



FREEDOM OF INFORMATION REQUEST



Request Number: F-2018-02574

Keyword: Organisational Information/Governance

Subject: Structure of FOI/DP Unit

Request and Answer:

Your request for information has now been considered. In respect of Section 1(1)(a) of the Act I can confirm that the Police Service of Northern Ireland does hold some information to which your request relates and this is being provided to you. We further consider that some of the information you seek in request number 5 is exempt by virtue of section 22 of FOIA as we are currently reviewing job specifications in light of changes including recent updates to Data Protection legislation/GDPR. We will provide these to you when complete and publish them on our disclosure log. We have set this rationale out below more fully as to why this exemption applies. We have also provided you with links to guidance issued by the Information Commissioner's Office which we have followed in responding to your request.

Request 1

The structure of the department which responds to FOI and Information Rights Requests, a structure chart would be sufficient, if this does not exist, or is out of date, a list of current positions/posts would be sufficient. I do not need names, only job titles.

Answer

The Corporate Information Branch structure has been reviewed in light of changes to Data Protection legislation and the increase in request volumes. The Branch establishment has been increased to take account of changes to Data Protection legislation and will also undertake a review function of Information Sharing Agreements operated by PSNI (see Request 5 below). That work is still underway and recruitment is not yet complete. We have taken your first request to mean those 'requests' submitted under section 1 of the FOI Act (i.e. an FOI request) and Article 15 of the General Data Protection Regulation/Section 45 of the Data Protection Act 2018 – i.e. Subject Access Request). At present, all staff within the branch are currently assisting with FOI and Data Protection request handling.

Of those posts within the branch which have dedicated decision making responsibility for the handling of FOI and Data Protection requests, the structure is as follows :

- 1 - Head of Branch – Grade 7
- 1 - Deputy Head of Branch – Deputy Principal
- 1 - Staff officer – FOI and Data Protection Team Manager
- 2 - E01 - FOI and Data Protection officer
- 8 - E02 - Data Protection and FOI decision maker (approval has been given increase this by a further

by 2 posts)

0.78 - Administrative Support Officer (part time) (current established sits at 1.78 and approval has been given to fill current vacant post by1)

Dependent on their roles, all staff has varying degrees of decision making and oversight for FOI and Data Protection requests.

Request 2

The salary banding for each of the posts within the department e.g. £24,000 to £29,000.

Answer

Please see the table below, detailing the salary banding for each post within FOI/DP.

Grade	1st August 2017 Pay Scale (£)
Grade 7	48,226 - 52,857
Deputy Principal	36,812 - 40,473
Staff Officer	30,149 - 31,760
EO1	26,962 - 27,819
EO2	24,429 - 25,225
ASO	17,526 - 17,974

Request 3

Please indicate which posts have decision making responsibilities for responding to Freedom of Information requests and/or Information Rights requests.

Answer

Please refer to response for Request 1.

Request 4

If not already evident from questions 1 and 2, please advise the salary banding of the main Decision Makers for question 3.

Answer

Please refer to response for Request 1. All staff have decision making responsibilities dependent on their roles.

Request 5

Please provide a i) job description(s) or role profile(s), ii) personal profile / person specification of those with decision making responsibilities regarding FOI requests and / Information Rights Requests

Answer

As per Request 1 above we have dedicated staff that handle FOI and Data Protection requests. Recently we have increased the establishment in our branch by recruiting staff to deal with the increased demands of GDPR and also to review PSNI's Information Sharing Agreements. These staff will also have a role in assisting with additional and enhanced rights now provided under the Data Protection legislation such as a request for erasure of personal information or a request to rectify personal information. They will sit alongside the transactional team (as set out in Request 1) which handles Subject Access requests. We are providing their job descriptions which have been job evaluated as well as the current Head of Branch job description (Please note the Head of Branch job description may also likely be reviewed and updated in line with Data Protection changes).

Please see attached Head of Branch job description, E01 Paralegal Supervisor – Corporate Information Branch and E02 Paralegal -Corporate Information Branch.

The remaining posts which are set out in Request 1 (i.e. Deputy Principle, Staff officer, E01, E02 and ASO) are all being reviewed and updated in line with new legislative changes. PSNI will provide you with a copy of these when that is complete and will upload these to our disclosure log. We are aiming to publish these in approximately 2 months' time when that review process completes. There is an exemption within the FOI Act which allows PSNI to exempt material that it intends to future publish. This is set out at section 22 of that Act.

The full text of exemptions can be found at www.legislation.gov.uk and further guidance on how they operate can be located on the Information Commissioners Office website www.ico.org.uk.

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

Section 22 – Information Intended for Future Publication

Under Section 22 (1) of the Act the Police Service of Northern Ireland (PSNI) is not obliged to disclose information that is held with a view to its publication at some future date.

Section 22 is a qualified exemption so therefore the PSNI is obliged to carry out a Public Interest Test.

Public Interest Test

Factors Favouring Release

Disclosure would demonstrate PSNI's openness and transparency.

Factors Favouring Retention

There is a public interest in allowing an organisation space to finalise material which it intends to publish and ensure information is correct, accurate and takes accounts of all views and in this case PSNI's job evaluation processes.

Decision

Given PSNI's decision to provide this information to you when it places this information on our disclosure log we consider the public interest favours withholding the information until the reviewed job descriptions can be finalised and reviewed. It is PSNI's decision that the public interest favours withholding the information at this point in time. We will however get back in touch with you and provide you that remaining information you seek when we publish this material.

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 letter.

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 @ www.psnipolice.uk

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