

9 September 2015

P Cialfi

Our Reference: CAS-333137-Z65BK3

Sent via Email:

request-285004-55a89fe3@whatdotheyknow.com

Dear Ms Cialfi,

Your request for information

Thank you for your email dated 8 September 2015 in which you requested the following information:

- The name and contact details of Richard McGowan's line manager;
- The metadata generated during the processing of your FOI request.

As you are aware, section 8(1)(c) of the Act sets out that a *request for information* is one that describes the information being requested. From your most recent email it is not clear what information you are seeking in regards to metadata generated during the process of your FOI request. By its very definition metadata is data that describes other data; for example, in the case of a text document: how many pages a word document contains, who the author is or indeed when the document was written.

In the case of your recent requests, the only information generated has been the correspondence between yourself and Ofsted's Information Management Team. Consequently we would ask that you explain what specific information you are seeking when you ask for 'metadata'.

The Freedom of Information Act

We have dealt with the first point of your request in accordance with the Freedom of Information (FOI) Act 2000. The first requirement of the Act is that we should confirm whether or not we hold information of the description set out in your request. We are then under a duty to provide you with all the information we hold which falls within the scope of your request, provided it is not 'exempt' information. I can confirm that we hold the name and contact details of Richard McGowan's line manager.

However in this case we consider that this information is exempt from disclosure, to the public, under section 40(2) the Act.

Section 40(2) of the Act applies to any information which is personal data and when its disclosure would contravene any of the data protection principles. The first data protection principle requires that any processing of personal data, including disclosure, is fair and lawful and meets relevant conditions in the Data Protection Act. Disclosure can be considered to be fair if the individual to whom the personal data relates has consented to the disclosure or has a reasonable expectation that their information will be disclosed to the public, or if the disclosure is otherwise reasonable in the circumstances of the case.

The name and contact details for Richard McGowan's line manager are both the personal data of Mr McGowan and his line manager.

Neither individual has any expectation that personal details, in the case of Mr McGowan, information about his direct line manager, or in the case of his line manager, their name and contact details, would be shared with the public. We do not have consent from either individual to share this information with the public. Furthermore, taking into account the public forum in which this request has been made, we do not consider it to be fair or reasonable to do so without their consent. Consequently we will not be disclosing this information to you in response to this request.

The Act is not a method for members of the public to gain information about individual staff against which they may have a grievance. Where individuals wish to contact staff, but do not have the necessary contact details, they can do so by submitting an email via enquiries@ofsted.gov.uk, marking it for the attention of that individual or, as in this case, their line manager. Ofsted has a clear published complaints process¹ for members of the public to raise concerns about aspects of Ofsted's work. This is entirely separate from, and should not be confused with, the information request route.

I trust that this letter clearly explains our decision. If you would like to discuss it further or have any queries about our response please contact me on 0300 013 1287 and I will do my best to address them.

Alternatively, if you are dissatisfied with our response or the handling of your request, you may request a formal internal review. In order to do this, please write

¹ <https://www.gov.uk/government/organisations/ofsted/about/complaints-procedure>

to the following address, setting out which areas of the response you are unhappy with:

Email: Alma Kucera at informationrequest@ofsted.gov.uk or write to:

Head of Information
Commercial Services Division
Ofsted
Aviation House
125 Kingsway
London
WC2B 6SE

If you are not content with the outcome of the internal review, you also have the right to apply to the Information Commissioner for a decision as to whether or not we have complied with our obligations under the FOI Act with respect to your request. The Information Commissioner can be contacted at:

<https://ico.org.uk/concerns/getting/>

or:

Customer Contact
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
SK9 5AF

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Alastair O'Neill", with a long horizontal line extending to the right.

Alastair O'Neill
Information Delivery Officer
Information Management Team