

Official

Ref : FOI-203

[REDACTED]
Sent via email only to:
[REDACTED]

31 August 2018

Dear [REDACTED]

1. Thank you for your email of 1 August 2018 in which you requested information from UK Anti-Doping ('UKAD') under the Freedom of Information Act 2000 ('the Act'). Your request was for information relating to ICT expenditure. Specifically, your request was as follows:

Please could you provide me with information about your organisation's ICT expenditure as detailed in the attached template.

Within the response, please include:

- Expenditure from all parts of your organisation (centralised IT and departmental IT);
- As well as your own organisation, expenditure for any subsidiary organisations that fall within the scope of your accounts; and,
- Both revenue (or operating) expenditure and capital expenditure.

If you could input the answers in this template and return to me by email as an attachment, this would be much appreciated. Please return the information in the template as an Excel (.xlsx) file - not in another format (e.g. PDF).

2. UKAD confirms that it holds the information requested and – with the exception of ICT staff costs for the 2016/17 and 2017/18 years – provides a response to your questions in the template provided (attached). Your request for ICT staff costs in the 2016/17 and 2017/18 years is otherwise addressed below.

Section 40 (personal data)

3. Section 40(2) of the Act provides as follows:

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For further information regarding security marking please see:
<http://www.ukad.org.uk/pages/GSC/>

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Any information...is exempt if:

- a. it constitutes personal data which does not fall within subsection (1) [personal data of which the applicant is the data subject], and*
- b. the first, second or third condition below is satisfied.*

Section 40(3A)(a) of the Act states:

The first condition is that the disclosure of the information to a member of the public otherwise than under this Act would contravene any of the data protection principles.

4. In applying the above, UKAD has focused on the first data protection principle as set out in Chapter 2, Article 5(a) of the General Data Protection Regulation ('the GDPR'), which is as follows:

Personal data shall be processed lawfully, fairly and in a transparent manner in relation to the data subject ('lawfulness, fairness and transparency').

5. Part of the information that you have requested – being the ICT staff cost for both the 2016/17 year and 2017/18 year – constitutes “personal data” as defined under the Data Protection Act 2018 ('DPA'). This is because, in each of these years, UKAD had only one full-time employee engaged in ICT. Therefore, to reveal the exact figure for each of those years would be to reveal the wage of that employee. UKAD has therefore gone on to consider if disclosure of that personal data would be unfair. If it would be unfair, it is exempt from disclosure pursuant to section 40 of the Act.
6. The Information Commissioner has provided guidance on the circumstances in which it may be fair or unfair to disclose an individual's wage pursuant to a request under the Act.¹ Generally speaking, the more senior an employee, the more likely it is to be reasonable to disclose that person's wage. However, ultimately UKAD must balance the rights of the employee against the legitimate interests in disclosure. Having done so, UKAD has concluded that, while there is a legitimate public interest in knowing how public money is apportioned across an organisation, this interest is sufficiently met by disclosure of a salary range, as opposed to an exact figure. UKAD has therefore concluded that the exact ICT staff cost for each of the 2016/17 and 2017/18 years is exempt pursuant to section 40 of the Act and provides the following information in lieu thereof:

¹ https://ico.org.uk/media/for-organisations/documents/1187/section_40_requests_for_personal_data_about_employees.pdf

ICT Staff costs

Actual	Actual	Budget	
2016/17	2017/18	2018/19	UKAD comments
£37,500 – £42,500	£37,500 – £42,500	£70,650	Headcount for 2016/17 & 2017/18: 1 FTE; 2018/19 budget: 2 FTE.

7. If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to: Philip Bunt, Chief Operating Officer, UK Anti-Doping, Fleetbank House, 2-6 Salisbury Square, London EC4Y 8AE. Please remember to quote the reference number above in any further communications.
8. 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.

Yours sincerely



UK Anti-Doping