

M Lindsay
request-685857-2d79ca58@whatdotheyknow.com

data.access@justice.gov.uk

16 September 2020

Dear Sir/Madam,

Freedom of Information Act (FOIA) Request – 200819016

Thank you for your request of 19 August in which you asked for the following information from the Ministry of Justice (MoJ):

Q1. Please provide me with the details for all HR, procurement and contract teams that work for/provide support to the National Probation Service. The details should fully include and address all of the below points for each department and individual team within the departments:

- 1.1. Team and/or department Name.**
- 1.2. Team and/or department Address.**
- 1.3. The name of the manager for the team and/or department.**
- 1.4. A contact telephone number for the team and/or department.**
- 1.5. A contact telephone number or extension number for the manager of the team and/or department.**
- 1.6. A contact email address for the team and/or department.**
- 1.7. A contact email address for the manager of the team and/or department.**

Q2. Please provide me with the details for all Regional Directors, Regional Managers and Regional Business Managers for the National Probation Service. The details should fully include and address all of the below points for each manager/director:

- 2.1 Name**
- 2.2. Office address of where they are based**
- 2.3 Contact Telephone Number**
- 2.4. Their email address**
- 2.5 Job title**

Where possible it would be greatly appreciated if you can provide the answers in an MS Excel file for convenience.

Your request has been handled under the FOIA. I can confirm that the MoJ holds some of the information that you have requested. However, most of it is exempt from disclosure under section 40(2) of the FOIA, because it contains personal data

Question 1

We expect all contact from members of the public to be carried out via post and/or through email where possible, using functional mailboxes; particularly during these unprecedented times when staff are not working as often as usual in offices. This ensures queries are picked up efficiently and by the right staff.

The team names, postal addresses and email addresses requested in questions 1.1, 1.2, and 1.6 are provided below.

HR

HMPPS HR
People Group
102 Petty France
London
SW1H 9AJ
HRBPServices@justice.gov.uk

Procurement/Contract Management

Commercial & Contract Management Directorate
102 Petty France
London
SW1H 9AJ
ProbationDynamicFramework@justice.gov.uk

Outside of the Act and on a discretionary basis, it may be helpful to know that Contracts Finder on gov.uk provides information about contracts worth over £10,000 with the government and its agencies: <https://www.gov.uk/contracts-finder>

The information requested in questions 1.3, 1.5 and 1.7 is exempt from disclosure under section 40(2) of the FOIA as I consider it personal data.

Section 40(2) and section 40(3A)(a) of the FOIA taken together mean that personal data can only be released if to do so would not contravene any of the principles set out in Article 5(1) of the General Data Protection Regulation (GDPR) and section 34(1) of the Data Protection Act 2018.

Individuals have a clear and strong expectation that their personal data will be held in confidence and not disclosed to the public under the FOIA. Also, although section 40 is an absolute exemption, we have considered whether there is a wider public interest in disclosing this personal information, that would override the fundamental rights of those concerned. We have concluded there is no such public interest in this instance, and that a disclosure of this nature could constitute a disproportionate and unwarranted level of interference with employee rights and freedoms (particularly, the right to the protection of personal data under Article 8 of the Charter of Fundamental Rights of the European Union).

We believe releasing the requested information for junior members of staff into the public domain would be unlawful; the personal information is therefore exempt from disclosure under section 40(2).

This is an absolute exemption and does not require a public interest test under the FOIA.

The MoJ does not hold information requested in question 1.4. None of the teams specified have a generic telephone number, only personal mobile numbers which are exempt under Section 40(2) as specified above. The FOIA does not oblige a public authority to create

information to answer a request if the requested information is not held. The duty is to only provide the recorded information held.

Question 2

The name, office address, telephone number, email address and job title for National Probation Service Regional Directors are included in the Probation Directory and are therefore exempt from disclosure under section 21 of the FOIA, because they are reasonably accessible to you. The same applies to question 2.2 in relation to Regional Managers and Regional Business Managers, as the relevant addresses for those members of staff are the same as those included in the Probation Directory. The information Probation Directory can be accessed via the following link:

<https://www.gov.uk/government/publications/probation-directory/probation-directory-december-2019>

In relation to question 2.5, I can confirm that the job titles are as described in the question. The names, telephone numbers and email addresses of Regional Managers and Regional Business Managers are exempt from disclosure under section 40(2) of the FOIA. We believe releasing the requested information for junior members of staff into the public domain would be unlawful; the personal information is therefore exempt from disclosure under section 40(2).

This is an absolute exemption and does not require a public interest test under the FOIA.

Appeal Rights

If you are not satisfied with this response you have the right to request an internal review by responding in writing to one of the addresses below within two months of the date of this response.

data.access@justice.gov.uk

Disclosure Team, Ministry of Justice

You do have the right to ask the Information Commissioner's Office (ICO) to investigate any aspect of your complaint. However, please note that the ICO is likely to expect internal complaints procedures to have been exhausted before beginning their investigation.

Yours sincerely,

Jack Harris
Her Majesty's Prison and Probation Service