

**Ref:** IG-10115  
**Contact:** Information Management Services  
**Email:** [InformationRights@nottinghamcity.gov.uk](mailto:InformationRights@nottinghamcity.gov.uk)



**Nottingham**  
**City Council**

**Information Management Services**

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30 November 2017

Dear Requester

**Request under the Freedom of Information Act 2000 (the Act)**

The council has considered your request which was received on 14 November 2017 and our response to your questions is shown below.

*Please can you send me and up to date Organisational Structure Chart for the Education and Special Educational Needs department including names.*

Please find two structure charts attached.

Parts of the attached documents have been redacted in accordance with section 40(2) of the Act.

The names of employees below the level of Head of Service are not being disclosed in accordance with section 40(2) of the Act. The personal information about identifiable living individuals is exempt if disclosure to a third party would breach one or more principles in the Data Protection Act 1998 (the DPA). The Information Commissioner's guidance states 'It is reasonable to expect that a public authority would disclose more information relating to senior employees than more junior ones...the disclosure must not cause unwarranted interference with the rights, freedoms and legitimate interests of the employee'.

The individuals concerned would not expect their names and job titles to be disclosed to a third party, as it is the council's general guidance not to do so for staff below the level of Head of Service.

Section 40(2) of the Act sets out the exemption for third party data and subject to one of two conditions being met. The council considered that the disclosure of the information to you otherwise than under the Act would contravene one of the data protection principles as set out in section 40(3)(a)(i) (first data protection principle – information processed fairly and lawfully).

When determining the privacy rights of the other individual (third party) the council considered that it would be unfair to disclose the personal data of the other individuals.

In accordance with Section 16(1) of the Act, the council has a duty to provide advice and assistance to you, as far as it is reasonable to do so. The council can advise Nottingham City Council does not respond to unsolicited requests regarding sales, procurement and commissioning. Departments must follow a strict procedure as the council has a responsibility to spend public money to achieve the best possible value and outcomes for its citizens whilst maximising the wider social, economic and environmental aims. The council can direct you to the council's website pages for procurement opportunities, events and how to sell to the council, where you can also find the contact details for the Procurement Team including an email address and phone number:

<http://www.nottinghamcity.gov.uk/business-information-and-support/doing-business-with-nottingham-city-council/>

As the council is withholding the information as detailed above under section 40(2) please accept this letter as a partial refusal notice issued in accordance with section 17 of the Act.

You are free to use any information supplied for your own personal use. However, any other type of re-use, for example, by publishing the information or issuing copies to the public will require the permission of the copyright owner. If the copyright is owned by Nottingham City Council details of the conditions on re-use can be obtained by contacting this office.

If you are unhappy with the response provided or with the handling of your request, you can ask for an internal review by email: [informationrights@nottinghamcity.gov.uk](mailto:informationrights@nottinghamcity.gov.uk) or writing to the **Information Governance Specialist, Information Management Services, 4<sup>th</sup> Floor, Loxley House, Station Street, Nottingham, NG2 3NG** by stating the reasons for your dissatisfaction. Your request for an internal review should be made to the council within forty working days of the date of this letter. Please quote reference IG-10115 in all communications.

If you remain unhappy after receiving the response to your initial complaint you can request an independent review from the Information Commissioner's Office at **FOI/EIR Complaints Resolution, Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF**. You may also contact the Information Commissioner's Office by telephone on 01625 545745 or by email at [mail@ico.gsi.gov.uk](mailto:mail@ico.gsi.gov.uk).

Yours sincerely

Information Rights & Insight Team  
Information Management Services  
Development & Growth