

Our reference: FOI 14040

Dear Mr Acres,

Thank you for your request of 26th July in which you asked for information on:

“how many full-time firefighters (all operational crews) your Fire & Rescue Service currently employs and how many of those firefighters are registered as having second jobs outside of their main employment in your Fire & Rescue Service. Would you please include a breakdown of what roles such firefighters are carrying out as second jobs, for example, taxi driver, door supervisor, carer, paramedic and so on?”

Our response:

Oxfordshire County Council Fire & Rescue Service employs 114 full time Firefighters, of which 19 have been granted permission to undertake secondary employment. However, we cannot disclose to you a breakdown of what roles such firefighters are carrying out as second jobs.

Oxfordshire County Council Fire & Rescue Service considers that this information is exempt from disclosure under section 40(2) of the Freedom of Information Act 2000 (“FOIA”). Section 40(2) provides that information shall not be disclosed where it constitutes the *personal data* of someone other than the applicant and that disclosure would satisfy one of the following conditions:

1. That disclosure would breach any of the data protection principles or would do so if the exemptions in section 24(1) (manual unstructured data held by public authorities) of the Data Protection Act 2018 (DPA 2018) were disregarded.;
2. That the disclosure of the information to a member of the public otherwise than under the FOIA would contravene Article 21 of the General Data Protection Regulation (GDPR) (general processing: right to object to processing); or
3. That on a request under Article 15(1) of the GDPR (general processing: right of access by the data subject) for access to personal data, the information would be withheld in reliance on provision made by or under section 15, 16 or 26 of, or Schedule 2, 3 or 4 to, the DPA 2018, or (b) on a request under section 45(1)(b) of the DPA 2018 (law enforcement processing: right of access by the data subject), the information would be withheld in reliance on subsection (4) of that section.

In this case, the relevant condition is the first condition. Specifically, Oxfordshire County Council Fire & Rescue Service considers that the first data protection principle would be breached; namely that disclosure would not be *fair* for the following reasons:

1. The information constitutes sensitive personal data and so represents information which should remain private
2. The reasonable expectation of the Firefighters and the nature of the information itself leads Oxfordshire County Council Fire & Rescue Service to

conclude that the Firefighters could not reasonably expect that this information would be disclosed into the public domain

In reaching this decision, Oxfordshire County Council Fire & Rescue Service have noted that the following consequences may occur if this information was disclosed:

1. Release of this information may cause embarrassment to the Firefighters
2. Disclosure of this information which has been given confidentially would undermine Operational Personnel's confidence in the confidential process.

In light of the above, Oxfordshire County Council Fire & Rescue Service considers it necessary to withhold the above-listed information.

Internal review

If you are dissatisfied with the service or response to your request you can ask for an internal review as follows:

- Contact the Complaints & Freedom of Information team in Law & Governance :
foi@oxfordshire.gov.uk
- Use the online complaints form on our website:
www.oxfordshire.gov.uk/complaints
- Write to the Complaints & Freedom of Information team at the FREEPOST address:

Complaints and Comments
Oxfordshire County Council
FREEPOST (SCE 7709)
Oxford OX1 1YA.

If you remain dissatisfied with the handling of your request or complaint, you have a right to appeal to the Information Commissioner at:
The Information Commissioner's Office, Wycliffe House, Water Lane,
Wilmslow, Cheshire, SK9 5AF.
Telephone: 0303 123 1113 Website: www.ico.gov.uk

Please let me know if you have further enquiries. I would be grateful if you could use the reference number given at the top of this email.

Yours sincerely

Paul Bremble
Freedom of Information Officer