

Vehicle Information

27 January 2014

Cynulliad
Cenedlaethol
Cymru
National
Assembly for
Wales



Request for Information.

Thank you for your request received on 18 December and for your patience while we prepared a full response. You asked:

1. Please supply details of the number of vehicle lease contracts / hire purchase agreements that the National Assembly Wales is currently engaged in. Also, please provide details of lease contracts / hire purchase agreements that NAfW has entered into since 2011.

2. Please supply details of the number of personnel employed as drivers / chauffeurs by National Assembly for Wales and the total expenditure of employing people in these roles since 2011.

3. Please supply details of the total expenditure of National Assembly for Wales on fuel for official business in 2013/2012/2011. Fuel includes petrol / diesel / LPG gas.

4. Please supply details of the total number of miles travelled by car on official business during 2013/2012/2011.

5. Please supply details of the number of vehicles that form part of a National Assembly for Wales fleet of vehicles, used for official business. Please detail make, model, age of vehicles and the cost of their upkeep in 2013/2012/2011. Cost of upkeep relates to vehicle tax, vehicle insurance, vehicle maintenance and fuel expenditure.

You clarified via email that you wish your request to capture information on vehicles that are owned and/or leased by the Assembly Commission since 2011. We have not included information of vehicles purchased pre-2011,

Bae Caerdydd
Caerdydd
CF99 1NA
Cardiff Bay
Cardiff
CF99 1NA

Ffôn/Tel: 029 20 89 8635
E-bost/Email: Buddug.Saer@wales.gov.uk

neither have we included the mileage or fuel costs of personal vehicles used for official business. We can provide this information if you would like it.

Your request has been dealt with under both the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.

1. Please supply details of the number of vehicle lease contracts / hire purchase agreements that the National Assembly Wales is currently engaged in. Also, please provide details of lease contracts / hire purchase agreements that NAFW has entered into since 2011.

We currently have two contracts in place.

The details of both contracts are available on our website by following the link below: <http://assemblywales.org/gethome/abt-procurement.htm>

In an effort to reduce our environmental footprint from car hire and private car use on business, we rent a low emission pool car for use by all staff in the Assembly.

You can locate the relevant information in rows 5 and 31.

2. Please supply details of the number of personnel employed as drivers / chauffeurs by National Assembly for Wales and the total expenditure of employing people in these roles since 2011.

We employ one individual as a driver ("the employee"). However, it is not possible to provide the total expenditure associated with the employee's driving duties in isolation. This is because the employee's duties also include support and administrative work as part of the Presiding Officers' private office. Consequently driving is just one element of the employee's duties and the amount of time spent between driving and other duties varies from week to week.

Notwithstanding the above, we have given consideration to a disclosure of information regarding the employee's salary. Our conclusion is that such a disclosure would contravene the data protection principles and that, as such, would be exempt from disclosure under section 40(2) and section 40(3)(a)(i) of the Freedom of Information Act 2000. Further reasoning for this conclusion is set out in the [annex](#) to this letter.

3. Please supply details of the total expenditure of National Assembly for Wales on fuel for official business in 2013/2012/2011. Fuel includes petrol /diesel/ LPG gas.

The table below provides you with the total expenditure by the National Assembly for Wales on fuel for the Presiding Officers' official vehicle, the pool car and hire cars.

Financial Year	Total expenditure on fuel
2010-11	£11,709.23
2011-12	£13,537.14
2012-13	£15,157.56

4. Please supply details of the total number of miles travelled by car on official business during 2013/2012/2011.

The table below provides you with the total miles travelled by the National Assembly for Wales by the Presiding Officers' official vehicle, the pool car and hire cars.

Financial Year	Total miles travelled
2010-11	32,917
2011-12	39,985
2012-13	43,567

5. Please supply details of the number of vehicles that form part of a National Assembly for Wales fleet of vehicles, used for official business. Please detail make, model, age of vehicles and the cost of their upkeep in 2013 / 2012 / 2011. Cost of upkeep relates to vehicle tax, vehicle insurance, vehicle maintenance and fuel expenditure.

As detailed in our response to question 1, we have two contracts in place. The details of each are provided below:

Presiding Officers' official vehicle

Make and model: Audi A8

Age of vehicle: 2012

(Please note: Road tax is included in the contract)

Financial Year	Insurance	Maintenance	Fuel expenditure
2010-11	£2,423.16	-	£3866.00
2011-12	£2,592.76	£132.48	£2978.57

2012-13	£2,015.06	£1408.81	£2073.29 to date
---------	-----------	----------	------------------

Staff pool car

Make and model: Ford Fiesta 1.6l Diesel Zetec

Age of vehicle: 2012

(Please note: Road tax and maintenance are included in the contract price)

Financial Year	Insurance	Fuel expenditure
2010-11	£908.42	£4146.00
2011-12	£935.98	£3894.00
2012-13	£976.26	£3885.96

Your request has been considered according to the principles set out in the Code of Practice on Public Access to Information. The code is published on our website at http://www.assemblywales.org/abthome/about_us-commission_assembly_administration/abt-foi/abt-foi-cop-pub.htm

If you have any questions regarding this response please contact me. If you feel you have cause for complaint, please follow the guidance at the end of this letter.

Yours sincerely

Buddug Saer
Programme Officer
National Assembly for Wales

Cause for concern or complaint with your FOI response?

If you believe that I have not applied the Code correctly or have not followed the relevant laws, you may make a formal complaint to the Chief Executive and Clerk at the National Assembly for Wales, Cardiff Bay. Details of the Assembly's complaints principles are set out in the Code of Practice on Complaints available on the Internet at <http://www.assemblywales.org/conhome/con-complaint.htm>. Please advise me if you wish to receive a printed copy.

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

Your request asks for the total expenditure of employing drivers/chauffeurs.

We employ one person in that role. As such the information falls within the definition of personal data in the Data Protection Act 1998 (being “Data which relate to a living individual who can be identified ...from those data, or from those data and other information which is in the possession of, or is likely to come into the possession of, the data controller”). It is therefore information which is exempt from disclosure under section 40(2) and section 40(3)(a)(i) of the Freedom of Information Act 2000 (‘the Act’) where disclosure would contravene any of the data protection principles. The principle relevant on this occasion is the first data protection principle.

The first data protection principle as set out in schedule 1 of the Data Protection Act 1998, states that:

“Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless at least one of the conditions in Schedule 2 is met.”

In addressing whether a disclosure would be fair we have considered the consequences of disclosure, the employee’s reasonable expectations and the balance between the employee’s rights and any legitimate interest in disclosure. Our conclusion is that a disclosure would be unfair. A summary of our consideration follows.

A disclosure of the employee’s salary would relate to the employee as an individual and would be about the employee’s personal financial circumstances. The employee would not have a reasonable expectation of disclosure of salary details. The role is neither senior nor public facing, i.e. the employee is not responsible for major policy decisions and does not represent the Assembly to the outside world. A disclosure would, in our view, represent an unjustified intrusion into the employee’s privacy.

We recognise that there is a legitimate interest knowing that public bodies spend public money both wisely and appropriately. However, given the varied nature of the employee’s role we are mindful that a disclosure of salary details would not, in fact, meet your request.

Notwithstanding our view as to fairness, we went on to consider Schedule 2 to the Data Protection Act 1998. One of the conditions in Schedule 2 is that the individual has given consent to a disclosure. We consulted with our

employee as to a potential disclosure. The employee objected to a disclosure indicating that it would cause distress.

The only other condition in Schedule 2 which would potentially allow disclosure (in the absence of consent) is condition 6, which allows the processing of personal data if:

“The processing is necessary for the purposes of legitimate interests pursued by the data controller or by the third party or parties to whom the data are disclosed, except where the processing is unwarranted in any particular case by reason of prejudice to the rights and freedoms or legitimate interests of the data subject.”

This condition involves a three-part test:

1. There must be a legitimate public interest in disclosing the information;
2. The disclosure must be necessary to meet that public interest; and
3. The disclosure must not cause unwarranted interference with the rights, freedoms and legitimate interest of the employee.

As indicated above, whilst we accept that there is a legitimate public interest in knowing that public funds are used prudently, on this occasion, we do not believe the disclosure would satisfy that interest in any event and that a disclosure would cause an unwarranted interference with the employee’s right to privacy. In the circumstances, our conclusion would be that it would not be possible to meet a Schedule 2 condition.