

PBNI Disclosure Log – Response to Request

Category: Human Resources

Request Reference: 023.52.17

Date of Request: 24 October 2017

Date of Response: 2 November 2017

Request and Response

I would like to make a request under the Freedom of Information Act.

Q1. What is the percentage of Roman Catholics that have senior positions in PBNI Headquarters and the intensive supervision unit in Belfast City Centre?

Q2. What is the percentage of protestant males that have senior positions in PBNI Headquarters and the intensive supervision unit in Belfast City Centre?

In accordance with Section 17 of the Freedom of Information Act, I am advising you that we are unable to provide you with the information requested. As outlined in detail in our response to your previous request (Reference: 023.45.17) regarding the religious breakdown of staff and reiterated in our response to your subsequent request (023.50.17), the small numbers in question preclude us from disclosing the information – even in percentage terms as you have now requested.

As previously advised, 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 senior 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 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.

I would take this opportunity to apologise, as I made an error in the calculation of the number of current senior managers in PBNI Headquarters, referred to in my last response to you (reference: 023.50.17). The number should have read 13 and not 14 as previously outlined.

If you have any queries about this response, please come back to me. Please quote the above amended reference number in any future correspondence.

If you are unhappy with the way PBNI has handled your request, you may ask for an internal review using our [complaints procedure](#). See www.pbni.gov.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,

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.