

Security department

Cynulliad
Cenedlaethol
Cymru
National
Assembly for
Wales



6 December 2019

Request for Information.

Thank you for your request received on 11 November in which you asked:

Dear National Assembly for Wales,

Please can you provide the following information about the NAW's security department?

- a) Job Description / Person specification for each role within the department;*
- b) Rank/Grade insignia for each grade worn by uniform staff*
- c) Details of the pay scale for each grade within the department, including any enhancement (shift allowance, night rate, overtime rate, first aider pay etc)*
- d) Total number of staff employed (FTE and headcount) by the department*

Please see the response below.

- A) We confirm that we hold the requested data. However, we consider that the release of this information to you would be likely to prejudice the prevention of crime, and endanger the safety of individuals. The information is therefore exempt under sections 31(1)(a) and 38(1)(b) of the Freedom of Information Act 2000 respectively. Further reasoning for this conclusion and the application of these exemptions is set out in the annex to this letter.
- B) Assembly Commission security staff do not wear insignias. However, team leaders do wear pin badges.

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CF99 1NA
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Ffôn/Tel: 0300 200 6544
E-bost/Email: Ceisiadau-gwybodaeth@cynulliad.cymru
Information-request@assembly.wales

C) Pay scales and other rates of pay are outlined below. Updated pay scales are periodically published on the Assembly's website, available at the link below:

<https://www.assembly.wales/en/gethome/working/recruitment/Pages/pay-scales.aspx>

Scale	Position	Point	Annual Salary
Team Support	Security Officer	1	19,314
		2	21,164
		3	23,013
M3 - EO	Security Team Leader	1	24,164
		2	24,984
		3	26,084
		4	28,999
M2 - HEO		1	31,046
		2	32,685
		3	34,303
		4	37,647
M1 - SEO	Deputy Head of	1	39,739
		2	41,448
		3	43,158
		4	47,626
E2 - G7	Head of Security	1	51,447
		2	53,668
		3	55,891
		4	61,686

Days	Overtime Rates
Mon - Fri	1.50
Sat-Sun-Public Holiday	2.00
Night Enhancement Times	Enhanced Rates
20:00 - 23:00	25%
23:00 - 06:00	33%
Night shift allowance:	£5,500pa

D) We confirm that we hold the requested data. However, we consider that the release of this information to you would be likely to prejudice the prevention of crime, and endanger the safety of individuals. The information is therefore exempt under sections 31(1)(a) and 38(1)(b) of the Freedom of Information Act 2000 respectively. Further reasoning for this conclusion and the application of these exemptions is set out in the annex to this letter.

Yours sincerely

**Freedom of Information Manager
National Assembly for Wales**

Your request has been considered according to the principles set out in the [Code of Practice on Public Access to Information](#). If you have any questions regarding this response, please contact me. If you feel you have cause for complaint, please follow the guidance below.

Cause for concern or complaint with your FOI response?

If you are dissatisfied with the Assembly's handling of your request, you can request an internal review within 40 working days of the date of this response. Requests for an internal review should be addressed to the Freedom of Information Manager at:

Information-request@assembly.wales or in writing to

The National Assembly for Wales

Governance and Assurance

Cardiff Bay

Cardiff

CF99 1NA

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

Annex

Section 31

Section 31 is subject to a test of prejudice. This means that information can only be withheld if its disclosure would, or would be likely to, prejudice one of the activities listed in either subsection (1) or (2). The “prevention or detection of crime” is listed as an activity in subsection (1)(a).

The prejudice test involves a number of steps:

- One of the law enforcement interests protected by section 31 must be harmed by the disclosure;
- The prejudice claimed must be real, actual or of substance. Therefore, if the harm was only trivial, the exemption would not be engaged;
- The public authority must be able to demonstrate a causal link between the disclosure and the harm claimed;
- The public authority must then decide what the likelihood of the harm actually occurring is (i.e. would it occur, or would it only be likely to occur).

The more certain the prejudice, the greater weight it carries when considering the public interest. In this context, the term “would prejudice” means that it has to be more probable than not that the prejudice would occur. “Would be likely to prejudice” is a lower test. Either way, there must be a real and significant risk.

Section 31(1)(a) covers all aspects of the prevention and detection of crime. This exemption may be used to withhold information that would make anyone, including the public authority itself, more vulnerable to crime. This includes the disclosure its own security procedures, structure and arrangements, such as the specification for each security role and the size of the security department.

The prejudice test is not limited to the harm caused by the requested information on its own. Account can be taken of any harm likely to arise if the requested information were put together with other information. It is also appropriate to consider the precedent that could be set for future requests by disclosing information about our security arrangements.

Our view, having considered the effect that disclosure could have on the integrity of the Assembly and its estate, is that to disclose the requested information would, or would be likely to, place at risk the security of the Assembly and, by extension, those who work on and visit the Assembly estate. This would, or would be likely to lead to, the prejudicing of the prevention of crime.

We then went on to consider the public interest test. As part of this test, there is a need to balance the security of the Assembly and its estate against the public interest in holding the National Assembly for Wales Commission to account.

There is a clear public interest in protecting society from the impact of crime. There is also a clear public interest in the Commission being transparent in its workings so that it can be held to account.

The greater the potential for a disclosure to result in crime, the greater the public interest in maintaining the exemption. The victims of crime can be both organisations and individuals, but there is a greater public interest in protecting individuals from the impact of crime. By disclosing information that could allow the identification of vulnerabilities in the security arrangements of the Assembly estate, individuals who work on and visit the Assembly estate would be placed at a greater risk of crime.

In this case, it is our view that the public interest in favour of disclosure does not outweigh the need to protect the integrity of the security arrangements in place to protect the Assembly and its estate, and those who work on and visit the estate.

Section 38

The focus of section 38(1)(b) is on information that might pose a risk if disclosed. This includes information that could lead to risk to the safety of staff, visitors and other individuals on the Assembly estate, or lead to the identity of undercover security officials.

Section 38 is subject to an endangerment test. We must, therefore, be satisfied that the endangerment would result from the disclosure of the information. Endangering safety is usually connected to the protection of individuals.

Some people or groups of society are particularly vulnerable, and their safety may be more easily endangered than others. This includes public facing figures, such as Assembly Members, who are required to publicly express their political views. This can bring them into conflict with individuals or groups who may hold opposing views and seek to cause them, and those around them, harm as a result.

By disclosing information concerning the security structure and arrangements in place at the Assembly, this increases the risk of groups and individuals exposing vulnerabilities in the Assembly's security arrangements, which in turn increases the risk to those who work at and visit the Assembly estate.

We then went on to consider the public interest test. As part of this test, there is a need to balance the risks to the health and safety of an individual or group against the public interest in holding the National Assembly for Wales Commission to account. This test must be applied on a case by case basis.

There is a clear public interest in the Commission being transparent in its workings so that it can be held to account. However, there is also a strong public interest in withholding information that would undermine a security system in place in protect the safety of groups and individuals, as well as allow known individuals, such as public facing figures to be targeted.

In this case, it is our view that the public interest in favour of disclosure does not outweigh the need to protect the integrity of the security arrangements in place to protect the Assembly and its estate, and those who work on and visit the estate.