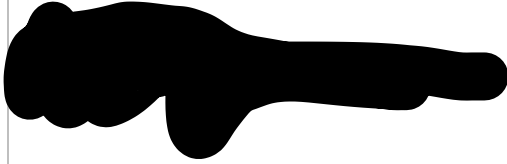




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21 December 2023

Dear 

### **Freedom of Information Act (FOIA) Outcome of Internal Review – 231123023**

Thank you for your Internal Review request dated 23 November 2023 regarding FOI request 231026054 in which you asked for the following information from the Ministry of Justice (MOJ):

- **Cost to employ a band 3 prison officer in their 1st year of employment, to include average cost of recruitment and training (an average cost is acceptable) – we request the same information for year two of employment.**
- **Cost to HMPPS or MoJ to employ a band 3 (national) prison officer, who are part of the 'unlocked graduate' scheme in their 1st year of employment, to include average cost of recruitment and training (an average cost is acceptable). We request the same information for year two of employment, and any other additional costs incurred to HMPPS / MoJ over and above those to employ a prison officer who is not a scheme member.**

You asked for an FOIA Internal Review stating:

**“Thank you for your response, a copy of which is attached, however you have not responded fully or within time to my original request, can you please provide all the information which was requested in my original application – for ease of reference this is also attached; the information being sought is held and is disclosable as part of this process. Our application was made by email on the 26.10.23.**

**You have failed to provide year two costs for band 3 prison officers as requested, and you have failed in anyway to respond to our legitimate request relating to band 3 prison officers, who are part of the unlocked graduate scheme.**

**We again ask that you provide all the information we have requested in the attached FOI.”**

The purpose of an Internal Review is to assess how your FOI request was handled in the first instance and to determine whether the original decision given to you was correct. This is an independent review: the reviewer of this case was not involved in the original decision.

The response to your original request referred only to the cost to employ a Band 3 Prison Officer in their first year of employment. The response confirmed that the information requested is held by the MoJ and you were provided with information about the average cost to train a Band 3 Prison Officer. You were also provided with average salary costs for their first year of employment. After careful consideration we have concluded that this response was **partially compliant** with the requirements of the FOIA.

### **Statutory deadline**

The statutory deadline for your request was 23 November 2023 and the response was provided on 23 November 2023. The response was therefore compliant with the timeliness requirements of the FOIA.

### **Outcome**

Under section 1(1) of FOIA anyone who requests information from a public authority is entitled under subsection (a) to be told if the authority holds the information and, under subsection (b), to have the information communicated to them if it is held and is not exempt information.

We have reviewed the original response, as well as the steps taken to determine whether all of the information requested was held by the Department. It is our view that appropriate steps were not taken to determine whether all of the information within the scope of your request was held by the MoJ. Whilst MoJ took steps to gather information relating to the salary and training costs for a Band 3 Prison Officer in their first year of employment prior to responding to your request, the further information that you had requested in relation to recruitment costs, year two costs and the costs associated with the recruitment and training of a Band 3 (National) Prison Officer in the Unlocked Graduate Scheme for their first and second year in the Scheme does not appear to have been considered.

The response did not include the full text of your request and the information that was communicated to you was therefore limited in scope. It was not made clear in the response whether the information that you had requested in respect of recruitment costs, year two costs and the costs associated with the recruitment and training of a Band 3 (National) Prison Officer in the Unlocked Graduate Scheme for their first and second year in the scheme was held by the MoJ and/or whether this was exempt information. In view of this, we have determined that the MoJ has not complied with section 1(1).

We have determined that the MoJ does **hold** the remainder of the information that is within the scope of your original request and, as this is not exempt information, this should have been released as part of the original request.

In conclusion we believe the original response was incorrect and we have therefore overturned the decision. Please accept our apologies and find enclosed the information that you requested.

Yours sincerely

MoJ People Group Correspondence

### **Appeal Rights**

If you are not satisfied with this response, you have the right to apply to the Information Commissioner's Office (ICO). The Commissioner is an independent regulator who has the power to direct us to respond to your request differently, if he considers that we have handled it incorrectly.

You can contact the ICO at the following address:

#### **Information Commissioner's Office online portal**

<https://ico.org.uk/make-a-complaint/foi-and-eir-complaints/>

#### **Postal address**

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF