

Freedom of Information Act 2000/Environmental Information Regulations 2004

Internal Review of FOI Request by G Jessel

Background

On 20 October 2015 G Jessel made the following request to Norfolk County Council via the What Do They Know site: “ *how many Chief Executive Officers are not of the jewish faith (list faiths) and how many are also jews. Please provide all recorded information both past and present.*”

On 17 November 2015 the Council responded and, in summary, refused to supply the information on the basis that it would “*not be fair under Principle 1 of the Data Protection Act.*”

The Appeal

On 03 March 2016 G Jessel made the following appeal: “*The identity is not required of the Individuals just the numbers*”

The Review

This review has been conducted by the Team Manager of the Compliance Team.

When considering whether to release this information the Council must consider whether the release of information would involve disclosing personal data and whether the release of such information could be considered to be in breach of the Data Protection Act.

In considering this review the reviewer has taken into account the following general points:

- The post of “Chief Executive Officer” has been interpreted as the current post of Managing Director, and the previous post of Chief Executive.
- The Council began collecting data regarding the religious beliefs of employees in 2012. So the Council does not hold this information before 2012.
- Since 2012 the Council has sought this information from new employees on a voluntary basis and on the clear basis that this data is recorded only to monitor diversity and equality within the Authority and is used for no other purpose.
- Since 2012 the Council has only appointed to the role of Managing Director on two occasions. The first appointment was under interim arrangements by an individual already employed by the Council and, therefore, this information was not collected.
- This therefore leaves only one post holder in scope of this request.

The reviewer has therefore taken into account the following matters:

- As the Council only holds information relating to one post holder and this post holder's name is in the public domain, it is not possible to "anonymise" this information
- The information is sensitive personal data.
- Disclosure of the information would be unfair and unlawful
- The information was provided on the basis that personal beliefs, gender identity, sexual orientation etc would be kept confidential and used only for the purpose of monitoring diversity and equality within the Authority.
- The Council does not consider that this information would be of interest to the public at large, nor does it consider that there is any legitimate reason for such information to be made public. Analysis of the diversity of all employees within the Council is published on the Council's website providing a breakdown of information of this nature but not on an individual basis.

Conclusion

It is the conclusion of the reviewing manager that this appeal is not upheld and that the previous application of this exemption is maintained.

Team Manager
5th April 2016