

1 April 2016

Our Ref: e18815

**Re: Request for information under the Freedom of Information Act 2000**

Your request for information which was received on 14 March 2016 has been considered.

Please find our response below.

**Request:**

1. For the financial year 2014/15:
  - a. Overall budget for youth and community services (for young people aged 13-19)
  - b. Overall reduction in expenditure, to the nearest £'000, (compared to 2013/14) on youth and community services for young people aged 13-19 for:
    - I. LA provided youth services
    - II. Voluntary sector provided youth services
  - c. Overall planned reduction in the number of directly employed youth workers (Head count/FTE):
    - I. Part time
    - II. Full time
  - d. Overall planned reduction in:
    - I. Number of youth centres
    - II. Number of available places for young people
    - III. Outreach provision (hours provided)
- 2 For the financial year 2015/16:
  - a. Overall budget for youth and community services (for young people aged 13-19)
  - b. Overall reduction in expenditure, to the nearest £'000, (compared to 2014/15) on youth and community services for young people aged 13-19 for:
    - I. LA provided youth services
    - II. Voluntary sector provided youth services

c. Overall planned reduction in the number of directly employed youth workers (Head count/FTE):

I. Part time

II. Full time

d. Overall planned reduction in:

I. Number of youth centres

II. Number of available places for young people

III. Outreach provision (hours provided)

3 For the Financial year 2016/17 and beyond

a. What proposals affecting the provision for young people are included in the 2016/17 budget and Medium Term Financial Plan for 2016/17 and beyond?

b. Proposed overall reduction in expenditure (nearest £'000) compared with 2015/16 for:

i. LA provided youth services

ii. Voluntary sector provided youth services

c. Proposed overall reduction in the number of directly employed youth workers (Head count/FTE):

i. Part Time

ii. Full Time

d. Proposed overall reduction in:

I. Number of youth centres

II. Number of available places for young people

III. Outreach provision (hours provided)

4 What is the current balance of expenditure on services for young people aged 13-19 (in £'000s) between local authority and voluntary sector provision?

5 Please state whether directly employed youth workers are employed on JNC, NJC, Scottish Joint Council, or other terms and conditions (please specify):

a. JNC

- b. NJC
- c. SJC
- d. Other (please specify)
- e. No direct youth provision

6 Please supply a copy of the current youth service staffing structure showing the grade and rate of pay, gender and race for each post. Please attach a copy of this separately to your email response and state below whether it is attached or not.

**Response:**

Please see our response to questions 1- 5 in the attached excel spreadsheet (18815\_2).

Please note that Childrens Services is delivered by Achieving for Children.  
[http://www.richmond.gov.uk/achieving\\_for\\_children](http://www.richmond.gov.uk/achieving_for_children)

Information relating to their staff is not council information. Having said this AfC has provided the information where applicable in response to your request.

However AfC have no way of splitting the data between Kingston and Richmond workers employed by AfC. They can provide the information for AFC as a whole only. In response to question 5 they have Youth Workers employed on JNC terms and also other (AFC) terms which are based on the NJC pay scales.

In regards to Q.6 we are unable to provide the information requested. Firstly, we would not provide information regarding actual pay, race and gender of individual post holders as they could be personally identifiable. Secondly, there is no way of splitting which staff are assigned to Kingston or Richmond due to the way the information is recorded.

However AfC management is published on our website.

[http://www.richmond.gov.uk/education\\_and\\_childrens\\_services\\_structure.htm](http://www.richmond.gov.uk/education_and_childrens_services_structure.htm)

Please see Appendix 1 for the detailed legal reasoning behind the decision not to provide the information requested at Q.6 and your right of appeal.

Kind regards

Data Protection and Information Officer

## Appendix 1

### Detailed legal reasoning for refusal

#### Section 40(2): Personal Information

As stated the names of AfC management are published on our website.

The information concerning individuals has been withheld as the release of this information would constitute the disclosure of personal data about that individual that could be used to identify them.

The data subjects have not consented to the disclosure nor would they have any reasonable expectation that this information would be disclosed to the general public.

Specifically in terms of the provisions of the Freedom of Information Act 2000 it is exempt under Section 40(2) as “personal data other than that of the requestor”

The definition of personal data is set out in section 1 of the Act and provides:

- *“personal data” means data which relate to a living individual who can be identified—*
  - (a) from those data, or*
  - (b) from those data and other information which is in the possession of, or is likely to come into the possession of, the data controller, and includes any expression of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual;*

In coming to this decision, I took into consideration the Data Protection Act 1998 principles.

Such information should only be processed for specified, lawful and compatible purposes and I do not consider this to be a compatible purpose [Principle 2].

Furthermore such information should be processed in accordance with the rights of the data subject who would have a legitimate expectation that the information would not be disclosed to members of the public [Principle 6].

I consider that the disclosure of this information to members of the public could cause damage or distress to the data subject. I have given regard to condition 6 of Schedule of 2 of the DPA which provides:

6 (1) the processing is necessary for the purposes of legitimate interests pursued by the data controller or by the third party or parties to whom the data are disclosed, except where the processing is unwarranted in any particular case by reason of prejudice to the rights and freedoms or legitimate interests of the data subject.

In reaching a view I have taken account of the individual's reasonable expectations of what would happen to their personal data and whether disclosure would be incompatible with the purposes for which it was obtained and whether disclosure would cause any unnecessary or unjustified damage to the individual.

In this particular case the data subject would not have any reasonable expectation that the details would be made public.

We also note that this information relates to information which is classified as “sensitive personal data” in Section 2 (a) of the Data Protection Act.

*In this Act “sensitive personal data” means personal data consisting of information as to—*

- (a) the racial or ethnic origin of the data subject,*
- (b) his political opinions,*
- (c) his religious beliefs or other beliefs of a similar nature,*
- (d) whether he is a member of a trade union (within the meaning of the [M1](#) Trade Union and Labour Relations (Consolidation) Act 1992),*
- (e) his physical or mental health or condition,*
- (f) his sexual life,*
- (g) the commission or alleged commission by him of any offence, or*
- (h) any proceedings for any offence committed or alleged to have been committed by him, the disposal of such proceedings or the sentence of any court in such proceedings*

We note that in this instance, the information relates to section (a).

Schedule 3 of the Act states that sensitive personal data can only be processed if at least one of the following conditions is met:-

Explicit consent has been received from the data subject;  
Processing is required to comply with employment legislation;  
Processing is necessary to safeguard the vital interests of the data subject or another person;  
The information has already been made public by the data subject;  
Processing is necessary in connection with legal proceedings;  
Processing is necessary for the administration of justice;  
Processing is necessary for medical reasons;  
Processing is necessary for ethnic monitoring.

I do not consider that any of the above conditions are satisfied in this case.

I have concluded that it is neither in accordance with the Data Protection Act 1998 principles nor in the public interest to release this information

In accordance with the Freedom of Information Act 2000 this letter acts as a Refusal Notice.

You have the right of appeal against our policy. If you wish to appeal please set out in writing your grounds of appeal and send to:

Corporate Complaints and Access to Information Manager  
Community Engagement and Accountability Team  
Adult and Community Services  
3rd Floor Civic Centre  
44 York Street  
Twickenham  
TW1 3BZ  
E-mail: [foi@richmond.gov.uk](mailto:foi@richmond.gov.uk)

If you are dissatisfied with the outcome of the internal appeal you may appeal further to the Information Commissioner’s Office at:

Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
fax: 01625 524 510  
DX 20819

[www.ico.org.uk](http://www.ico.org.uk)