

[REDACTED]
[REDACTED]

25 February 2019

INFORMATION REQUEST REFERENCE 19-007

Dear [REDACTED]

Thank you for your information request, received on 28 January 2019. You asked the London Legacy Development Corporation (Legacy Corporation) to provide the following information under the Freedom of Information Act 2000 (FOIA):

"I would like to request information about the work and structure of your Information Governance team and how these functions and responsibilities are carried out in your organisation. By Information Governance, I am referring to how you comply with Information Access legislation (FOIA & EIR), data protection, and records management.

I would therefore be grateful if you can provide me with the following information:

- 1. The total number of staff employed by your authority – the FTE (full-time equivalent)*
- 2. The total number of FoIA & EIR requests received by your authority in your last annual monitoring period – as either a calendar or financial year, whichever is easier.*
- 3. The total number of Subject Access Requests (SARs) received by your authority over the same period*
- 4. The number of SAR requests received since the introduction of the General Data Protection Regulation (GDPR) on 25 May 2018.*
- 5. Please provide information about the structure of your Information Governance team(s), and/or the relevant roles within your authority where these responsibilities lie. This should include:
- Team structure(s), job titles, role responsibilities and job descriptions;
- Pay bands for these roles – if the pay band is identified by an alphanumeric identifier (e.g. Band D, or Grade 8), please provide a table which identifies the range of salaries within these pay bands.*

- Where the Information Governance function sits within your authority and the member of your Senior Management Team / Corporate Management Team / Board with overall responsibility for Information Governance.
6. Please identify where the role of Data Protection Officer (DPO) sits within your authority, to whom they report, they pay band, whether your DPO has any additional roles or responsibilities, and whether they fulfil the DPO role for any other data controller.
 7. Please provide a copy of any audits or inspection reports covering FOIA, EIR, DPA and GDPR compliance from the past three years, and copies of reports referencing any restructuring or resourcing of the Information Governance functions within your authority.

If you are providing links to information published on your website, please ensure they relate to the specific information being requested."

I can confirm that the Legacy Corporation holds information which falls within the scope of your request. The information relevant to your request is below and our response follows your order:

Q1. The total number of staff employed by your authority – the FTE (full-time equivalent).

As at 31 January, the Legacy Corporation employed 146 staff (FTE).

Q2. The total number of FOIA & EIR requests received by your authority in your last annual monitoring period – as either a calendar or financial year, whichever is easier.

In the financial year 2017/18 the Legacy Corporation received 74 FOIA / EIR requests.

Q3. The total number of Subject Access Requests (SARs) received by your authority over the same period.

In the financial year 2017/18 the Legacy Corporation received no Subject Access Requests.

Q4. The number of SAR requests received since the introduction of the General Data Protection Regulation (GDPR) on 25 May 2018.

From 25 May 2018 up to the date of this request, the Legacy Corporation has received no Subject Access Requests.

Q5. Please provide information about the structure of your Information Governance team(s), and/or the relevant roles within your authority where these responsibilities lie. This should include:

- Team structure(s), job titles, role responsibilities and job descriptions:

- Pay bands for these roles – if the pay band is identified by an alphanumeric identifier (e.g. Band D, or Grade 8), please provide a table which identifies the range of salaries within these pay bands.

- Where the Information Governance function sits within your authority and the member of your Senior Management Team / Corporate Management Team / Board with overall responsibility for Information Governance.

The Information Governance function sits within the Finance, Commercial and Corporate Services Directorate. The Deputy Chief Executive has overall responsibility for this Directorate. In relation to Freedom of Information requests, each Executive Directorate of the organisation is responsible for the FOIs within their area of responsibility.

The Information Manager (Band 4) is responsible for all aspects of the FOI/EIR process, however, leave cover and assistance is provided by the Director of Governance, Assurance and Programme Management (Band 8), the Secretariat and Governance Support Officer (Band 2) and the Programme Assurance Executive (Band 2) where required.

The Senior Information Manager (Band 5) is the Data Protection Officer for the Legacy Corporation and has responsibility for all data protection issues, including any Subject Access Requests.

While both the Senior Information Manager and Information Manager roles are within the Finance, Commercial and Corporate Services Directorate (FC&CS), they have different reporting lines – an organisation chart for FC&CS and role profiles has been provided in a earlier request. This information is now published on our website and has been reviewed and confirmed that it is still current. The FOI reference is 18-006. A link to the relevant section of our website is attached here: <https://www.queenelizabetholympicpark.co.uk/our-story/the-legacy-corporation/good-governance/publication-scheme/disclosure-log/2018-foi>

Please note that all the staff mentioned have responsibilities beyond FOI/EIR and Data Protection/SAR and the Corporation does not have one team dedicated in part or in whole to managing FOI/DPA/Information Governance.

The pay bands as of 2018/19 financial year are as follows:

Level	Band	Salary Band Range
Director	8	£98,745 – £120,689
Senior Manager	5	£46,910 - £57,334
Manager	4	£39,866 - £48,725
Officer	2	£30,744 - £37,576

The Security Control room has the main responsibility for subject access requests that include CCTV footage. The Security Control room is operated on behalf of the Legacy Corporation by Engie as part of the Facilities Management contract.

In relation to job descriptions, people specifications and structure of the security team, the Legacy Corporation does hold this information for Engie staff within the Security Control room however this information is being withheld under FOIA section 31(1)(a) – prevention or detection of crime.

S.31(1)(a) – prevention or detection of crime

*(1) Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to, prejudice—
(a) the prevention or detection of crime*

The Section 31 exemption is a qualified exemption and subject to the prejudice test and the public interest test. Under the prejudice test we have to consider if disclosure of this information would, or would be likely to, prejudice the prevention of crime. Consideration is also given to the harm disclosing this information would be likely to cause, combined with other information already in the public domain (mosaic effect) or possibly released at a future date (precedent effect). The public interest test considers and balances the public interest in disclosing this information against the public interest in not disclosing this information and uses this assessment to decide whether there is sufficient justification in withholding this information under this exemption.

Information disclosed under the FOIA is considered to be public information, and while there is a presumption towards disclosure, consideration needs to be given as to who will have access to this information beyond the requestor, and the purposes for which they could use the information.

The Legacy Corporation have assessed the impact of releasing the information requested where it relates to the security staff within the Park control room and believe that the public interest would not benefit from this information being released into the public domain. The security of the Park would be jeopardised, and the prevention of crime would be prejudiced.

It is the view of the Legacy Corporation that the public interest in withholding the information outweighs the public interest in disclosing it.

Q6. Please identify where the role of Data Protection Officer (DPO) sits within your authority, to whom they report, their pay band, whether your DPO has any additional roles or responsibilities, and whether they fulfil the DPO role for any other data controller.

Please see the response to Question 5 – the Senior Information Manager is the Data Protection Officer and sits within the IT & Information Services Team of the Finance, Commercial and Corporate Services Directorate, reporting to the Director of IT. An organisation chart of the Directorate has been provided in Annex A of our response to 18-006 and this is available on our website: <https://www.queenelizabetholympicpark.co.uk/our-story/the-legacy-corporation/good-governance/publication-scheme/disclosure-log/2018-foi>

The Senior Information Manager is in pay band 5. Their salary information is available on our website as part of our responsibilities under the Local Government Transparency Code. A link to the page is provided here: <https://www.queenelizabetholympicpark.co.uk/our-story/the-legacy-corporation/good-governance/transparency/senior-staff-salaries>

As mentioned in our response to Q5, the DPO does have other responsibilities and these are in the areas of information security, systems development, information standards, information governance and records management, however, they do not fulfil the DPO role for any other data controller.

Q7. Please provide a copy of any audits or inspection reports covering FOIA, EIR, DPA and GDPR compliance from the past three years, and copies of reports referencing any restructuring or resourcing of the Information Governance functions within your authority.

An internal audit of Freedom of Information was undertaken in 2016. The report was presented to the Audit Committee at their meeting on 18 July 2016. A link to the report is provided below:

<https://www.london.gov.uk/moderngov/ldc/documents/s56906/7c.%20Freedom%20of%20Information%202016-17%20Final%20Internal%20Audit%20Report.pdf>

A report on the DPO role was presented to the Audit Committee at their meeting on 21 November 2018. A link to the report is provided below:

https://www.london.gov.uk/moderngov/ldc/documents/s60535/5a.%20180924%20EMT%20GDRP%20Compliance_v0.8.pdf

If you are unhappy with our response to your request and wish to make a complaint or request an internal review of our decision, you should write to:

Deputy Chief Executive
London Legacy Development Corporation
Level 10, 1 Stratford Place
Montfichet Road
London, E20 1EJ

Email: FOI@londonlegacy.co.uk

Please note: complaints and requests for internal review received more than two months after the initial response will not be handled.

If you are not content with the outcome of the internal review, you may appeal directly to the Information Commissioner at the address given below. You should do this within two months of our final decision. There is no charge for making an appeal.

Further information on the Freedom of Information Act 2000 is available from the Information Commissioner's Office:

Wycliffe House
Water Lane
Wilmslow
SK9 5AF

Telephone 08456 30 60 60 or 01625 54 57 45

Website www.ico.gov.uk

Yours sincerely

FOI / EIR Co-ordinator

London Legacy Development Corporation