



Data Protection Officer
Freedom of Information
NW Leicestershire District Council
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Date: 11 August 2021

FREEDOM OF INFORMATION REQUEST REVIEW - Reference Number 1588

I write further to your email dated 15th July 2021, requesting an internal review of the decision made by Mr. Keatley on the 24th May 2021 in relation to your FOI request dated 23rd April 2021. As you are aware the information being requested was considered to be exempt from disclosure pursuant to the provisions of S.40 of the FOI Act 2000. For ease of reference I am attaching a copy of your request dated 23rd April 2021 to which this review relates.

In carrying out this internal review, I have liaised with Information Governance Team, who are responsible for preparing the FOI response and have conducted the review in accordance with the Council's policy which can be found at:

https://www.nwleics.gov.uk/pages/freedom_of_information_complaints_procedure

As part of the review I have considered the following:

1. Your original request sent by way of e-mail dated 23rd April 2021
2. The Council's decision letter dated 24th May 2021
3. Your request for an internal review dated 15th July 2021
4. The Council's Information Management Policy
5. The Freedom of Information Act 2000 (FOIA)
6. Section 45 Code of Practice Part VI for completing internal reviews
7. The General Data Protection Regulation 2016

The FOIA is highly relevant in relation to your request to view redacted information held within the 'Renewable Heating Incentive' report. Whilst I can confirm that North West Leicestershire District Council holds the information you have requested, such information is exempt from disclosure under section 40 (2) of the FOIA as detailed below:

Section 40 (2) of the FOIA provides that personal data is exempt from disclosure if one of the conditions contained in section 40 (3) is satisfied. Section 40 (3A) (a) applies where disclosure of information would contravene data protection principles.

In this case, the requested information constitutes personal data and therefore its release would breach the data protection principles of article 5 of the General Data Protection Regulation.

GOING FORWARD

If you are dissatisfied with the information supplied please feel free to contact me on the number above for any queries in relation to this response. UK copyright law allows information supplied for the purposes of private study and non-commercial research to be used without permission. Information supplied can also be re-used for the purposes of news reporting except for in the case of photographs.

Please remember to quote the Council's four digit reference number given at the top of this email in any future communications.

If you remain dissatisfied following the conclusion of this internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at accessicoinformation@ico.org.uk.

Yours sincerely

Nicola Taylor
Data Protection Officer