

Sent via email only: [REDACTED]

**Ref: FOI-481**

02 May 2025

Dear [REDACTED]

1. Thank you for your email of 3 April 2025 in which you requested information from UK Anti-Doping ('UKAD') under the Freedom of Information Act 2000 ('the Act'). Specifically, your request was as follows:
  - 1) *What is the primary SIC 2007 code for your organisation's activities?*
  - 2) *How many workers are directly employed by your organisation?*
  - 3) *How would you classify your organisation: Private, Public, or Voluntary?*
  - 4) *In which region is your workplace located?*
  - 5) *Do you recognise any trade unions in your workplace? If so, please name them.*
  - 6) *What was the date your latest pay settlement/agreement, came into effect?*
  - 7) *what date will your next pay settlement/agreement begin?*
  - 8) *In this latest settlement/agreement, what was the percentage pay increase for your lowest-paid employee?*
  - 9) *In this latest settlement/agreement, what was the standard percentage pay increase?*
  - 10) *What is the job title(s) and hourly rate of your lowest-paid employees?*
  - 11) *Are you a living wage foundation Accredited Living Wage Employer?*

## Summary of Response

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2. UKAD confirms that, subject to the explanations provided below, it holds some of the information relevant to your request.

3. In relation to Parts 1, 3 and 4 of your request, the information is exempt under section 21 of the Act as it is information reasonably accessible to you by other means.
4. In relation to Part 2 and Parts 5-9 of your request, UKAD confirms that it holds, and is prepared to disclose, the information requested.
5. In relation to Part 10 of your request, UKAD confirms that it holds the information requested. However, UKAD is withholding this information under the exemption stipulated at section 40 of the Act.

### **Response to Parts 1, 3 & 4 of your request**

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6. Section 21 of the Act states:

***21 Information accessible to applicant by other means***

*(1) Information which is reasonably accessible to the applicant otherwise than under section 1 is exempt information.*

*(2) For the purposes of subsection (1) —*

*(a) information may be reasonably accessible to the applicant even though it is accessible only on payment, and*

*(b) information is to be taken to be reasonably accessible to the applicant if it is information which the public authority or any other person is obliged by or under any enactment to communicate (otherwise than by making the information available for inspection) to members of the public on request, whether free of charge or on payment*

7. The information sought at Parts 1, 3 and 4 of your request is reasonably accessible to you by other means.
8. The information sought at Parts 1 and 3 of your request is publicly available. The information can be found at the following address: <https://find-and-update.company-information.service.gov.uk/company/06990867>
9. The information sought at Part 4 of your request is publicly available. The information can be found at the following address: <https://www.ukad.org.uk/contact-us>

## **Response to Part 2 of your request**

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10. Part 2 of your request seeks information regarding the number of “*workers directly employed*” by UKAD.
11. Pursuant to section 230(1) of the Employment Rights Act 1966 (the ‘ERA’), an “employee” is an individual who has entered into or works under a contract of employment (i.e. directly employed). By contrast, both directly and indirectly employed individuals are captured within the definition of “worker” under section 230(2) of the ERA.
12. In those circumstances, UKAD considers that the information sought at Part 2 of your request is the number of employees employed by UKAD. As at the date of your request (i.e. 3 April 2025), UKAD employed 82 employees.

## **Response to Part 5 of your request**

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13. UKAD does not recognise any trade unions.

## **Response to Part 6 of your request**

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14. UKAD’s latest pay settlement/agreement came into effect on 1 July 2024.

## **Response to Part 7 of your request**

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15. UKAD’s next pay settlement/agreement will commence on 1 July 2025.

## **Response to Part 8 of your request**

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16. In the latest pay settlement/agreement (being that which came into effect on 1 July 2024), the percentage pay increase for UKAD’s lowest-paid employee was 5%.

## **Response to Part 9 of your request**

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17. In the latest pay settlement/agreement (being that which came into effect on 1 July 2024), the standard percentage pay increase of UKAD employees was 5%.

## **Response to Part 10 of your request**

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18. UKAD confirms that it holds the information sought at Part 10 of your request.
19. However, UKAD is withholding this information under the exemption stipulated at section 40 of the Act.

20. Section 40(2) of the Act provides:

*Any information...is also exempt information if—*

*(a) it constitutes personal data which does not fall within subsection (1), and*

*(b) the first, second or third condition below is satisfied.*

16. Section 40(3A)(a) of the Act states:

*The first condition is that the disclosure of the information to a member of the public otherwise than under this Act—*

*(a) would contravene any of the data protection principles;*

....

21. UKAD has concluded that there is a genuine risk that disclosure of the job title and hourly rate of its lowest-paid employee will identify that individual. Details of the job title and hourly rate of the lowest-paid employee therefore constitutes “personal data” as defined in section 3(2) of the Data Protection Act 2018 (‘DPA’) and Article 4(1) of the UK General Data Protection Regulation (‘GDPR’) because it is information relating to an identified living individual.

22. Having determined that the information you have requested is personal data, UKAD has gone on to consider whether disclosure could contravene any of the data protection principles as set out in Chapter 2, Article 5(1)(a) of the UK GDPR. The first data protection principle states that personal data shall be processed transparently, fairly and lawfully.

23. UKAD considers that members of staff, particularly those not employed in a senior leadership role, can reasonably expect that their personal details will be kept confidential and not disclosed in public-facing documents. We have therefore concluded that disclosure of personal data relating to those members of staff would be neither fair nor lawful, in circumstances where consent to such disclosure has not been given.

24. This exemption is an absolute exemption and, as such, UKAD is not required to consider the public interest test in this context.

### **Response to Part 11 of your request**

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25. UKAD is not an Accredited Living Wage Employer.

## Conclusion

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26. If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of this response and should be addressed via email to [foi@ukad.org.uk](mailto:foi@ukad.org.uk). Please remember to quote the reference number above in any further communications.
27. 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.

Yours sincerely



**UK Anti-Doping**