



FREEDOM OF INFORMATION ACT 2000

ABSOLUTE EXEMPTION FROM DISCLOSURE OF DOCUMENTS / INFORMATION

Ref no: FOI 23/0331

Applicants Name: Andrew Paterson

Date of Request: 8th March 2023

Information sought: Can I please request the following information, all relating to the Council's recruitment of agency "unqualified social care" staff such as: support workers, Health Care Assistants and Residential Childcare Workers etc.. 1) Can you please confirm the procurement framework / managed service provider the Council uses for its recruitment of agency "unqualified social care" staff such as: support workers, Health Care Assistants and Residential Childcare Workers etc.. 2) In the financial year 2021 - 2022, what was the total agency spend for "unqualified social care" staff in A) Adult Services B) Children Services 3) The number of agency workers engaged per category A and B listed above in question 2 during the same period 4) Structure charts that include names and professional contact details for Deputy Team Managers / Team Manager / Service Manager per category A and B listed above in question 2 during the same period.

Absolute Exemptions applying to the Information Sought

Section 40(2) of the Freedom of Information Act, the disclosure of information which is classified as personal data in accordance with the provisions of the General Data Protection Regulations 2016.

Case for Absolute Exemption

Section 40(2) of the Freedom of Information Act provides an exemption for information which is the personal data of any third party, where disclosure would contravene any of the Data Protection Principles contained in Article 5 of the General Data Protection Regulations 2016 (GDPR).

Under Section 40(2) of the Freedom of Information Act 2000, releasing the names and contact details of staff under third tier of management would fall within the definition of 'personal data' in Article 4(1) of the Data Protection Act 2018, as any information is relating to an identified or identifiable natural person. The disclosure of this information would breach Data Protection Principle 1(a) – Personal data shall be processed lawfully, fairly and in a transparent manner.

This is an absolute exemption and is not subject to the public interest test.

Extent of Exemption

The names and contact details of staff under third tier of management are exempt.

Authorised Officer

Name: Robert Tranter **Position:** Head of Legal Services and Monitoring Officer

Signed: *Robert Tranter* **Date:** 30th March 2023