

PBNI Disclosure Log – Response to Request

Request Reference: 310.14.16
Date of Request: 6 Oct 2016
Date of Response: 18 Oct 2016

Request

What is the religious breakdown of all members of probation staff in HMP Magilligan?

Response

I can confirm that PBNI holds this information, however in accordance with Section 17 of the Freedom of Information Act (FOIA), I am advising you that we are unable to provide you with the information requested.

The community background information of employees within the Probation Board for Northern Ireland is gathered and retained for monitoring purposes only, in accordance with the Fair Employment (Monitoring) Regulations (Northern Ireland) 1999. Any disclosure of the community background of individual employees other than what is required by law, would contravene the above Regulations (Part III section 16 (2)).

PBNI considers that the specific information requested is exempt under Section 40 (2) (a) (b) of the FOIA by virtue of Section 40 (3) (a) (i) i.e. information is exempt if it constitutes personal data and disclosure would breach any of the Data Protection Principles.

PBNI believes that, given the small number of staff in question, it may be possible to identify these individuals which would breach the first data protection principle i.e. Personal data shall be processed fairly and lawfully. Personal information is defined in the Data Protection Act (s1) as 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.

The information requested is considered sensitive personal data under s2 (c) of the Data Protection Act 1998 i.e. personal data consisting of information as to - religious beliefs or other beliefs of a similar nature.

If this information is disclosed, we consider that there is a high risk that individuals may be identified either from other information already in the public domain or known by individuals, such as other PBNI employees. This would breach these individuals' data protection rights and also their right to privacy under Article 8 of the Human Rights Act.

PBNI can provide you with information in respect of the community background of all PBNI employees.

This information, as at 7 October 2016 (excluding agency staff) is as follows:

Community Background	Total
Non-determined	18
Protestant	158
Roman Catholic	190
Grand Total	366

If you have any queries about this letter, or if you feel I have misinterpreted your request please contact me. Please remember to quote the reference number above in any future communications.

If you are unhappy with the way PBNI has handled your request, you may ask for an internal review using our complaints procedure. A copy of our [complaints procedure](#) is available on our website www.pbni.org.uk. If you are not content with the outcome 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: Information Commissioner's Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire,
SK9 5AF.

Please note that PBNI publishes responses to requests for information on its website where we believe there may be a wider public interest. If requests are published they are anonymised i.e. details of the requester are not published.