



2 Bristol Avenue,
Colindale, NW9 4EW
30 March 2021
Our ref: 7068821

Thank you for your request received on 1 March 2021, for the following information:

Please provide anonymised information from 01/01/2016 - 31/12/2020 about the following:

- * Do you have any specific age friendly practices to support the recruitment of older workers aged over 50? Yes or no. If yes, please outline your policy briefly.**
- * Are job descriptions for posts advertised externally assessed for ageist language that could exclude older workers? Yes or no. If yes, please state which online word checkers you have used.**
- * How many any age discrimination claims by workers aged over 50 have been made against your organisation in courts or tribunals in the last 5 years? For each case, please supply court/tribunal reference**

We have processed this request under the Freedom of Information Act 2000.

Response

I can confirm that London Borough of Barnet holds the information you requested.

However, we consider that the following exemptions apply to some of the information requested. The remaining information is not withheld and is below.

**** Do you have any specific age friendly practices to support the recruitment of older workers aged over 50? Yes or no. If yes, please outline your policy briefly.***

No

**** Are job descriptions for posts advertised externally assessed for ageist language that could exclude older workers? Yes or no. If yes, please state which online word checkers you have used.***

No

We have an equal opportunities policy and a recruitment and selection policy which confirm that we expect that our recruiting managers not to discriminate against applicants, including on the basis of a protected characteristic.

**** How many any age discrimination claims by workers aged over 50 have been***

made against your organisation in courts or tribunals in the last 5 years? For each case, please supply court/tribunal reference

Barnet Council has had one age discrimination claim in the last 5 years by a person over 50 years of age. This claim has been withdrawn and dismissed by the tribunal and never came to a full hearing, hence such information is not in the public domain. Supplying the case number and information about this case would identify the person involved. This information is exempt as we are applying the exemption in Section 40(2).

Please see refusal notice below.

Refusal Notice Section 40(2)

We consider that the absolute exemption set out in Section 40 (Personal information) subsection 2 applies to the information requested. Therefore, we have decided to withhold the information.

[Part 1 of Schedule 19](#) of the Data Protection Act 2018 amends the personal data exemption under section 40 of the Freedom of Information Act 2000(FOI). These are consequential amendments designed to ensure that the correct provisions of the GDPR and the new Act are referenced instead of the now repealed DPA 1998. They will not fundamentally impact when personal data can, and cannot, be disclosed in response to an FOI request.

Personal Information is governed by the Data Protection Act legislation and is defined as any information relating to an identified or identifiable natural person ('data subject')". It adds that: an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location number, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

The withheld information is exempt because disclosure would contravene the first data protection principle which requires that personal data is processed fairly and lawfully. Disclosure of the requested information would breach this principle and in particular the requirement of fairness.

Individuals working for the council have a reasonable expectation of privacy and do not expect that the council would disclose their names or contact details in response to a freedom of information request, especially as they are relatively junior and not in public facing roles. The council's redaction policy states that officers' names and contact details under the level of Assistant Director will generally not be released. All of the posts redacted are under the Assistant Director level.

Further information

If you are interested in the data that the council holds you may wish to visit Open Barnet, the council's data portal. This brings together all our published datasets and other information of interest on one searchable database for anyone, anywhere to access. <http://open.barnet.gov.uk/>

Advice and Assistance : Direct Marketing

If you are a company that intends to use the names and contact details of council officers (or other officers) provided in this response for direct marketing, you need to

be registered with the Information Commissioner to process personal data for this purpose. You must also check that the individual (whom you wish to contact for direct marketing purposes) is not registered with one of the Preference Services to prevent Direct Marketing. If they are you must adhere to this preference.

You must also ensure you comply with the Privacy Electronic and Communications Regulations (PECR). For more information follow this Link www.ico.org.uk

For the avoidance of doubt the provision of council (and other) officer names and contact details under FOI does not give consent to receive direct marketing via any media and expressly does not constitute a 'soft opt-in' under PECR.

Your rights

If you are unhappy with the way your request for information has been handled, you can request a review within the next 40 working days by writing to the Information Management Team at: foi@barnet.gov.uk. Or by post to Information Management Team (FOI) London Borough of Barnet, 2 Bristol Avenue, Colindale, NW9 4EW

If, having exhausted our review procedure, you remain dissatisfied with the handling of your request or complaint, you will have a right to appeal to the Information Commissioner at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF (telephone: 0303 123 1113; website www.ico.org.uk). There is no charge for making an appeal.