

Ealing Council

Luke Brison
request-642343-c3b6558b@whatdotheyknow.com

Ealing Council
Freedom of Information
3rd Floor, North East
Perceval House
14-16 Uxbridge Road
London W5 2HL
Tel: (020) 8825 5000
Email: foirequests@ealing.gov.uk

| | | | |
|-----------|----------------|----------------------|--------------------------------------|
| Your ref: | Our ref: | Extension: | Date: |
| | 20/0214 | 0208 825 8367 | 12th February 2020 |

Dear Luke Brison,

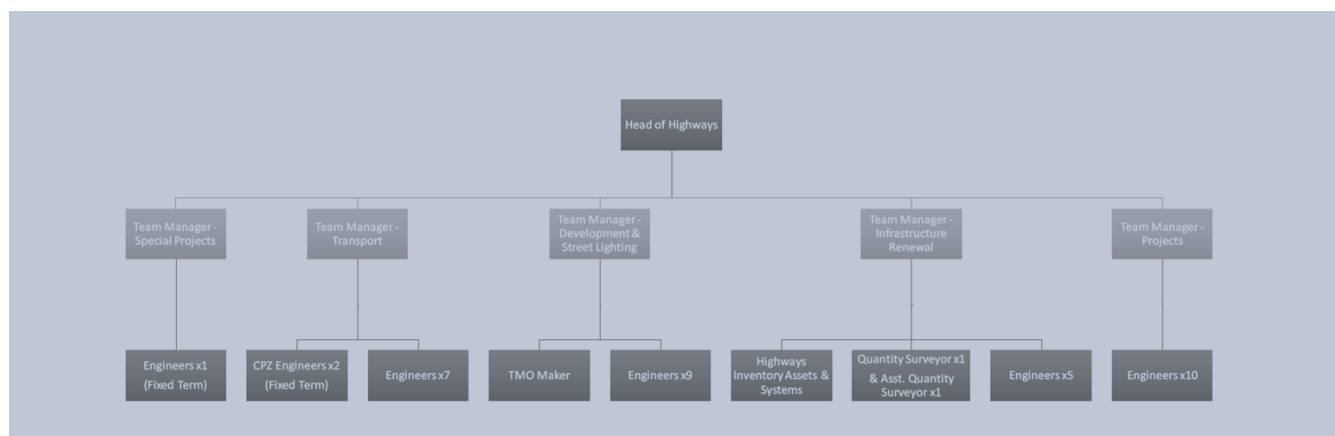
FREEDOM OF INFORMATION ACT 2000 - INFORMATION REQUEST

Thank you for your Freedom of Information request received by the Council on 3rd February 2020.

Your request:

Please can you provide me with an organisational chart of your Highways, Traffic and Transportation departments. Please can this include names and job titles of every team member.

Your request has been assessed and the following information is provided in response:



We have applied an exemption under Section 40(2) of the Freedom of Information Act 2000 to the names of the members of staff requested.

In terms of the provisions of the Freedom of Information Act 2000 we consider this information is exempt under Section 40(2) as “personal data other than that of the requestor”

The definition of personal data is set out in Article 4 of the General Data Protection Regulation:

(1) ‘personal data’ means any information relating to an identified or identifiable natural person (‘data subject’); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;

In coming to this decision, we have taken account of Article 5 of the GDPR, Principles relating to processing of personal data and in particular: -

1. Personal data shall be:

(a) processed lawfully, fairly and in a transparent manner in relation to the data subject (‘lawfulness, fairness and transparency’);

(b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;

When we receive a request for information that constitutes personal data about our employees, we must decide whether disclosure would breach Principle 1 of the Data Protection Act (the DPA), i.e. whether it would be fair and lawful to disclose the information.

Whether the disclosure is fair will depend on a number of factors including:

- whether it is sensitive personal data;
- the consequences of disclosure;
- the reasonable expectations of the employees; and
- whether there is a legitimate interest in the public or requester having access to the information and the balance between this and the rights and freedoms of the data subjects.

A disclosure made under FOI constitutes a publication to the world at large.

We do not consider that there is any prior expectation on the part of team Managers (or other officers working below the level of Assistant Director of Service) that their names and job titles / positions would be published into the wider public domain under FOI.

We believe that to disclose this would be likely to breach the first Principle of the Data Protection Act by unfairly contravening their right to privacy and confidentiality in the work place.

Therefore, we consider that the exemption Section 40(2) applies to the information you have requested.

You are free to use this information for your own use, including for non-commercial research purposes. It may also be used for the purposes of news reporting. Any other type of re-use, for example publishing the information, issuing copies to the public or marketing, will require our

Please note that this information may be subject to copyright. Supply of the information to you does not confer an automatic right to re-use it in a way that could infringe copyright.

permission as copyright holder. If you intend to re-use this information in this manner you must apply to us.

If you are unhappy with the way your request for information has been handled, you can request a review within the next 40 working days by writing to the Information Governance Team at:
foirequests@ealing.gov.uk.

Or by post to:
Freedom of Information
3rd Floor, North East
Perceval House
14-16 Uxbridge Road
London W5 2HL

Details of complaints process can be found at:
http://www.ealing.gov.uk/info/200640/freedom_of_information/1550/making_a_complaint_or_appeal

If, having exhausted our review procedure, you remain dissatisfied with the handling of your request or complaint, you will have a right to appeal to the Information Commissioner at:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire, SK9 5AF
www.ico.org.uk

Yours sincerely,

Kam Ubhi
Information Governance Officer