

22 May 2023

**IC-228772-T9N1**

**Request**

You asked us:

- 1. Does the regulator have an agreement in place for the provision of temporary agency contingent labour?  
If so, who is the agreement with?*
- 2. Does the regulator have an agreement in place for the provision of permanent agency contingent labour?  
If so, who is the agreement with?*
- 3. How many temporary agency staff have been recruited by the regulator through recruitment agencies for the period 2022/2023?*
- 4. How many permanent/fixed-term agency staff have been recruited by the regulator through recruitment agencies for the period 2022/2023?*
- 5. How much money did the regulator spend on agency staff for the 2021/2022 period?*
- 6. How much money did the regulator spend on agency staff for the 2022/2023 period?*
- 7. How much money does the regulator forecast to spend on agency staff for the 2023/2024 period?*

We received your request on 24 April 2023.

We have handled your request under the Freedom of Information Act 2000 (the FOIA).

**Our response**

We can confirm that we hold information in scope of your request. Please see the answers to your questions below.

1. Yes, the agreement is with Public Sector Resourcing (PSR).
2. No.
7. £1,152,080.

The information requested in question 5 has already been published in our 2021/2022 financial annual report which can be found on our website [here](#) (page 108).

As this information is published on our website, the information is withheld in reliance on section 21 of the FOIA. This exempts information which is accessible to the applicant through means other than a request under the FOIA. It is an absolute exemption, which means it is not necessary for us to consider any public interest test.

As can be seen in the 2021/2022 report, we publish information about our recruitment and expenditure on agency staff in July each year. The information requested in questions 3, 4 and 6 is therefore due to be published shortly.

As this information is due to be published in the near future, we are withholding this information pursuant to section 22 of the FOIA. This exempts information which is held with a view to its publication at a future date and when it is reasonable in that the information should be withheld from disclosure until that date.

The exemption at section 22 is qualified by the public interest test, meaning that the information should be disclosed if the public interest in the maintenance of the exemption does not outweigh the public interest in disclosure.

In this case the public interest factors in disclosing the information are:

- A general public interest in how the ICO spends its funds and appoints members of staff.

The factors in favour of withholding the information are:

- The ICO has a history of publishing this information on a yearly basis which will include the relevant information soon (and at that point the information will be in the public domain), there is a clear commitment to publishing this information within a short timescale.

- The information is not readily available, to prepare this information for disclosure earlier than our intended date of publication would be a duplication of work and not be an efficient use of resources when we intend to publish this information in due course.
- Earlier disclosure is not necessary to satisfy any pressing public interest at the present time.

Having considered the public interest arguments, we have decided to withhold this information in reference to section 22 of the FOIA.

This concludes our response to your request.

### **Next steps**

You can ask us to review our response. Please let us know in writing if you want us to carry out a review. Please do so within 40 working days.

You can read a copy of our full review procedure [here](#).

If we perform a review but you are still dissatisfied, you can complain to the ICO as regulator of the FOIA. This complaint will be handled just like a complaint made to the ICO about any other public authority.

You can [raise a complaint through our website](#).

### **Your information**

Our [Privacy notice](#) explains what we do with the personal data you provide to us, and set out your rights. Our retention schedule can be found [here](#).

Yours sincerely,



Information Access Team  
Risk and Governance Department, Corporate Strategy and Planning  
Service  
Information Commissioner's Office, Wycliffe House, Water Lane,  
Wilmslow, Cheshire SK9 5AF  
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