

**Department of Energy & Climate Change**  
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Tel:  
email: [www.decc.gov.uk](http://www.decc.gov.uk)

Ref no: 12/1701

20 December 2012

Thank you for your letter of 30 November 2012 where you requested the following information:

I would like to request details on the total number of 'off-payroll workers' engaged via a 'personal services company' by the Department for Energy and Climate Change and its executive agencies as of the date of receipt of this letter.

As well as providing a figure for the total number of 'off payroll workers' engaged via a 'personal services company' within the Department for Energy and Climate Change please also provide a breakdown detailing how many 'off payroll' workers are engaged in each executive agency of the Department.

### **Freedom of Information Act 2000**

Your request has been handled under the Freedom of Information Act 2000 ('the Act'). Under the Act you have the right to:

- know whether we hold the information you have requested and;
- be provided with that information (subject to any exemptions under the Act which may apply).

### **Number of off-payroll workers**

The Department of Energy and Climate Change (DECC) has already published details of all off-payroll appointees as at 31 January 2012 in response to the HM Treasury review into tax arrangements of public Sector appointees. Some of those people were employed via personal service companies. Therefore some of the information that you have requested is already available to you so is exempt under Section 21 of the Act. This document can be viewed on our Internet website at <http://www.decc.gov.uk/en/content/cms/accesstoinform/expenditure/expenditure.aspx> in the section entitled "Pay Group and Structure" and is in the form of Excel spreadsheets entitled "DECC Tax Review Document May 2012" in both xls and csv formats.

A review of all off-payroll staff is being conducted in line with the recommendations made by the Chief Secretary to the Treasury (see [http://www.hm-treasury.gov.uk/tax\\_pay\\_appointees\\_review.htm](http://www.hm-treasury.gov.uk/tax_pay_appointees_review.htm) for further details) within DECC and its Partner organisations to ensure that all off-payroll staff are compliant with the new Tax Policy. DECC will be publishing further details as part of its 2012-13 Annual report and Accounts process. Therefore publication of any further data at this time would be exempt under Section 22 of the Act.

In coming to this decision, DECC recognises that this is a qualified exemption and that there is public interest in this subject. DECC is complying with the recommendations of the review and is setting out changes for both contractual and specific tax arrangements for any people employed off-payroll. The Act recognises that departments should, within reason, have the time and space to determine their own publication timetable and deal with the necessary preparation, administration and context of publication. This is particularly important in this case where the outcomes need to be fully audited and verified. Therefore we have judged that that the balance of interest lies in not disclosing the information held at this time.

### **Off-payroll workers in Executive Agencies**

DECC does not have responsibility for any executive agencies. If you require this information for the Department's Non Departmental Public Bodies, you may wish to contact the following organisations for further details:

- The Coal Authority - [thecoalauthority@coal.gov.uk](mailto:thecoalauthority@coal.gov.uk)
- Committee on Climate Change - [enquiries@theccc.gsi.gov.uk](mailto:enquiries@theccc.gsi.gov.uk)
- Civil Nuclear Police Authority - [info@cnpa.pnn.police.uk](mailto:info@cnpa.pnn.police.uk)
- Nuclear Decommissioning Authority - [enquiries@nda.gov.uk](mailto:enquiries@nda.gov.uk)

If you are unhappy with the result of your request for information, you may request an internal review within two calendar months of the date of this email. If you wish to request an internal review, please contact me.

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 Commissioners Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire SK9 5AF

Please do not hesitate to contact me if I can be of further assistance.