



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2009-02046

Keyword: Human Resources

Subject: AGENCY STATION ENQUIRY ASSISTANT (SEA)

Request and Answer:

Requests current cost to the PSNI for each temporary Agency Station Enquiry Assistant (SEA) attached to Grafton. The information requested relates to Grafton Agency workers only and not permanent PSNI staff.

Current cost to the PSNI for each temporary Agency Station Enquiry Assistant attached to Grafton to include :-

Question 1

The SEA's current hourly rate of pay.

Answer

Please see below.

Question 2

The SEA's rate of overtime payable, i.e. either x 1.5 times basic or x 2 times basic. Plus any weekend and or shift allowances paid.

Answer

Please see below.

Question 3

Any recent or pending pay increases.

Answer

Please see below.

Question 4

Breakdown of how much is paid to Grafton Agency for each SEA by way of agency fees.

Answer

Please see below.

Question 5

Length of contract of agency SEA's.

Answer

Please see below.

I have today decided to:

- disclose information relating to questions 1 to 5 subject to the deletion of information pursuant to the provisions of sections 38 and 40 of the Freedom of Information 2000 (the act)

Section 17 of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland, when refusing to provide such information (because the information is exempt) to provide you the applicant with a notice which:

(a) states that fact,

(b) specifies the exemption in question and

(c) states (if not otherwise apparent) why the exemption applies.

The exemptions as well as the factors the Department considered when deciding where the public interest lies are listed below:

Section 38(1) (a) & (b) - Health and Safety is a prejudiced based exemption and this means it is the Public Authority's responsibility to evidence the harm. It is also a qualified exemption and therefore a Public Interest Test must be carried out.

Section 40(2) (a) & (b) Personal information is an absolute exemption which means there is no requirement on the Public Authority to consider whether there is a public interest in disclosure.

Harm Test

Any disclosure under the FOIA is a release of information into the public domain. To disclose staff reference numbers into the public domain in conjunction with other information already available, or which may become available in the future, could identify police staff and may leave an individual or their family vulnerable to terrorist or criminal attack.

Public Interest Test

Consideration Favouring Release

None

Considerations Favouring Retention

Human Rights, Morals and Ethics

Staff have the right to privacy under Article 8 of the Human Rights Act. Releasing staff reference numbers into the public domain may cause those staff and their families' distress and pose a risk to their safety.

Public Safety

A risk could exist to members of the public if a criminal or terrorist attack was carried out on a member of staff at their home or in the public arena.

Balancing Test

Disclosing the staff reference number has the potential to identify staff who work for the Police Service. Dissident groups issued a threat to police and police staff following recent murders on security personnel. The PSNI will not release information that will endanger a person's safety or that of their families or the public at large. I have therefore decided that this information should not be released and that the exemption under 38(1) (a) & (b) should be applied.

The Information should not be released and that the exemption under 38(1) (a) and (b) should be applied.

Personal Information

Section 40(2) (a) (b) is an absolute exemption which means there is no requirement on the police to consider whether there is a public interest in disclosure. This is so because personal data is governed by other law (The Data Protection Act 1998).

All requests made under the Freedom of Information Act are applicant blind. A request must be treated as such and a public authority will always view any disclosure as into the public domain. Thus the PSNI must be satisfied that any

release of information will be potentially available to the general public. It is therefore on this basis that the following is very relevant.

This exemption is engaged if the personal data is about someone other than the applicant. Where someone makes an application for information other than the data subject, disclosure of that information will often constitute a breach of Principle (1) of the Data Protection Act.

Principle (1) states that personal data should be processed lawfully and fairly. Personal data imparted and recorded for administration purposes will be confidential and any public disclosure would be unlawful if there would be a breach of that law of confidentiality. Individuals who have data held by the PSNI for the purpose of administration have the expectation that it will be treated fairly and it would be unfair to an individual concerned to disclose his/her personal data into the public domain.

Principle (2), that personal data is processed for a specific purpose and not further processed in any manner incompatible with that purpose. Data in this case is processed for a staff administration purpose. Once personal data has been publicly disclosed, it will in most cases be used for a purpose other than it was initially obtained. Public disclosure would cause unnecessary distress or damage to the persons involved, they would not have an expectation their personal data will be disclosed to others or possibly used for another purpose.

The key issue in this case is whether release of staff reference numbers of police support staff would be fair and lawful.

Staff reference numbers of police support staff could be used in conjunction with other information which may already be in the public domain or which may become available in the future to compromise the security of those staff. Recent evidence (the murder of a police officer and 2 soldiers) demonstrates that the PSNI have a duty of care to ensure the safety of police officers/staff. A release under the Freedom of Information Act is considered to be a release to the public at large.

If you have any queries regarding your request or the decision please do not hesitate to contact me on 028 9070 0164. When contacting the Freedom of Information Team, please quote the reference number listed at the beginning of this email.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible or in any case within two months of the date of issue of this letter. In the event that you require a review to be undertaken, you can do so by writing to the Head of Freedom of Information, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing foi@psni.pnn.police.uk

If following an internal review, carried out by an independent decision maker, you were to remain dissatisfied in any way with the handling of the request you may make a complaint, under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the PSNI has complied with the terms of the Freedom of Information Act. You can write to the Information Commissioner at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out, however the Commissioner has the option to investigate the matter at his discretion.

Please be advised that PSNI replies under Freedom of Information may be released into the public domain via our website @ <http://www.psnipolice.uk/>

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.

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STATION ENQUIRY ASSISTANTS**

Candidate ID	Pay Rate 4/4/09 onwards	Shift allowance percentage
s.F38(1)(a) s.F38(1)(b) s.F40(2)(a) s.F40(2)(b)	£9.59	20%
	£9.01	12.5%
	£9.59	20%
	£9.59	20%
	£9.01	12.5%
	£9.59	20%
	£9.59	20%
	£9.59	20%
	£9.59	20%
	£9.01	12.5%
	£9.59	20%
	£9.59	20%
	£9.59	20%
	£9.01	12.5%
	£9.59	20%

Please find listed below responses for FOI:

Q1 The SEA's current hourly rate of pay

Candidate ID	Pay prior to 4/4/09	Pay Rate 4/4/09 onwards
s.F38(1)(a) s.F38(1)(b) s.F40(2)(a) s.F40(2)(b)	£7.49	£9.59
	£7.49	£9.01
	£7.49	£9.59
	£7.49	£9.59
	£7.49	£9.01
	£7.49	£9.59
	£7.49	£9.59
	£7.49	£9.59
	£7.49	£9.59
	£7.49	£9.59
	£7.49	£9.59
	£7.49	£9.59
	£7.49	£9.59
	£7.49	£9.01
	£7.49	£9.59

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Q2

The SEA's current rate of overtime payable i.e. either x 1.5 or x 2 times basic. Plus any weekend and shift allowances

Candidate ID	Pay at 1.5	Pay at 2
	£14.39	£19.18
	£13.52	£18.02
	£14.39	£19.18
	£14.39	£19.18
	£13.52	£18.02
s.F38(1)(a)	£14.39	£19.18
s.F38(1)(b)	£14.39	£19.18
s.F40(2)(a)	£14.39	£19.18
s.F40(2)(b)	£14.39	£19.18
	£13.52	£18.02
	£14.39	£19.18
	£14.39	£19.18
	£14.39	£19.18
	£13.52	£18.02
	£14.39	£19.18

Q3

Any recent or pending pay increases

See Table under Q1

Q4 Breakdown of how much is paid to Grafton Agency for each SEA by way of agency fees

Candidate ID	Grafton Fee
	£3.16
	£2.94
	£3.16
	£3.16
	£2.94
s.F38(1)(a)	£3.16
s.F38(1)(b)	£3.16
s.F40(2)(a)	£3.16
s.F40(2)(b)	£3.16
	£3.16
	£2.94
	£3.16
	£3.16
	£3.16
	£2.94
	£3.16

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STATION ENQUIRY ASSISTANTS**

Agency Fee includes:

- WTD = 12.07%
- ERNI = 12.80%
- Markup

Q5 Length of contract of Agency SEA's

Candidate ID	Start Date
s.F38(1)(a) s.F38(1)(b) s.F40(2)(a) s.F40(2)(b)	27/10/2008
	31/03/2008
	24/11/2008
	24/11/2008
	25/01/2007
	24/11/2008
	29/01/2007
	09/12/2006
	23/11/2006
	23/11/2006
	23/11/2006
	24/11/2008
	24/11/2008
	23/11/2006
	31/03/2008
	25/01/2007