

1 August 2011

XXXX XXXX
XXXX XXXX

Freedom of Information Request: Ref F0007845

Dear XXXX,

I am responding to your request of 5 July in regard to the estimated cost of redundancies across Department for Transport (DfT) non-departmental bodies in a) 2011-12, and b) over the Spending Review period. Figures are set out in the table below, where appropriate. It should be borne in mind that these figures are estimates and as such may be subject to revision over time. The table focuses on DfT non-departmental public bodies (NDPBs).

Estimated DfT NDPB Redundancy Costs in 2011-12 and over the Spending Review period

DfT NDPB	Estimated Redundancy Costs in 2011-12	Estimated Redundancy Costs over the SR period 2011-12 to 2014-15
The British Transport Police Authority (BTPA)	£0	£0
BRB (Residuary) Ltd (BRBR)	£0	Costs are currently estimated at around £1m
The Commission for Integrated Transport (CfIT) ¹	Cycling England had no direct employees	Not applicable
Cycling England ¹	Cycling England had no direct employees	Not applicable
The Disabled Persons' Transport Advisory Committee (DPTAC)	DPTAC has no direct employees	Not applicable
Directly Operated Railways (DOR) Ltd	£0	£0
HS2 Ltd	£0	£0
The Northern Lighthouse Board	£250,000	£250,000

¹ CfIT was abolished on 14 October 2010. Cycling England and the RFA were abolished on 31 March 2011, and the functions of the RFA were brought into the Department for Transport on 1 April 2011.

DfT NDPB	Estimated Redundancy Costs in 2011-12	Estimated Redundancy Costs over the SR period 2011-12 to 2014-15
Passenger Focus ²	£0	£0
The Railway Heritage Committee (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).	Not applicable
The Renewable Fuels Agency (RFA) ¹	Not applicable	There is no 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 ³ .
The Traffic Commissioners	£0	£0
Trinity House Lighthouse Service	£600,000	£2,100,000

The exact breakdown of expected costs for the 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.

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.

² Passenger Focus had redundancy costs of around £1,050,000 in 2010-11.

³ Nick Goodall was employed by the RFA as Chief Executive on a fixed term contract of three years running from July 2008 to July 2011. He ceased to be Chief Executive on 31 March 2011 and received a payment for early termination of his contract from the RFA of £42,000 in total. This *ex gratia* settlement was part of an approved compensation scheme. £30,000 was paid to Nick Goodall directly, and £12,000 was paid into his pension scheme on his behalf.

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 let me know. Please remember to quote the reference number above in any future communications.

Yours sincerely,

XXXX XXXX
XXXX XXXX
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.