



HM Revenue & Customs

Dr Colin Iain Campbell

By email: request-512342-
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Individuals Policy Directorate
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Date: 28 August 2018
Our ref: FOI2018/01875

Dear Dr Campbell

Freedom of Information Act 2000 (FOIA)

Thank you for your request, which was received on 22 August, for the following information:

"I am writing to request information under the Freedom of Information Act 2000. I would be interested in any information held by your organisation regarding my request. I understand that I do not have to specify particular files or documents and it is the departments responsibility to provide the information I require. If you need further clarification please contact me via this website (or email). I would like to request the following information:

1. Could the Hospitality & Gifts register for Mark Frampton, HMRC's IR35 lead please be disclosed.
2. Could Mark Frampton's expenses please be disclosed.

I would like the information to be provided by email or on this website in electronic form. If my request is denied in whole or in part I ask that you justify all deletions by reference to specific exemptions of the act. I will also expect you to release all non-exempt material. I reserve the right to appeal your decision to withhold any information or to charge excessive fees. I would be grateful if you could confirm in writing that you have received this request. I look forward to your response within 20 working days as outlined by the statute. Many thanks for your assistance with this request."

I can confirm HMRC holds information that falls within scope of your request but it is being withheld under section 40(2) of the FOIA. This is because your request relates to an identifiable individual and, therefore, seeks information that is considered personal data under the General Data Protection Regulation (GDPR). Such information is exempt from disclosure under section 40(2) of the FOIA, by virtue of section 40(3)(a)(i). This part of the section 40 exemption is an absolute exemption and I am not required to consider any public interest arguments for and against disclosure.

Article 5(1)(a) of the GDPR requires that personal information is processed lawfully, fairly and in a transparent manner; processing includes disclosure. Fairness means personal data should only be handled in ways that people would reasonably expect and not used in ways that have unjustified adverse effects on them. HMRC staff would reasonably expect that their personal data would not be put into the public domain. Such a disclosure would be unfair processing.

If you are not satisfied with this reply you may request a review within two months by emailing foi.review@hmrc.gsi.gov.uk, or by writing to the address at the top right-hand side of this letter.

If you are not content with the outcome of an internal review, you can complain to the Information Commissioner's Office. The following link explains how to do this:
<https://ico.org.uk/concerns/>

Yours sincerely,

Freedom of Information Team