



Letter sent to: request-724859-52c6c72c@whatdotheyknow.com

16th April 2021

Dear Ermine

Re: FOI – 083 – Request for Internal Review dated 5th March 2021

We are writing to you to confirm we have now completed the internal review.

We have based our internal review on questions 1, 2, 3,6 and will respond to each point independently.

Question 1. Any application you made in 2019 or 2020 to be a “Stonewall Diversity Champion” or to be included on Stonewall’s “Workplace Equality Index,” including any attachments or appendices to those applications. Please redact personal details if necessary.

YHN Response (5/3/21) to Q1: “The Stonewall Diversity Champions’ Programme is an Employers’ programme which includes access to best practice guides, resources and an account manager for questions and advice on LGBT issues. This is a programme for which an organisation pays a membership fee, rather than submitting an application. YHN was a Stonewall Diversity Champion in both 2018 and 2019.

YHN made a submission in September 2018 for the Stonewall Workplace Equality Index (WEI) 2019. The submission is made online and the process does not involve receiving a copy of the submission. YHN did not make a submission to the Workplace Equality Index in either 2019 (for the 2020 index) or 2020 (for the 2021 index).”

Please review. As the Workplace Equality Index is a benchmark tool and a “developmental framework” which you use to measure your achievements and progress on LGBT equality, you will have assessed and reported on 10 areas of employment policy and practice, drafting answers and updating file information.

So I do not accept that you do not hold or have access to this information electronically and/or in final drafts prepared for submission, assessing and reporting on those 10 areas of employment policy and practice, and current year evidence submitted and/or have shared the finished submission with management and/or have links to references, attachments or appendices or other additional information & research for the submission.

YHN's response to appeal: YHN's response to question 1 was incomplete. I have located a copy of the WEI 2019 submission, including appendices and attached a copy to this response. Please note the documents have been redacted in accordance with Section 40 (2).

Question 2. Any feedback you received in 2019 or 2020 from Stonewall in relation to either application or programme.

YHN Response (5/3/21) to Q2: The summary report received from Stonewall in 2019 in response to our WEI submission, made in 2018, is attached to the response email."

Please review: You have omitted the notes from the feedback meeting and other feedback on HR policies etc you have received as part of the programme.

YHN's response to appeal: Determining what information is held that comes within the wide bounds of the request, locating it, retrieving it and then reviewing it to decide whether or not it is indeed within scope would greatly exceed the "appropriate limit" set by section 12 of the Act. This provides that we are not required to provide requested information where to do so would cost more than £450, calculated at £25 per hour for 18 hours' work. For this reason, your request as presently formulated will not be processed further.

You may however wish to refine your request by narrowing its scope by being more specific about what information you particularly wish to obtain and by narrowing the time period for the search. If you need any assistance in this respect, then please contact me. Please note however, that any refined request submitted will constitute a new request under the Act and time for compliance will recommence.

Question 3. Any other communication you have received from Stonewall in 2019 or 2020 unless privileged or otherwise exempt from disclosure (but if you claim privilege or exemption in relation to any material, please say in broad terms what the material is and the basis on which you claim to be entitled to withhold it).

This is a clear description of what I am seeking.

YHN Response (5/3/21) to Q3: We receive regular monthly newsletters from Stonewall and occasional invitations to best practice seminars or other similar material. As this information would be 'reasonably accessible' by subscribing to a mailing list we are not including it here, under the exemption provided by section 21 of the Freedom of Information Act (FOIA).

Please review: It is not credible that you only receive newsletters and marketing. I wish to see every written communication that you have received from Stonewall in the two years specified. If you have been deluged with communications from Stonewall in that period, it is possible that that is a large class of information, but the fact that it is large does not affect its clarity.

I direct your attention to your section 16 duty to provide me with advice and assistance. The specific assistance I would like you to provide me with to help me to

refine my request and make it possible for you to comply without incurring excessive costs is a list of the custodians (by job title; I do not need to know names) you believe to have been the recipients of such communications.

That, of course, does not exhaust your duty to provide me with advice and assistance: you should also turn your minds to any other ways in which you can help me to refine my request so that it captures a representative picture of your dealings with Stonewall without exceeding the appropriate limit.

YHN's response to: Determining what information is held that comes within the wide bounds of the request, locating it, retrieving it and then reviewing it to decide whether or not it is indeed within scope would greatly exceed the "appropriate limit" set by section 12 of the Act. This provides that we are not required to provide requested information where to do so would cost more than £450, calculated at £25 per hour for 18 hours' work. For this reason, your request as presently formulated will not be processed further.

You may however wish to refine your request by narrowing its scope by being more specific about what information you particularly wish to obtain and by narrowing the time period for the search. If you need any assistance in this respect, then please contact me. Please note however, that any refined request submitted will constitute a new request under the Act and time for compliance will recommence.

Question 6. Whether you intend to continue your membership of any Stonewall scheme in the future, and if so which.

YHN Response (5/3/21) to Q6: "YHN has renewed its membership of the Stonewall Diversity Champions' programme for 2020. We have no current plans to make a submission to the Workplace Equality Index."

Please review : Please advise if you will continue or renew your membership (of any Stonewall scheme) in the future, and specifically in 2021 or 2022 and the WEI in 2022.

YHN's response to: YHN's have no plans to submit an application for WEI. We will review our membership of the Diversity Champions Programme towards the end of the year when it is due for renewal.

We hope this response is satisfactory however, if you remain unhappy about the way we have handled your request following our internal review you can complain to the Information Commissioner. Contact details are as follows:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone: 0303 123 1113
E-mail: mail@ico.gsi.gov.uk

Should you have any queries, please do not hesitate to contact me

Kind regards

Karen Hedley
Governance and Implementation Manager
For and on behalf of Your Homes Newcastle