



Sent by email to:

9<sup>th</sup> April 2019

Dear

**Freedom of Information Act 2000 - Request for Information**

I am writing in respect of your enquiry dated 5<sup>th</sup> April 2019 for information held by the Council. Your enquiry is being dealt with under the Freedom of Information Act 2000 (the FOI Act).

1. You requested the following information for the past five financial years:
  - 1) *Number of non-disclosure agreements agreed in each year.*
  - 2) *The total overall figure for how much was spent on non-disclosure agreements in each year.*
  - 3) *The reasons for the agreements where possible.*
2. The following information is released in response to your enquiry. Where information has been withheld, an explanation of why the information has been withheld, is provided. Please familiarise yourself with the informative on re-use of information.

**Question No's 1 and 3** *(withheld) [Number of non-disclosure agreements agreed in each year, the reason for the agreements]*

The Council confirms that this information is held by it. However, this information is exempt by virtue of s.40(2) and 40(3)(a)(i) of the FOI Act. Release of the exempted information is refused on the following grounds:

Withholding the information is necessary to protect information which is personal information. The disclosure of this information to a member of the public would breach the first data protection principle, namely that personal data must be processed fairly.

Due to the small number of cases involved and as a small district level authority with fewer staff than many other public authorities, the release of the information in conjunction with other common knowledge within the community and with colleagues, would make it likely that positive identification of individuals could be made.



**Question No. 2 (partly released) [The total overall figure for how much was spent on non-disclosure agreements in each year]**

The Council confirms that this information is held by it. However, this information is exempt by virtue of s.40(2) and 40(3)(a)(i) of the FOI Act. Release of the exempted information is refused on the following grounds:

Withholding the information is necessary to protect information which is personal information. The disclosure of this information to a member of the public would breach the first data protection principle, namely that personal data must be processed fairly.

Due to the small number of cases involved and as a small district level authority with fewer staff than many other public authorities, the release of the information in conjunction with other common knowledge within the community and with colleagues, would make it likely that positive identification of individuals could be made.

However, I can confirm that total financial value of non-disclosure agreements from April 2014 – March 2019 is £29,620.

3. I am satisfied in terms of s.17(3)(b) of the FOI Act, that in the circumstances of this enquiry, withholding the information is not outweighed by other considerations, which render it desirable in the public interest to make the information available.
4. If you wish to object to my decision in the first instance, or if you are unhappy with the way in which your enquiry has been dealt with, you may ask for an internal review by initiating the Council's Corporate Complaints Procedure, details of which may be obtained by logging onto the Council's website <http://www.dartford.gov.uk> or telephoning or emailing me. Should you remain dissatisfied with the decision on internal review, you may appeal to the Information Commissioner, Wycliffe House, Water Lane, Wilmslow SK9 5AF.

I would be grateful if you would address any future correspondence you may have in relation to this matter, to me, quoting the reference number FOI1125. Please familiarise yourself with the informative on the re-use of information.

Yours sincerely

A handwritten signature in black ink that reads 'P. Curtis'.

**Philippa Curtis**  
**HR Manager**



## INFORMATIVE

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The Freedom of Information Officer  
Dartford Borough Council  
Civic Centre  
Home Gardens  
Dartford  
Kent DA1 1DR  
DX: 142726 DARTFORD 7  
Email: [foi@dartford.gov.uk](mailto:foi@dartford.gov.uk)

Full guidance on how to make an application to re-use our information can be found in our Re-Use Policy at [www.dartford.gov.uk](http://www.dartford.gov.uk)

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If you need additional support, please let us know as soon as possible. If you have difficulty reading this Licence, we can make reasonable adjustments to assist you, in line with the requirements of the Equality Act 2010. We can also help if English is not your first language. Please contact our Customer Services on 01322 343434 or email [customer.services@dartford.gov.uk](mailto:customer.services@dartford.gov.uk). We welcome calls via [Typetalk](http://Typetalk)