

14 April 2011

XXXX
XXXX

Freedom of Information Request: Ref F0007477

Dear XXXX,

I am writing to confirm that the Department for Transport has completed its search for the information which you requested on 17 March. You requested information on six DfT non-departmental public bodies (NDPBs), which are in the process of being either abolished or merged. These are: the Railway Heritage Committee (RHC), BRB (Residuary) Ltd, Cycling England, the Renewable Fuels Agency (RFA), the Commission for Integrated Transport (CfIT), the Disabled Persons' Transport Advisory Committee (DPTAC).

I have set out information below, where appropriate, on each of your five specific questions. We have answered the information request in terms of direct employees of the public bodies concerned. You should be aware that the information provided in regard to BRB and the RFA is our current best estimate, and the actual outturn position may be different:

Q1. How much you have paid out so far in redundancy payments?

A1. No redundancy payments have been made so far for any of the six bodies you listed. The Chief Executive of the Renewable Fuels Agency has received a payment for early termination of his contract but this is not a redundancy payment. That early termination payment was £42,000 in total.

Q2. What is the total redundancy payment figure you expect to be paid out once the process is finished?

A2. The table below sets out the position for each public body:

Public Body	Current Estimate of Total Redundancy Figure
RHC	The RHC has no direct employees. There are expected to be some one off costs associated with the termination of the contract of one employee (employed by BRB (Residuary) Ltd)*.
BRB	Costs are currently estimated at around £1m.
Cycling England	Cycling England had no direct employees.
RFA	There is no reliable estimate of <i>total redundancy costs</i> at this stage, as decisions have not yet been made over whether any staff will leave on voluntary exit/early retirement terms or the potential redeployment of any

	staff in the longer term. <i>Total transitional costs</i> have previously been estimated at £100,000, though this figure remains inherently uncertain.
CfIT	CfIT had no direct employees.
DPTAC	DPTAC has no direct employees.

*The exact breakdown of expected costs for RHC is being withheld in reliance on the personal information exemption at section 40(2)&(3) of the Freedom of Information Act 2000 (the full text of the exemption is attached at Annex A).

If we were to disclose this information it could be used to identify estimated redundancy costs for an individual member of staff. Individuals have an expectation that any redundancy costs associated with their posts will not be put into the public domain. To do so would be unfair and would breach the first data protection principle.

Q3. How many people have so far been made redundant?

A3. No-one has been made redundant to date.

Q4. How many people do you expect to be made redundant in total once the process is finished?

A4. The table below sets out the position for each public body:

Public Body	Current Estimate of Number of People Made Redundant Once Process is Finished
RHC	The RHC has no direct employees. One employee (employed by BRB (Residuary) Ltd) is expected to be made redundant when RHC is abolished.
BRB	Around twenty-seven BRB staff are currently estimated to be made redundant.
Cycling England	Cycling England had no direct employees.
RFA	The functions of the RFA were transferred to DfT on 1 April, as have all permanent RFA staff. There have been no redundancies. Staff on fixed term or agency contracts are expected to leave on completion of their contract. Other staff have been offered voluntary exit/early retirement, but decisions have not yet been made over whether any staff will leave on these terms or potential redeployment of any staff in the longer term.
CfIT	CfIT had no direct employees.
DPTAC	DPTAC has no direct employees.

Q5. What are the top five highest individual redundancy payments you have made so far. For each individual, can you state their job title and role.

A5. This is not applicable, as no-one has so far been made redundant.

In keeping with the spirit and effect of the Freedom of Information Act, all information is assumed to be releasable to the public unless exempt. A copy of this response and the information provided may now be published on our website together with any related information that will provide a key to its wider context.

If you are unhappy with the way the Department has handled your request or with the decisions made in relation to your request you may complain within two calendar months of the date of this letter by writing to the Department's Information Rights Unit at:

Zone D/04
Ashdown House
Sedlescombe Road North
Hastings
East Sussex TN37 7GA
E-mail: FOI-Advice-Team-DFT@dft.gsi.gov.uk

Please see attached details of DfT's complaints procedure and your right to complain to the Information Commissioner.

If you have any queries about this letter, please contact XXXX XXXX in the DfT Press Office on 020 7944 3232. Please remember to quote the reference number above in any future communications.

Yours sincerely,

XXXX XXXX
Corporate Governance Division
Department for Transport

Your right to complain to Department for Transport and the Information Commissioner

You have the right to complain within two calendar months of the date of this letter about the way in which your request for information was handled and/or about the decision not to disclose all or part of the information requested. In addition a complaint can be made that DfT has not complied with its FOI publication scheme.

Your complaint will be acknowledged and you will be advised of a target date by which to expect a response. Initially your complaint will be re-considered by the official who dealt with your request for information. If, after careful consideration, that official decides that his/her decision was correct, your complaint will automatically be referred to a senior independent official who will conduct a further review. You will be advised of the outcome of your complaint and if a decision is taken to disclose information originally withheld this will be done as soon as possible.

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

Annex A – FOIA Exemptions

40 Personal information.

(1) Any information to which a request for information relates is exempt information if it constitutes personal data of which the applicant is the data subject.

(2) Any information to which a request for information relates is also exempt information if—

(a) it constitutes personal data which do not fall within subsection (1), and

(b) either the first or the second condition below is satisfied.

(3) The first condition is—

(a) in a case where the information falls within any of paragraphs (a) to (d) of the definition of “data” in section 1(1) of the Data Protection Act 1998, that the disclosure of the information to a member of the public otherwise than under this Act would contravene—

(i) any of the data protection principles, or

(ii) section 10 of that Act (right to prevent processing likely to cause damage or distress), and

(b) in any other case, 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 if the exemptions in section 33A(1) of the Data Protection Act 1998 (which relate to manual data held by public authorities) were disregarded.

(4) The second condition is that by virtue of any provision of Part IV of the Data Protection Act 1998 the information is exempt from section 7(1)(c) of that Act (data subject’s right of access to personal data).

(5) The duty to confirm or deny—

(a) does not arise in relation to information which is (or if it were held by the public authority would be) exempt information by virtue of subsection (1), and

(b) does not arise in relation to other information if or to the extent that either—

(i) the giving to a member of the public of the confirmation or denial that would have to be given to comply with section 1(1)(a) would (apart from this Act) contravene any of the data protection principles or section 10 of the Data Protection Act 1998 or would do so if the exemptions in section 33A(1) of that Act were disregarded, or

(ii) by virtue of any provision of Part IV of the Data Protection Act 1998 the information is exempt from section 7(1)(a) of that Act (data subject's right to be informed whether personal data being processed).

(6) In determining for the purposes of this section whether anything done before 24th October 2007 would contravene any of the data protection principles, the exemptions in Part III of Schedule 8 to the Data Protection Act 1998 shall be disregarded.

(7) In this section—

“the data protection principles” means the principles set out in Part I of Schedule 1 to the Data Protection Act 1998, as read subject to Part II of that Schedule and section 27(1) of that Act;

“data subject” has the same meaning as in section 1(1) of that Act;

“personal data” has the same meaning as in section 1(1) of that Act.