



## Foreign & Commonwealth Office

Abdul Hai  
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**Political Section, UKRep**  
Foreign and Commonwealth Office  
King Charles Street  
London SW1A 2AH

Website: <https://www.gov.uk>

Dear Mr Hai

### **FREEDOM OF INFORMATION ACT REQUEST REF: 0535-16**

Thank you for your email of 24 May asking for information under the Freedom of Information Act (FOIA) 2000. You asked:

*“Under the right of access to documents in the EU treaties, as developed in Regulation 1049/2001, I am requesting documents which contain the following information:*

*Can you tell me how many staff you employ and what their nationalities are?”*

We are treating this as a request for information under the Freedom of Information Act (FOIA) 2000 and I can confirm that the Foreign and Commonwealth Office (FCO) does hold information relevant to your request.

UKRep includes staff from a number of different Government Departments. The number of staff employed by UKRep varies throughout the year, depending on changing requirements at the Representation. The Foreign and Commonwealth Office (FCO) currently has 129 full time posts at UKRep, both UK based and Locally Engaged.

However the time required to conduct a reasonable search to extract the information about staff members' nationalities would exceed the statutory limit. Section 12 of the Freedom of Information Act makes provision for public authorities to refuse requests for information where the cost of dealing with them would exceed the appropriate limit. The limit has been specified in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004. For central government the appropriate limit is set at £600. This represents the estimated cost of one or more persons spending 3 ½ working days in determining whether the Department holds the information, and locating, retrieving and extracting it. This information is not held in a single location and I estimate that it will take more than 3 ½ working days to locate, retrieve and extract the details you have requested. In these circumstances we are not obliged under the Act to comply with this element of your request. We are unable to suggest a way in which you could refine your request in order to get information on staff nationalities.

Furthermore, we consider that information about staff members' nationalities represents personal data in certain cases, the disclosure of which would contravene one of the data protection principles. In such circumstances sections 40(2) and (3) of the Freedom of

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Information Act apply. In this case, our view is that disclosure would breach the first data protection principle. This states that personal data should be processed fairly and lawfully. It is the fairness aspect of this principle, which, in our view, would be breached by disclosure. In such circumstances, s.40 confers an absolute exemption on disclosure. There is, therefore, no public interest test to apply.

I hope you are satisfied with this reply. However, if you wish to make a complaint or if you would like a review of our decision, please write to the FOI and DPA Team, Foreign and Commonwealth Office, Room K4.14, King Charles Street, London, SW1A 2AH. E-mail: [foi-dpa.imd@fco.gov.uk](mailto:foi-dpa.imd@fco.gov.uk). You have 40 working days to do so from the date of this letter. If you are not content with the outcome of your complaint, you may then apply directly to the Information Commissioner for a decision. Generally, the Information Commissioner cannot make a decision unless you have exhausted the complaints procedure provided by the FCO. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

Yours sincerely,

Political Section, UKRep



We keep and use information in line with the Data Protection Act 1998. We may release this personal information to other UK government departments and public authorities.