



**Strategic Planning & Corporate Services
Group**
Strategic Support Directorate

Capacity Capability Equality & Diversity
Branch
Clare House
303 Airport Road West
BELFAST
BT3 9ED

Telephone: 02877 442385

E-mail: CapabilityandStaffAdmin@daera-ni.gov.uk

24 July 2026

Dear [REDACTED],

Freedom of Information Act 2000

Thank you for your e-mail received by the Department on 25 June 2026 in which you requested:

Copies of recorded information held by DAERA relating to decisions taken since 1 January 2025 to continue General Service Grade 6 temporary promotion arrangements rather than declare a substantive vacancy for fill from competition IRC306699. This should include where held:

- submissions, business cases, briefing papers, or recommendation papers.
- emails or correspondence between business areas and HR.
- vacancy review exercises.
- workforce planning papers.
- records of discussions with NICSHR regarding the declaration or non-declaration of Grade 6 vacancies.
- any recorded rationale for retaining temporary promotion arrangements where a substantive vacancy existed.

I am not seeking personal data relating to individual staff members and I am content for names and other personal identifiers to be redacted. Where multiple records exist, I would be content to receive examples, templates, summaries, or extracts that record the reasons provided by business areas for continuing temporary promotion arrangements rather than declaring vacancies for substantive recruitment from IRC306699.

I can advise that the department has completed its' search and can confirm that it does not hold any records relating to

If you are deaf or have a hearing difficulty you can contact the Department via the Next Generation Text Relay Service by dialling 18001 + telephone number.

INVESTORS IN PEOPLE®
We invest in people Standard



- **submissions, business cases, briefing papers, or recommendation papers.**
- **workforce planning papers.**

The department does hold the information you requested regarding

- **emails or correspondence between business areas and HR.**
- **vacancy review exercises.**
- **records of discussions with NICSHR regarding the declaration or non-declaration of Grade 6 vacancies.**
- **any recorded rationale for retaining temporary promotion arrangements where a substantive vacancy existed.**

However, some of the information held constitutes personal data of which you are not the data subject. Therefore, the department considers **Section 40(2) – Personal Information** engaged.

In these instances, the department is required to consider if disclosure would breach the first Data Protection Principle which states that processing must be lawful, fair and transparent. In these instances, the department is required to conduct a **Lawful, Fairness and Transparency Test**, this is attached for your information at **Annex A**.

The department has considered this element and has determined that no lawful basis for disclosure under FOI exists, bearing in mind that any such disclosure must be considered in terms of disclosure to the “world at large,” and not just you the requester.

Consequently, the personal data falling within the scope of this request has been withheld.

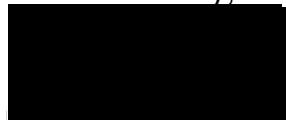
The information which can be disclosed has been included with this email response in the attached PDF documents.

If you require any clarification or believe that any part of your request has been overlooked, misunderstood or misinterpreted, please contact Capacity Capability Equality & Diversity Branch or the email address above, in the first instance to see if it is a matter that can be resolved.

If you are unhappy with the manner in which your request for information has been handled or the decision to release/withhold information, you have the right to request a formal review by the department. If you wish to do so, please contact The Review Section either by e-mailing daera.informationmanager@daera-ni.gov.uk or by post to Department of Agriculture, Environment and Rural Affairs, Data Protection & Information Management Branch, Floor 2, Jubilee House, 111 Ballykelly Road, Ballykelly, Limavady BT49 9HP, within two months from the date of this letter.

If after such an internal review you are still unhappy with the response, you have the right to appeal to the Information Commissioner at Wycliffe House, Water Lane, Wilmslow, CHESHIRE, SK9 5AF, who will undertake an independent review of the Department’s decision.

Yours sincerely,




If you are deaf or have a hearing difficulty you can contact the Department via the Next Generation Text Relay Service by dialling 18001 + telephone number.

INVESTORS IN PEOPLE®
We invest in people Standard



LAWFULNESS, FAIRNESS AND TRANSPARENCY TEST – DAERA/26-446

Freedom of Information Act 2000 (FOI)

Request Details:

The requester has asked for:

Copies of recorded information held by DAERA relating to decisions taken since 1 January 2025 to continue General Service Grade 6 temporary promotion arrangements rather than declare a substantive vacancy for fill from competition IRC306699. This should include, where held:

- a) submissions, business cases, briefing papers, or recommendation papers.*
- b) emails or correspondence between business areas and HR.*
- c) vacancy review exercises.*
- d) workforce planning papers.*
- e) records of discussions with NICSHR regarding the declaration or non-declaration of Grade 6 vacancies.*
- f) any recorded rationale for retaining temporary promotion arrangements where a substantive vacancy existed.*

The requester advised “I am not seeking personal data relating to individual staff members and I am content for names and other personal identifiers to be redacted.”

Where multiple records exist, I would be content to receive examples, templates, summaries, or extracts that record the reasons provided by business areas for continuing temporary promotion arrangements rather than declaring vacancies for substantive recruitment from IRC306699.

Brief description of the Personal Data falling within the scope of the request

Some information within the scope of the request relates to the personal data/name(s) of individual(s) within the Department for Agricultural Environment and Rural Affairs.

LAWFULNESS

Personal data is processed when it is lawfully disclosed in response to a FOI request.

The lawful basis for processing is set out in Article 6 of the GDPR and the ICO expects at least one of two lawful bases (Consent / Legitimate Interest) to apply before the personal data held can be disclosed.

Consent: this will apply when the data subject(s) clear consent exists that allows you to disclose the personal data falling within the scope of this request.

Legitimate interests: the processing is necessary for the department’s legitimate interests or the legitimate interests of a third party that overrides the data subject(s) rights and freedoms, particularly their right to privacy.

Consideration of Legitimate Interests

If you are deaf or have a hearing difficulty you can contact the Department via the Next Generation Text Relay Service by dialling 18001 + telephone number.

INVESTORS IN PEOPLE®
We invest in people Standard



1. PURPOSE

As the disclosure of personal data under FOI is a disclosure to the world at large, doing so on the strength of a requester's private interests alone could constitute a disproportionate and unwarranted level of interference with the data subject(s) rights and freedoms, particularly their right to privacy and family life under the Human Rights Act 1998.

In addition, the requester stated in the original request that personal data relating to individual staff members was not required and that the names and other personal identifiers should be redacted.

2. NECESSITY

The right of access under FOI or EIR does not in itself constitute a **pressing social need**.

The department has considered and not identified any such need for the data subjects right to privacy to be interfered with.

3. CONCLUSION

Having considered all of the information contained within this test and in compliance with the request, the department has established that, on balance, there is no lawful basis for the disclosure of third-party personal data falling within the scope of the request, of which the requester is not the data subject.

Consideration has been given to Freedom of Information Act 2000, Data Protection Act 2018, UK General Data Protection Regulations and the requester's instruction to support the decision that some information cannot be disclosed as it may breach the first principle "lawful, fair and transparent" given that such a disclosure could enable any third party to be identified which may result in "unwarranted damage or distress to any individual(s)" involved and the appropriate FOI exception has been engaged.

If you are deaf or have a hearing difficulty you can contact the Department via the Next Generation Text Relay Service by dialling 18001 + telephone number.

INVESTORS IN PEOPLE
We invest in people Standard

