



Animal &
Plant Health
Agency

Animal and Plant Health Agency
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Our Ref: ATIC2664

Mr Carroll
{By Email}

23 February 2022

Dear Mr Carroll

PROVISION OF REQUESTED INFORMATION

Thank you for your request for information about Avian Influenza test results, which APHA received on 27 January 2022. Your request has been handled under the Freedom of Information Act (FOIA) 2000.

The information you requested and the response is detailed below:

“Please provide all test results and their locations for birds submitted as part of the wild bird monitoring scheme for avian influenza within the borough of Sandwell , West Midlands. I include sites owned by Sandwell council, and those privately owned or owned by CRT.

I am aware that the APHA compile an online list, but this does not state the geographic location on a site by site basis, which is what I am asking for, as well as the date of test result and positive AND negative tests for all birds submitted.

To clarify, I am seeking results tested between November 1st 2021- January 20th 2022”

Please see below list of wild birds submitted as part of the wild bird monitoring scheme for Avian Influenza (AI).

These have been listed by the initial post code reference as a geographic location. APHA cannot comment on the specifics of the exact location as being owned by either Sandwell council, CRT or any other organisations or individuals. The exact location has been exempted from release citing Section 40 of the Freedom of Information Act (FOIA) 2000.

Section 40

We can confirm that post code data has been supplied using the first letters/digits of the post code as the full post code in some instances would lead to the identification of premises. Section 40(2), read in conjunction with 40(3)(a)(i), of the FOIA provides that

personal data relating to third parties is exempt information if disclosure would breach the Data Protection Act 2018 (DPA).

This information if released still engages the exemption because the personal data relates to others who would, or would likely, be identified or identifiable from that information, irrespective of the publicly known information.

APHA consider that disclosure of this information is likely to breach the first data protection principle in Schedule 1 of the DPA, which relates to the fair and lawful processing of personal data, in two ways. First, disclosure would not constitute 'fair' processing of the personal data, second, disclosure would not satisfy any of the conditions for data processing set out in Schedule 2 to the DPA. Therefore, we have concluded that this information is exempt from disclosure under section 40 of the FOIA

Date collected	Number of birds collected	HPAI Result	Postcode location
17/01/2022	1	POSITIVE	B43
17/12/2021	4	3 POSITIVE, 1 NEGATIVE	B69 and B70
03/11/2021	4	ALL NEGATIVE	B71
02/01/2022	3	1 POSITIVE, 2 NEGATIVE	DY4
22/11/2021	1	POSITIVE	DY4

Information disclosed in response to this FOI request is releasable to the public. In keeping with the spirit and effect of the FOI and the government's Transparency Agenda, this letter and the information disclosed to you may be placed on GOV.UK, together with any related information that will provide a key to its wider context. No information identifying you will be placed on the GOV.UK website.

An Annex is attached which explains the copyright that applies to the information being released to you and contact details should you be unhappy with the service you have received.

If you have any queries about this letter, please contact the Access to Information Team at the email address below or postal address at the top of this letter.

Yours sincerely

ACCESS TO INFORMATION TEAM

Email: enquiries@apha.gov.uk

Annex

Copyright

The information supplied to you continues to be protected by copyright. You are free to use it for your own purposes, including for private study and non-commercial research, and for any other purpose authorised by an exception in current copyright law. Documents (except photographs or logos) can also be used in the UK without requiring permission for the purposes of news reporting. Any other re-use, for example commercial publication, would require the permission of the copyright holder.

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Complaints

If you are unhappy with the service you have received in relation to your request, you may make a complaint or appeal against our decision under section 17(7) of the FOIA or under regulation 11 of the EIRs, as applicable, within 40 working days of the date of this letter. Please write to the Access to Information Manager at the address at the top of this letter or email enquiries@apha.gov.uk and the team will arrange for an internal review of your case.

If you are not content with the outcome of the internal review, section 50 of the FOIA and regulation 18 of the EIRs gives you the right to apply directly to the Information Commissioner's Office (ICO) for a decision. Please note that generally the ICO cannot make a decision unless you have first exhausted APHA's own complaints procedure. The ICO can be contacted at:

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

Coronavirus

If you need to contact the ICO during the Coronavirus pandemic, it's best to do so online. Please click [here](#) for contact details. You can also call them on 0303 123 1113.