

**Melling, Carl**

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**From:** casework@ico.gsi.gov.uk  
**Sent:** 28 November 2011 09:33  
**To:** Melling, Carl  
**Subject:** [Ref. FS50425760][Ref. FS50425760]

28th November 2011

**Case Reference Number FS50425760**

Dear Mr Melling

**Your Ref: 3363/11**

**Freedom of Information Act 2000 (the Act)**

**Complaint from Mr Martin McGartland**

**Information request made 20 August 2011**

The Information Commissioner has received a complaint from Mr McGartland. It is alleged that information has not been supplied. The request for information was dealt with under your reference quoted above.

We have carried out an initial assessment of this case and deemed it eligible for formal consideration under s50 of the Act.

Where information has been withheld because you (the Public Authority) have applied one of the exemptions in Part 2 of the Act, the case officer will need to have a copy of the information to judge whether or not any exemptions have been properly applied. We would also appreciate where you are able, for you to be specific about which exemptions apply to each part of the information. At this stage we only ask that you prepare this information, please do not send it to us until it is requested by the case officer.

**(Please note:** the above paragraph will only apply in circumstances where you hold the information but have refused to supply it because you are applying any of the exemptions in Sections 21-44 of the Act).

We emphasise that although we have assessed the complaint as being eligible for the Information Commissioner to decide whether a public authority has dealt with a request for information in accordance with Part I of the Act, no specific decision has been made as to the individual merits of the complaint at this time.

Finally, you should be aware that the Information Commissioner often receives requests for copies of the letters we send and receive when dealing with casework. Not only are we obliged to deal with these in accordance with the access provisions of the Data Protection Act 1998 (the DPA) and the Freedom of Information Act 2000 (the FoIA), it is in the public interest that we are open, transparent and accountable for the work that we do.

However, whilst we want to disclose as much information as we reasonably can, there will be occasions where full disclosure would be wrong. It is also important that the disclosures we make do not undermine the confidence and trust in the Commissioner of those who correspond with him.

I would be grateful if, at the appropriate time, you would indicate whether any of the information you provide in connection with this matter is confidential, or for any other reason should not be disclosed to anyone who requests it. I should make clear that simply preferring that the information is withheld may not be enough to prevent disclosure. You should have a good reason why this information should not be disclosed to anyone else and explain this to us clearly and fully.

If you have any specific concerns, please contact our Helpline on 0303 123 1113.

Yours sincerely,  
Sent on behalf of  
Alex Ganotis and Jon Manners  
Group Managers  
Complaints Resolution  
**Information Commissioner's Office**