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Shauna Corr
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Our Ref: IR/2019-0004

Date: 21 March 2019

Dear Ms Corr

FREEDOM OF INFORMATION ACT 2000 (FOIA) – REQUEST FOR INTERNAL REVIEW

Thank you for your email of 20 February 2019 in which you requested an internal review of the Department's response to your FOI request EO2019-0002. I am writing to advise you of the outcome of my review which was conducted in accordance with the FOIA's section 45 Code of Practice.

Your Request

I note that on 7 January 2019 you requested details of the current Permanent Secretary's expenses since they took up the role, to include the amounts spent and the recipient companies, and all expenses paid to them or for them, covering travel and subsistence, phone bills/ internet and any expenses reclaimed by them or paid by the department on their behalf outside of salary and pension.

The Department's Response

The Department responded on 11 February 2019, and advised you that the information was being withheld under Section 22(1) of the FOIA (Information intended for future publication).

I note that this response fell outside of the statutory period for compliance, and that the Department did not, therefore, fulfil its obligations under sections 1(1) and 10(1) of the FOIA. I, therefore, apologise to you on behalf of the Department for the delay.

Your Request for an Internal Review

On 20 February 2019 you requested an internal review of the Department's response on the grounds that you would like these details now 'as it is timely in relation to Stormont'; you also wanted to know when they are to be made public.

Internal Review Considerations

In carrying out this internal review, I have considered all aspects of your request: the information requested, the Department's response, your grounds for an internal review; and the Information Commissioner's (the regulator's) guidance.

The Department's response informed you that there was an intention to publish the requested information, and accordingly the exemption under Section 22(1) of the FOIA was engaged. In applying the public interest test, the Department found on balance in favour of withholding the information.

I am satisfied that the exemption under Section 22(1) of the FOIA was correctly engaged in that there is an intention to publish the information held by the Department that is within the scope of your request.

I accept there is a strong public interest in disclosure of this information, in terms of accountability and transparency. In balancing the public interest I have considered whether it is appropriate and reasonable to keep to the original plan for future publication, or whether in the circumstances earlier disclosure is warranted. In doing so, I have noted that, at present, no date has been set for publication.

Conclusion

In conclusion, whilst I am content that the Department appropriately engaged the exemption under section 22 of the FOIA, I consider that it is reasonable for the information now to be provided to you. Accordingly, that information is attached to this response.

If you are dissatisfied with my findings, you have the right to appeal directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at –

Information Commissioner's Office
Wycliffe House
Water Lane
WILMSLOW
Cheshire
SK9 5AF

Yours sincerely,

NEILL JACKSON