

**Information about ICO
employees – what information
about you could be disclosed
under the Freedom of
Information Act
2000?**

Background

The Information Commissioner's Office (ICO) has received, and will continue to receive, requests under the Freedom of Information Act 2000 (FOIA) for the disclosure of information about its employees.

The Information Commissioner is fully committed to public openness. He recognises that Freedom of Information will fail to deliver its intended benefits if information about the activities of public authority employees, such as those employed by the Information Commissioner, is withheld without good reason. However, the Information Commissioner also recognises that his office holds a great deal of sensitive, personal information about his employees, often information provided in confidence, that it would be quite wrong to disclose in response to a request made under the FOIA.

What the legislation says

Personal information is exempt from disclosure under the FOIA if disclosure would lead to a breach of the data protection principles. For example if the disclosure would be unfair to an employee. This exemption is intended to ensure that greater public openness does not compromise personal privacy.

The Information Commissioner is also bound by human rights principles. This means that he must respect his employees' right to respect for their private and family life in deciding whether to disclose information about them.

The Information Commissioner has issued guidance to public authorities on the subject of access to information about public authorities' employees which is available on our website [here](#). Guidance has also been issued in regard to how and when to disclose [public sector salaries](#). This external guidance has been taken into account in this policy.

Purpose of this policy

The purpose of this policy is to manage the expectations of ICO employees (and temporary staff and secondees) in relation to information which may be released about them. This policy gives guidance to employees of the ICO (and temporary staff and secondees) about how the Information Commissioner will handle requests for the disclosure of information about them.

This policy is not intended to be an exhaustive list of information which may or may not be released about ICO employees but rather should serve as a guide. The Internal Compliance Department will continue to consider all requests for information to the ICO on a case by case basis, including those which also relate to information about ICO employees.

This policy does not apply to the disclosure of anonymised, aggregated or other information that does not identify individual employees.

Your role at the ICO

The Information Commissioner understands that ICO employees in different roles will have different expectations of what information about them could be released in response to a freedom of information request.

The expectations of a Case Officer whose job role involves dealing with the public on a daily basis is likely to be different from that of a Facilities Team member who has very little external contact.

Also those employees in "senior" job roles including those with managerial responsibilities are likely to have different expectations compared to employees who work in an administration role.

The Information Commissioner recognises that a distinction based on grade will not always be appropriate. In some cases, for example where an employee of junior grade incurs expenses, it may be appropriate to disclose that information, as would be the case with an employee of more senior grade. However in this situation the employee involved would be consulted about the possible disclosure.

It is recognised that members of the Executive Team will expect more information to be disclosed than more junior staff.

It is the view of the Information Commissioner that the expectations of those employees whose roles are public facing in an operational capacity (e.g. Case officers/Notification officers) will be different to those whose role is in a support function (e.g. HR Assistant/IT Service Support).

A list of those job roles considered to be either public facing in an operational role or senior (and in some cases both) can be found in

Annex A. Those job roles which are not considered to be public facing or senior are listed in Annex B. Please note that the titles of the job roles in both Annexes may be subject to renaming or new job titles may be created. In the event that your job title does not appear on either of the Annexes please contact the [Information Governance Department](#).

What information about me could be disclosed?

The Information Commissioner will normally disclose work-related information about senior employees or those in a public-facing role. It is less likely that information about more junior employees or those who do not deal directly with the public in an operational capacity will be disclosed.

For all employees whose job roles appear in **Annex A** the following information is likely to be disclosed;

- Names, job titles, work email addresses and work telephone numbers.
- Information already published by ICO, such as 5K salary bands of the Executive Team.
- For the Executive Team, photographs and biographical information.
- Years in post, previous positions held at ICO.
- Position in corporate structure, roles, duties, work-related responsibilities.
- Pay bands for the job level (not actual salary), or for those earning over £50,000 salary within a £5,000 band.
- Summaries of expense claims, amounts claimed by named employees. (Not details of hotels / restaurants used, journeys or itineraries.)
- Vocational training or secondments undertaken whilst employed at ICO.
- Business-related entries in office diaries or schedules.

It is important to remember that often there is already a lot of information which is already routinely published by the Information

Commissioner which could be associated with individual employees. For example the salary band and responsibilities for a particular job role are routinely made available during the recruitment process.

In addition the Information Commissioner is obliged as part of the transparency agenda to provide job role and pay band information every six months for Government organograms and data sets which are published on the Ministry of Justice's [website](#).

For all employees whose job roles appear in **Annex B** the following information is likely to be disclosed;

- Anonymised salary levels or pay bands for the job level (not actual salary).
- Anonymised position in corporate structure, roles, duties, work-related responsibilities.
- Summaries of expense claims, amounts claimed by job title. (Not details of hotels / restaurants used, journeys or itineraries.)

The above lists are not exhaustive, but are a generic breakdown of the information ICO typically holds about its employees.

The Information Commissioner will inform or consult any employees concerned prior to deciding whether to disclose any information about them where such a disclosure would not be in their reasonable expectation. For example it would be reasonable for a Case Officer to expect that their name would be released if a request was received asking for a list of employees who work on a specific group in Complaints Resolution.

Where the Information Commissioner informs or consults, should an employee object to a disclosure of their personal data this objection will be taken into account. However, if a disclosure does not breach human rights or data protection principles and does not fall within an exemption in the FOIA, the disclosure will take place despite an employee's objection to it and this will be communicated to the employee.

It is important that you inform the [Head of Information Governance](#) if your circumstances are such that you would have serious concerns about any information in relation to you being released.

What information about me is not likely to be disclosed?

The Information Commissioner recognises the distinction between professional information and genuinely personal and sensitive information held about his employees. Therefore information that is genuinely personal, sensitive or not work-related, will not be disclosed.

For all employees whose job roles appear in **Annex A** the following information is NOT likely to be disclosed;

- Personal details obtained by Human Resources as part of the recruitment process, e.g. CVs, the content of job application forms, references, qualifications, work histories.
- Photographs and biographical information relating to staff members whose role means that they are NOT likely to be the subject of publicity, (for example they do not undertake speaking engagements) unless they have consented to this.
- Photographs maintained as part of the staff gallery.
- Information that is not work-related, for example personal financial details, eligibility for benefit, sickness records, accident book entries, other medical information about ICO employees or individuals associated with them, e.g. their family members.
- Any information defined as sensitive personal data in the Data Protection Act 1998 (the DPA), e.g. specific individual racial or ethnic origin or specific individual trade union membership.
- Details of personal development reviews and other staff interviews, e.g. disciplinary proceedings.
- Actual salaries and specific information about pension entitlements or other financial benefits.
- Home addresses / contact details, next of kin information, personal interests and other non work-related information.
- Details of non work-related examinations, qualifications or training undertaken whilst employed at ICO or previously.
- Annual leave records, details of flexible hours leave or special leave.

- Security clearance information.
- Private entries in office diaries or schedules, e.g. medical / personal appointments.

For all employees whose job roles appear in **Annex B** the following information is NOT likely to be disclosed;

- Names, work email addresses and work telephone numbers.
- Personal details obtained by Human Resources as part of the recruitment process, e.g. CVs, the content of job application forms, references, qualifications, work histories.
- Information that is not work-related, for example personal financial details, eligibility for benefit, sickness records, accident book entries, other medical information about ICO employees or individuals associated with them, e.g. their family members.
- Any information defined as sensitive personal data in the DPA, e.g. specific individual racial or ethnic origin or specific individual trade union membership.
- Details of personal development reviews and other staff interviews, e.g. disciplinary proceedings.
- Actual salaries and specific information about pension entitlements or other financial benefits.
- Photographs and biographical information unless the employee has consented to this.
- Photographs maintained as part of the staff gallery.
- Home addresses / contact details, next of kin information, personal interests and other non work-related information.
- Details of non work-related examinations, qualifications or training undertaken whilst employed at ICO or previously.
- Annual leave records, details of flexible hours leave or special leave.
- Security clearance information.

- Private entries in office diaries or schedules, e.g. medical / personal appointments.
- Named position in corporate structure, roles, duties, work-related responsibilities.
- Vocational training or secondments undertaken whilst employed at ICO.
- Qualifications even if relevant to carrying out ICO duties.

Further information

If you have any questions regarding the interpretation of this policy or applicability to a specific information request please contact a member of the [Information Governance Department](#). If you wish to make the Information Commissioner aware of any serious concerns related to the disclosure of information about you please contact the [Head of Information Governance](#).

Annex A

Having taken into account the nature of the job role and the level of the position the following roles within the ICO are considered to be either public facing or senior. The job roles have been grouped by the Directorate which they come under;

Corporate Services

- Director of Corporate Services
- Head of Corporate Affairs
- Head of Internal Compliance
- Head of Finance
- Head of IT
- Head of Organisational Development
- Finance Manager
- Facilities Manager
- Internal Compliance Manager
- Senior IT Service Manager
- IT Projects Manager
- IT Service Manager
- IT Development Manager
- IT Delivery Manager
- Learning and Development Manager
- IT Procurement/Transition Specialist
- Lead Internal Compliance Officer
- Personal Assistant
- Human Resources Advisor
- Online and Internal Communications Manager
- Senior Press Officer
- Senior Corporate Governance Manager
- Lead Communications Officer
- Press Officer

Operations

- Director of Operations
- Head of Customer Contact
- Head of Complaints Resolution
- Head of Enforcement
- Head of Good Practice
- Assistant Commissioner – NI and Scotland
- Assistant Commissioner Wales
- Group Manager
- Solicitor
- Team Manager
- Notifications Manager
- Non Notifications Manager
- Investigations Manager

- Operations and Policy Manager (NI)
- Operations and Policy Manager (Scotland)
- Senior Notification Officer (changes)
- Senior Operations Analysis and Development Officer
- Senior Case Officer
- Lead Case Officer
- Lead Auditor
- Lead Researcher
- Lead Operations Service Delivery Officer
- Case Officer
- Customer Contact Officer
- Notifications Officer
- Investigating Officer
- Non Notifications Officer
- Guidance and Promotion Officer
- Paralegal
- Auditor
- Researcher
- Advice Officer

Policy Delivery / Strategic Liaison

- Deputy Commissioner and Director DP
- Deputy Commissioner and Director FOI
- Head of Policy Delivery
- Head of Strategic Liaison
- Principal Policy Adviser
- Principal Policy Adviser (Technology)
- Group Manager
- Solicitor (Group Manager)
- Solicitor (Head of Legal Profession)
- Solicitor
- Senior Policy Officer
- Lead Policy Officer
- Policy Officer

Annex B

Having taken into account the nature of the job role and the level of the position the following roles within the ICO are not considered to be either public facing or senior. The job roles have been grouped by the Directorate which they come under;

Corporate Services

- Human Resources Officer
- Learning and Development Officer
- Facilities Supervisor
- Human Resources Assistant
- Learning and Development Assistant
- Human Resources Secretary
- Facilities Team Member
- Finance Officer
- IT Service Support
- Communications Officer
- Communications Assistant
- Executive Assistant

Operations

- Notifications Assistant
- Operations Service Delivery Officer
- Support Officer (Wales)
- Administration Assistant (Scanning)
- Admin Support
- Admin Support (FOI Appeals)
- Executive Assistant

Policy Delivery/ Strategic Liaison

- Admin Support
- Executive Assistant