



B McKenzie

[request-88679-ed6668f1@whatdotheyknow.com](mailto:request-88679-ed6668f1@whatdotheyknow.com)

25 November 2011

Our ref: FOI 4443254

Dear Mr McKenzie

**FREEDOM OF INFORMATION ACT 2000 – CARE PROCEEDINGS  
INSTIGATED DUE TO UNEXPLAINED FRACTURES IN BABIES.**

Thank you for contacting Worcestershire County Council (WCC). Please accept our apologies for the delay in responding.

Your request for information has now been considered and it is not possible to meet your request.

WCC is able to withhold the information requested because the information is exempt from disclosure under Section 40(2)(3)(a)(i) of the Act. This exemption covers information that is the personal data of living individuals.

WCC considers information relating to care proceedings instigated due to unexplained fractures in babies to be personal data as defined by the Data Protection Act.

Therefore this information is withheld because it is exempt from disclosure under Section 40(2)(3)(a)(i) 'Personal information'. This is because the number of cases of care proceedings instigated due to unexplained fractures in babies involves low numbers, which could lead to the identification of an individual or individuals. The Freedom of Information Act allows a public authority to withhold personal information if disclosure would breach the Data Protection Principles. These are a set of rules in the Data Protection Act 1998 which govern the handling of personal data. In this case we consider that disclosure would breach principle 1 of the Data Protection Act because it would not be fair or lawful, having regard to the rights of the individual or individuals, that this information relating to care proceedings was disclosed into the public domain.

Worcestershire County Council therefore regrets that it cannot meet your request.

You have the right of appeal against the decision. If you wish to appeal please contact in the first instance:

**Nikki O'Brien**  
Team Manager - Data  
and Information  
Management  
Performance  
Development Team

PO Box 73  
County Hall  
Spetchley Road  
Worcester  
WR5 2YA

Consumer Relations Department  
Worcestershire County Council  
County Hall  
Spetchley Road  
Worcester  
WR5 2NP

Tel: 01905 766364

You then also have a right of appeal to the Information Commissioner at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Tel: 01625 54 57 45

[www.ico.gov.uk](http://www.ico.gov.uk)

Yours sincerely

A handwritten signature in purple ink that reads "Nicola O'Brien".

Miss Nicola O'Brien  
Team Manager – Data and Information Management