcsx.gov.uk