

21 May 2013  
FOIA reference: F0001523

Dear XXXX

I am writing in respect of your recent application of 21 April 2013, for the release of information held by the Civil Aviation Authority (CAA).

Your request:

*Our request in our last Email " We would like to find out the salaries of the top 20 individuals " had not been fully answered therefore allow me to rephrase the request differently*

*Can we please have the level of the remuneration to the job description in the following manner*

*Head of ..... earn £140K.*

Our response:

We have assessed your request in line with the provisions of the Freedom of Information Act 2000 (FOIA).

As part of the Government's transparency agenda, the CAA submit through the Department for Transport the name and salary details (base pay + taxable allowances) of those employees earning £150,000 and above. Whilst the basis of this data extends beyond your specific request, as it is already published and can be viewed on the Cabinet Office and data.gov.uk websites, we have included a link below:

<https://www.gov.uk/government/publications/senior-officials-high-earners-salaries>.

In addition, for those included in this submission the following table details that data in respect of base pay as at 31 March 2012, the reference date in your original request:

Name	Job Title	Salary (£)
Dame Deirdre Hutton	Chair	130,000
Iain Osborne	Group Director Regulatory	142,500

**Civil Aviation Authority**

Aviation House GW Gatwick Airport South Crawley West Sussex England RH6 0YR [www.caa.co.uk](http://www.caa.co.uk)  
Telephone 01293 768512 rick.chatfield@caa.co.uk

	Policy	
Mark Swan	Director Airspace Policy	150,000
Richard Jackson	Group Director Consumer Protection	156,410
Miss Chris Jesnick	Finance & Corporate Services Director	163,610
Gretchen Burrett	Group Director Safety Regulation	180,000
Andrew Haines	Chief Executive	250,000

The CAA is not required to publish detailed salary information below this threshold. However, the roles for which we have provided salaries in our earlier response are:

Assistant Director Airspace Policy  
Head of Flight Operations  
Flight Operations Training Inspector  
Flight Operations Inspector  
Head of Airworthiness  
General Counsel & Secretary to the CAA  
Deputy General Counsel & Deputy Secretary to the CAA  
Head of Medical Department & Chief Medical Officer  
Head of Flight Crew Standards  
Flight Crew Standards Inspector  
Director Economic Regulation  
Head of Finance & Corporate Services  
Head of International Safety  
Seconded National Expert

We have not identified which job roles are linked to which salary band provided in our previous letter. Under Section 40(2) of the FOIA, information is exempt from release if it constitutes personal data and the release of the information would contravene any of the data protection principles. The majority of the roles detailed above are performed by one individual; as such, linking the roles with specific salary bands would reveal the salary information of identifiable individuals. The individuals concerned would not have an expectation that their salary information would be made public, and it would be unfair to release specific details about such individuals' personal financial circumstances. As such, linking salary bands with specific job roles would contravene the first data protection principle that personal data shall be processed fairly and lawfully. A copy of Section 40 of the FOIA can be found enclosed.

If you are not satisfied with how we have dealt with your request you may request an internal review of the decision by writing to the CAA at:-

Mark Stevens  
External Response Manager  
Civil Aviation Authority  
Aviation House  
Gatwick Airport South  
West Sussex

RH6 0YR

[mark.stevens@caa.co.uk](mailto:mark.stevens@caa.co.uk)

The CAA has a formal internal review process for dealing with appeals or complaints in connection with Freedom of Information requests. The key steps in this process are set in the attachment.

Should you remain dissatisfied with the outcome you have a right under Section 50 of the Freedom of Information Act to appeal against the decision by contacting the Information Commissioner at:-

Information Commissioner's Office  
FOI/EIR Complaints Resolution  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
[www.ico.gov.uk/complaints.aspx](http://www.ico.gov.uk/complaints.aspx)

Should you wish to make further Freedom of Information requests, please use the e-form at <http://www.caa.co.uk/foi>.

Yours sincerely

Rick Chatfield  
Information Rights and Enquiries Officer

## **CAA INTERNAL REVIEW & COMPLAINTS PROCEDURE**

- The original case to which the appeal or complaint relates is identified and the case file is made available;
- The appeal or complaint is allocated to an Appeal Manager, the appeal is acknowledged and the details of the Appeal Manager are provided to the applicant;
- The Appeal Manager reviews the case to understand the nature of the appeal or complaint, reviews the actions and decisions taken in connection with the original case and takes account of any new information that may have been received. This will typically require contact with those persons involved in the original case and consultation with the CAA Legal Department;
- The Appeal Manager concludes the review and, after consultation with those involved with the case, and with the CAA Legal Department, agrees on the course of action to be taken;
- The Appeal Manager prepares the necessary response and collates any information to be provided to the applicant;
- The response and any necessary information is sent to the applicant, together with information about further rights of appeal to the Information Commissioners Office, including full contact details.

**Freedom of Information Act: Section 40**

(1) Any information to which a request for information relates is exempt information if it constitutes personal data of which the applicant is the data subject.

(2) Any information to which a request for information relates is also exempt information if-

- (a) it constitutes personal data which do not fall within subsection (1), and
- (b) either the first or the second condition below is satisfied.

(3) The first condition is-

(a) in a case where the information falls within any of paragraphs (a) to (d) of the definition of "data" in section 1(1) of the Data Protection Act 1998, that the disclosure of the information to a member of the public otherwise than under this Act would contravene-

(i) any of the data protection principles, or

(ii) section 10 of that Act (right to prevent processing likely to cause damage or distress), and

(b) in any other case, that the disclosure of the information to a member of the public otherwise than under this Act would contravene any of the data protection principles if the exemptions in section 33A(1) of the Data Protection Act 1998 (which relate to manual data held by public authorities) were disregarded.

The second condition is that by virtue of any provision of Part IV of the Data Protection Act 1998 the information is exempt from section 7(1)(c) of that Act (data subject's right of access to personal data).

The duty to confirm or deny-

(a) does not arise in relation to information which is (or if it were held by the public authority would be) exempt information by virtue of subsection (1), and

(b) does not arise in relation to other information if or to the extent that either-

- (i) the giving to a member of the public of the confirmation or denial that would have to be given to comply with section 1(1)(a) would (apart from this Act) contravene any of the data protection principles or section 10 of the Data Protection Act 1998 or would do so if the exemptions in section 33A(1) of that Act were disregarded, or

- (ii) by virtue of any provision of Part IV of the Data Protection Act 1998 the information is exempt from section 7(1)(a) of that Act (data subject's right to be informed whether personal data being processed).

*In determining for the purposes of this section whether anything done before 24<sup>th</sup> October 2007 would contravene any of the data protection principles, the exemptions in Part III of Schedule 8 to the Data Protection Act 1998 shall be disregarded.*

*In this section-*

*"the data protection principles" means the principles set out in Part I of Schedule 1 to the Data Protection Act 1998, as read subject to Part II of that Schedule and section 27(1) of that Act;*

*"data subject" has the same meaning as in section 1(1) of that Act;*  
*"personal data" has the same meaning as in section 1(1) of that Act*