
From: FOI
Sent: 28 April 2021 19:06
To: [REDACTED]
Subject: FOI-043-21 - Response

Dear [REDACTED]

Our Ref: FOI-043-21

Thank you for your request under the Freedom of Information Act dated 30/03/2021.

The Commission aims to respond to requests for information promptly and has done so within the statutory timeframe of twenty working days.

Your request is shown below followed by our response.

Our response is as follows:

I am writing in order to request information regarding the below:

- 1) In last 2 years has your organisation used external recruitment agencies to hire for permanent or contract roles?
- 2) In list format what are the five highest paid external recruitment agencies with the total amount paid in the last 2 years?
- 3) What is the fee structure charged for the five highest paid vacancies by the above five external recruitment agencies and the roles that were hired for? Example: Office Manager - Salary £20,000 Fees paid 15% of salary = Total recruitment fees paid £3000.
- 4) For the coming year what live vacancies does the organisation currently have for permanent or contract roles, please list these vacancies with the following;
Current or future positions and an exact salary figure
 - What type of positions are they? (Contract or Permanent)
 - Who is the hiring manager, please provide their full details: Full name, Telephone number, Email, Job Title and Department
- 5) On which websites are these jobs advertised? Please clearly provide a link/list to where these jobs are advertised.
- 6) What is the process to selecting new recruitment agencies? Please provide the procurement process for selecting new recruitment agencies and what date is this conducted and by whom? Please provide full contact details.
- 7) Is there a purchase threshold below which allows the organisation to use external recruitment agencies which are not on any preferred supplier arrangements or contracts without going through a formal tender process?

Our response is as follows:

We hold the information you have requested.

1) In last 2 years has your organisation used external recruitment agencies to hire for permanent or contract roles?

Yes.

2) In list format what are the five highest paid external recruitment agencies with the total amount paid in the last 2 years?

Please see the table below, please note: figures include spend on recruitment activity relating to Commission employed roles

Agency	Relevant spend 01/04/19 to 31/03/21, to the nearest £
Gatenby Sanderson	63,762
Excel Recruitment	49,206
Premier Technology	24,104
Reed	15,725
Michael Page	5,139

3) What is the fee structure charged for the five highest paid vacancies by the above five external recruitment agencies and the roles that were hired for? Example: Office Manager - Salary £20,000 Fees paid 15% of salary = Total recruitment fees paid £3000.

The Commission employed job roles that we spent the most on (external recruitment agencies) are:

1. Commission Chief Executive (salary for this role is available on our website)
2. Commission Director of Regulation (salary for this role is available on our website)
3. Commission Legal Counsel (salary for this role is available on our website)
4. Head of Campaigns and corporate Communications (salary £63,591)
5. Senior IT Officer (Infrastructure Management) (salary £50,000)

The information that you have requested (salary for Commission employed roles 1, 2, 3) is exempt from disclosure under section 21 of the Freedom of Information Act 2000. Section 21 provides for an exemption where the information requested is reasonably accessible to the applicant by other means. The information that you have requested is accessible to you by using this web link:

www.electoralcommission.org.uk/who-we-are-and-what-we-do/who-we-are/executive-team-and-senior-leadership-group/our-salaries.

In relation to the fee structure element of this question, the Electoral Commission considers this information to be exempt from disclosure under section 43(2) of the FOIA, and it is therefore withheld. Section 43(2) Prejudice to commercial Interests, Under section 43(2) of the FOIA, information is exempt if its disclosure would, or would be likely to, prejudice the commercial interests of any person.

In this case, we consider that disclosure of the fees structures together with the agency spend would be likely to prejudice the commercial interests of the Commission and that of the recruitment suppliers. Details relating to spend are agreed per supplier and being able to compare agency spend

by The Commission across agencies would be prejudicial to Commissions and the supplier's ability to compete competitively in the marketplace and therefore our ability to recruit people of the required skills base.

Section 43, is a qualified exemption and we are required to consider the public interest, the Commission recognises the need for transparency. However, this must be balanced against the public interest in allowing the organisation to protect its commercial information and not place itself at a disadvantage in the competitive market in which it operates.

Section 43(2) is a prejudice based exemption, and there is a public interest inherent in avoiding the harm specified. The Commission considers that the prejudice would be likely to occur and would involve an adverse effect on the Commissions and the recruiter's ability to operate in a commercially competitive market place and could potentially weaken the Commission ability to obtain value for money in respect of any future recruitment.

4) For the coming year what live vacancies does the organisation currently have for permanent or contract roles, please list these vacancies with the following;

Live vacancies are shown on the Commission's website, Jobs page which can be found here:

www.electoralcommission.org.uk/jobs

Our adverts state salary, whether permanent or fixed term. We do not hold any information in respect of perspective future vacancies 'for the coming year'.

As at 05/04/21 live Commission vacancies advertised were:

1. Planning and Performance Manager
2. Manager, Electoral Commission Northern Ireland (fixed term contract)
3. Executive Assistants
4. Equality, Diversity and Inclusion Lead
5. Senior Advisors
6. Communications Officer (Public Affairs)

The job title of the respective hiring managers are:

1. Head of Strategic Planning and Performance
2. Head of Commission Northern Ireland
3. Business Manager to the Chair and Chief Executive
4. Head of Strategic Planning and Performance
5. Party Finance Guidance Manager
6. Public Affairs Manager

In respect of "...hiring manager, please provide their full details: Full name, Telephone number, Email, Job Title and Department".

The Commission considers the requested information is exempt from disclosure as it is personal data as defined by the Data Protection Act 2018 and is therefore exempt from disclosure under Section 40 (Personal Information) of Freedom of Information Act.

It has been the custom and practice for the Commission to generally only release the names of staff down to 'Head of Service' level, which the Commission considers meets the Transparency Code issued by the Secretary of State for Communities and Local Government. Furthermore the

Commission considers that this position is consistent with guidance issued by the Information Commissioner, including a Decision Notice issued in respect of a similar request FS50276863.

The information you have requested would identify individuals who are employed by the Commission to undertake work within the community at large. This would be hindered, should their names be released in response to a request such as this. Therefore you will not be provided with the requested information.

In terms of the other information requested, the contact number for the Commission is: 0333 103 1928.

For those staff who are at Head of Service level and above in, these names can be found using the same web link provided to you in Q3 above.

We use the following email address format at the Commission:

First letter of first name.Surname@electoralcommission.org.uk

5) On which websites are these jobs advertised? Please clearly provide a link/list to where these jobs are advertised.

In terms of the roles listed in answer to Q4 above, these were advertised on the Commission website. For Commission jobs we also use Jobs Go Public (see jobsgopublic.com). This is an intermediary who onward posts vacancies onto relevant online job boards. Examples of such web boards are Totaljobs, Monster, Milkround, LinkedIn, Reed, CV Library and Indeed.

And, for each role we may advertise in other places in discussion with the recruiting manager. In terms of the roles listed in answer to Q4 above, where the role was advertised on other job boards this is indicated below.

1. Planning and Performance Manager
2. Manager, Electoral Commission Northern Ireland - NiJobfinder , NiRecruit
3. Executive Assistants - Secsinthecity
4. Equality, Diversity and Inclusion Lead - Ethnicjobsite, who onward shared it with job sites relating to other Protected Characteristics
5. Senior Advisors - Association of Electoral Administrators
6. Communications Officer (Public Affairs) - PubAffairs

6) What is the process to selecting new recruitment agencies? Please provide the procurement process for selecting new recruitment agencies and what date is this conducted and by whom? Please provide full contact details.

For Commission employed roles, the hiring manager and the Commission HR team work together. Essential information is sought from the agency. This would include Terms of Business.

The Commission contacted you to seek whose full contact details you were requesting. Your responded "I can clarify that I would like the contact details of those of the person conducting the procurement of new agencies"

We have a role at the Commission that leads on procurement, the Commission considers the requested information is exempt from disclosure as it is personal data as defined by the Data Protection Act 2018 and is therefore exempt from disclosure under Section 40 (Personal Information) of Freedom of Information Act, as further detailed in respect of question 4 above.

7) Is there a purchase threshold below which allows the organisation to use external recruitment agencies which are not on any preferred supplier arrangements or contracts without going through a formal tender process?

Anticipated spend above £10,000 requires a fuller process via procurement.

If you are not satisfied with this response, please note that the Commission operates a review procedure, details of which can be found on the Commission website at:

www.electoralcommission.org.uk/freedom-information/make-a-freedom-information-request

Please also note that if you have exhausted all internal Commission review procedures and you are still not satisfied you have the right to appeal to the Information Commissioner. Details of this procedure can be found on the ICO website: <https://ico.org.uk>.

Yours sincerely,

Information Team
The Electoral Commission
electoralcommission.org.uk