



Data Protection Officer
Freedom of Information
NW Leicestershire District Council
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Date: 04 May 2021

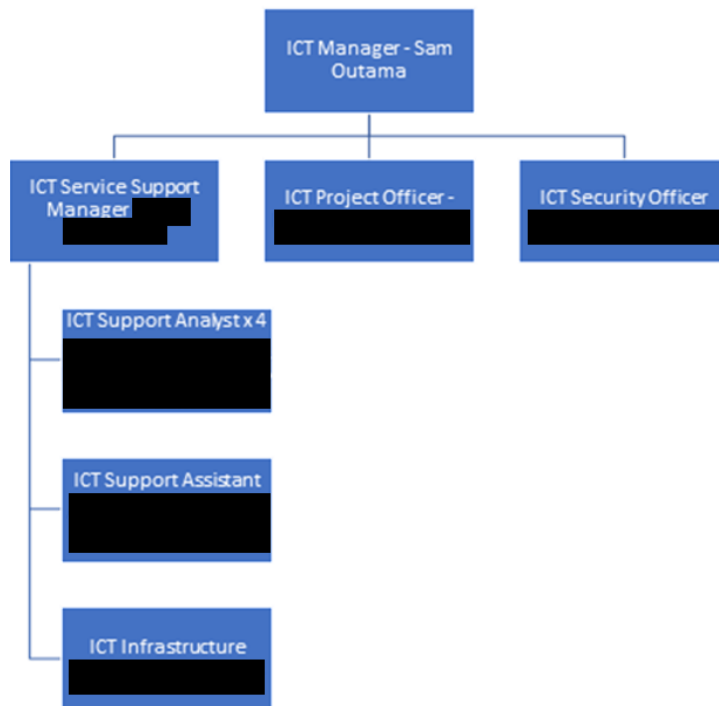
FREEDOM OF INFORMATION REQUEST 1573

I write further to your email dated 06 April 2021.

Your request has been dealt with under the terms of the Freedom of Information Act 2000 (FOIA), explained on our [freedom of information](#) page.

Your request:

1. ICT/IM&T/IS Strategy- The IT department strategy or plans, highlights their current and future objectives.
This is currently being updated in draft format.
2. ICT Org Chart- A visual document that presents the structure of the IT department, please include name and job titles. If this cannot be sent, please work towards a structure with job titles.



Names of some officers have been redacted under section 40 of the FOIA. Please see below for details.

3. ICT Annual or Business Plan- Like the ICT strategy but is more annually focused.

Please see document 1573a.xlsx attached. Exemptions under section 36 and section 40 of the FOIA have been applied. Please see details below.

4. ICT Capital Programme/budget- A document that shows financials budget on current and future projects.

Please see page 9 of our budget book, available at:

https://www.nwleics.gov.uk/files/documents/budget_book_202122/Budget%20Book%202021-22.pdf

Exemptions

Section 36: The Risk Register has been considered exempt from disclosure and so redacted under Section 36 of the FOIA. Section 36 (2) (c) applies where disclosure of the information requested would, or would be likely to, prejudice the effective conduct of public affairs.

To apply the exemption under section 36, we are obliged to seek a reasonable opinion of a qualified person and to undertake a public interest test.

In favour of disclosure, the Council should aim to be open and transparent with information it holds wherever possible. It is reasonable that the public should want to understand the risks facing or taken by public bodies holding their data and using public funding.

Against disclosure however, we consider that releasing information regarding the anticipated risks accounted for by our ICT department could prejudice the integrity of their risk assessment. Disclosing this information would prejudice the plans or policies created to address risk and leave the Council's IT systems vulnerable.

Therefore, in the reasonable opinion of the Council's Head of Legal and Democratic Services, this information should not be disclosed under section 36 (2) (c) of the FOIA.

Section 40: The names of our officers have been redacted from the information provided except where their position is already published. Section 40 (2) of the Freedom of Information Act 2000 provides that personal data is exempt from disclosure if one of the conditions contained in section 40 (3) is satisfied. Section 40 (3A) (a) applies where disclosure of information would contravene data protection principles.

In this case, names are exempt from disclosure as they constitute personal data and therefore their release would breach the data protection principles of article 5 of the General Data Protection Regulations (GDPR).

The supply of information in response to a freedom of information request does not confer the right to re-use the information. UK copyright law allows information supplied for the purposes of private study and non-commercial research to be used without permission. Information supplied can also be re-used for the purposes of news reporting except for in the case of photographs.

GOING FORWARD

If you are dissatisfied with the information supplied please feel free to contact me on the number above for any queries in relation to this response. Please note that in responding to further enquiries

I can only comment on the information contained within this correspondence and cannot provide any further information that may pertain to an additional FOIA request.

If you remain dissatisfied following the conclusion of the above informal review, you have the right to ask for an internal review. A request for a review whether formal or informal should be submitted within two calendar months of the date of receipt of the response to your original letter and should be sent to DPO@NWLeicestershire.gov.uk or the address above.

Please remember to quote the Authority's four digit reference number given at the top of this email in any future communications.

Further details on our appeals and complaints procedure can be found on our website [here](#).

If you remain dissatisfied following the conclusion of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at accessicoinformation@ico.org.uk.

Yours sincerely

Mackenzie Keatley
Information Governance Officer