



Gary Bourne

By email: request-197820-bd5a14de@whatdotheyknow.com

14 March 2014

Your FOI request ref FOI004-0281

Dear Mr Bourne

I refer to your email of the 15 February 2014, in which you requested information regarding an Awards for All application submitted to the Big Lottery Fund (“the Fund”) by Friends of Prestatyn Railway Station. We have treated your request under the provisions of the Environmental Information Regulations 2004 (“EIR”), as the information that you have requested falls within the definition of “environmental information” under regulation 2(1) of the EIR.

You have requested a copy of the grant application form and provisional offer, which we have attached.

The documents that we have released to you contain personal data such as names, dates of birth, contact details, signatures and biographical data. We have withheld this information from release under regulation 13(1) of the EIR.

Regulation 13(1) states:

13 *(1) To the extent that the information requested includes personal data of which the applicant is not the data subject and as respects which either the first or second condition below is satisfied, a public authority shall not disclose the personal data.*

(2) 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 these Regulations would contravene—

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UK Chief Executive
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(i) any of the data protection principles;

We do not have consent to release this information and I do not believe a legitimate public interest in this information being disclosed exists. The Fund has a responsibility to hold personal information securely in line with the eight principles of the Data Protection Act 1998. We consider that release of this information would put us in contravention of the first principle of fair and lawful processing.

We have also withheld the Friends of Prestatyn Railway Station bank account details under Regulation 12(5)(b) of the EIR.

Regulation 12(5)(b) states

(5) For the purposes of paragraph (1)(a), a public authority may refuse to disclose information to the extent that its disclosure would adversely affect -

(b) the course of justice, the ability of a person to receive a fair trial or the ability of a public authority to conduct an inquiry of a criminal or disciplinary nature;

We have applied this exemption as we believe that there is a strong adverse affect on the course of justice if we were to release the bank account details as this will make the assets of Friends of Prestatyn Railway Station vulnerable to fraud.

When applying the exception under regulation 12(5)(b), the public interest in maintaining the exception must outweigh the public interest in disclosing the information.

The Fund recognises that there is a strong public interest in ensuring that public money is spent correctly and that funds are going to the correct bank account.

However, there are number of public interest arguments in favour of maintaining the exemption.

We ask organisations to complete a bank details form and provide verified bank statements to reduce the risk of fraud, and ensure that we are paying funds into a legitimate bank account. The public interest argument in favour of disclosure is therefore mitigated.

Once information has been released under the provisions of the EIR it becomes publicly available. The bank account details need to be kept secure to prevent and reduce the risk of fraudulent



use of this information. Disclosure of the information may cause financial loss and distress to Friends of Prestatyn Railway Station and its members.

We have therefore concluded that in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosure.

If you have any further queries regarding the EIR please contact myself at the address below. Your reference is: FOI004-0281. It would be helpful if you could quote this reference in any future correspondence.

If you are not satisfied with the way in which the Fund has dealt with your request, you have a right to request a review of our decision. If this is the case, contact me and I will arrange for an internal review.

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

Yours sincerely,

A handwritten signature in black ink, appearing to read "Lyndsay Scott".

Lyndsay Scott
Corporate Officer (Information Governance)
Big Lottery Fund
Tel: 0191 376 1644

Email: freedomofinformation@biglotteryfund.org.uk