



**POLICE & CRIME
COMMISSIONER
for Leicestershire**

Prevention | Partnership | Protection

Our ref: 845/21

PB/01805/20

Date: 22nd March 2021

Dear,

Freedom of Information Act 2000

I write further to your request for information received 26/02/2021.

I note you seek access to the following information:

I would like to make a request under the provisions of the Freedom of Information Act:

1a. How many contractors utilised by the Office of the Police & Crime Commissioner fall within the scope of IR35 "off payroll" workers?

1b. Please provide a list of those companies (and contractors) that fall within this category of contractors; including the £ value of spend with said companies during the last 12 months.

Following receipt of your request, searches were conducted within the Office of the Police and Crime Commissioner for Leicester and Leicestershire to locate information relevant to your request.

Your request for information has now been considered and the information asked for is as follows: -

1a. How many contractors utilised by the Office of the Police & Crime Commissioner fall within the scope of IR35 "off payroll" workers?

There is only one contractor who falls within the scope of IR35 worker utilised by the Office of the Police and Crime Commissioner.

1b. Please provide a list of those companies (and contractors) that fall within this category of contractors; including the £ value of spend with said companies during the last 12 months.

The amount paid to them from 1.3.2020 to 28.2.2021 was £37,810.

The further information you have requested cannot be supplied to you as the following exemption applies to these elements of your request:

Section 40 (2) – Personal Information

Section 40(2) is a class based absolute exemption and as such legislators have identified that there would be harm in disclosure and there is no requirement to evidence this or consider the public





interest test. However, as Section 40(2) is engaged and in order to make the exemption absolute we need to evidence that a data protection principle would be breached by disclosure. In this case it would not be fair to process confidential personal information which relates to an identified individual, therefore the first principle of the Data Protection Act would be breached.

You should consider this to be a refusal under section 17 of the Act for your request.

The Office of the Police and Crime Commissioner provides you the right to ask for a re-examination of your request under its review procedure. Letters should be addressed to Information Manager, Corporate Services Department at the above address. If you decide to request such a review and having followed the Force's full process you are still dissatisfied, then you have the right to direct your comments to the Information Commissioner who will give it consideration.

Yours sincerely

Information Management

The Office of the Police and Crime Commissioner

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