

5 May 2020



CITB  
Head Office  
Sand Martin House  
Bittern Way  
Peterborough  
PE2 8TY

Email: [information.governance@citb.co.uk](mailto:information.governance@citb.co.uk)  
[www.citb.co.uk](http://www.citb.co.uk)

Dear [REDACTED]

### **Freedom of Information Request 2020-002**

Thank you for contacting CITB requesting information under the Freedom of Information Act 2000 (FOIA). In your request dated 8 April 2020, you said the following:

*"I'd be grateful if you could provide me with the current annual list of CITB Levy Payers please. Please provide the information in the form that's easiest for you to do so.*

*If it is not possible to provide the information requested due to the information exceeding the cost of compliance limits identified in Section 12, please provide advice and assistance, under the Section 16 obligations of the Act, as to how I can refine my request.*

*If you can identify any ways that my request could be refined I would be grateful for any further advice and assistance."*

My response is as follows:

Under Section 44 of the Freedom of Information Act we are not required to provide information which is prohibited from disclosure by another piece of legislation. In this case CITB is unable to provide details of levy registered companies as it is prohibited by the Industrial Training Act 1982, relevant extracts of which are detailed below:

Section 6(1) of the Industrial Training Act 1982 ("the Act") states:

*"An industrial training board may require employers in the industry to furnish such returns and other information of a kind approved by the Secretary of State and to keep such records of a kind approved by him..."*

Section 6(2) of the Act states that:

*"... returns and other information furnished in pursuance of subsection (1) above and any information obtained on an examination made in pursuance of that subsection shall not, without the consent of the employer to whose business the returns or information relate, be disclosed ..."*



As your request involves the disclosure of information that identifies individual businesses, and as I am not aware that your request relates to legal or criminal proceedings, I must advise that the information you request is prohibited from disclosure under section 44(1)(a) of the Freedom of Information Act-disclosure prohibited by or under other legislation.

A similar request to supply specific details about employers was considered by the Information Commissioner in 2013. The findings of this case can be found on the ICO website on the following [link](#).

If you are unhappy with this response, or you wish to complain about any aspect of the handling of your request, then you should contact me in the first instance. If informal resolution is not possible and you are still dissatisfied, then you may apply for an independent internal review by contacting Adrian Beckingham, Corporate Performance Director, CITB, Sand Martin House, Bittern Way, Peterborough, PB2 8TY or email [adrian.beckingham@citb.co.uk](mailto:adrian.beckingham@citb.co.uk).

If you remain unhappy following an internal review, you may take your complaint to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Further details of the role and powers of the Information Commissioner can be found on the Commissioners website: <https://ico.org.uk/>

Yours sincerely

Jonathan Francis  
Information Risk & Data Governance Manager