

**My Ref:** IG-15085  
**Your Ref:**  
**Contact:** Freedom of Information Team  
**Email:** [FOI@nottinghamcity.gov.uk](mailto:FOI@nottinghamcity.gov.uk)



**Nottingham**  
**City Council**

**Freedom of Information Team**  
**Information Compliance**  
**Legal & Governance**  
2<sup>nd</sup> Floor  
Loxley House  
Station Street  
Nottingham  
NG2 3NG

Requester

At contact address specified for request number above

**Tel:** 0115 876 4376

**Email:**

[FOI@nottinghamcity.gov.uk](mailto:FOI@nottinghamcity.gov.uk)

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

26 June 2021

Dear Requester

### **Request under the Freedom of Information Act 2000 (the Act)**

The council has considered your request which was received on 3 June 2021 and our response to your questions is shown below.

*I recently came across a post on your Twitter feed for the City Centre Community Protection Officers, with a 'month in numbers' summary, giving an overview of what work the team have done in May.*

*Please could I request a copy of the spreadsheet pictured in the tweet which is used to record these statistics such as number of Fixed penalties, Community Protection Warnings, etc issued by your Community Protection Officers.*

Please find attached a copy of the spreadsheet '15085 – Data'.

Please note the council has redacted the names of officers. In accordance with section 40(2) of the Act, the personal information about identifiable living individuals is exempt if disclosure to a third party would contravene one of the UK General Data Protection Regulations (UK GDPR) principles.

The council are required under section 40(2) to take in account the UK GDPR, in particular Article 4 which states: “personal data’ means any information relating to an identified or identifiable natural person (‘data subject’); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person”.

The council have considered the principles of the UK GDPR and the Data Protection Act 2018 in our decision as to whether to disclose the names of these employees. The council must also consider whether it is fair in general terms to disclose the information. The Information Commissioner’s guidance states ‘It is reasonable to expect that a public authority would disclose more information relating to senior



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employees than more junior ones...the disclosure must not cause unwarranted interference with the rights, freedoms and legitimate interests of the employee'. The individuals concerned would not expect their details to be shared in response to a Freedom of Information request, as it is the council's general guidance not to do so for staff below the level of Head of Service. The council have therefore determined that in this instance the disclosure of this information to you otherwise than under the Act would contravene Principle (a) of the UK GDPR – lawfulness, fairness and transparency.

The council is withholding some information as detailed above under section 40(2). Please accept this letter as a partial refusal notice issued in accordance with section 17 of the Act.

You are free to use any information supplied for your own personal use. If the information provided is marked as published under an [Open Government Licence](#) you are free to reuse it, subject to the licence terms. However, if the information is not published under an Open Government Licence and you wish to reuse it, for example, by publishing the information or issuing copies to the public you are required to request permission for re-use of this information under the Re-use of Public Sector Information Regulations 2005 (RPSI). Your RPSI request must be in writing and include your name and address for correspondence, and specify the information you want to re-use and the purpose you intend to use it for.

If you are unhappy with the response provided or with the handling of your request, you can ask for an internal review in writing stating the reasons for your dissatisfaction. Your request for an internal review should be made to the council within forty working days of the date of this letter. Please quote reference IG-15085 in all communications.

You can contact the Freedom of Information Team either by email: [FOI@nottinghamcity.gov.uk](mailto:FOI@nottinghamcity.gov.uk) or writing to the **Freedom of Information Team, Information Compliance, Legal & Governance, 2<sup>nd</sup> Floor, Loxley House, Station Street, Nottingham, NG2 3NG.**

If you remain unhappy after receiving the response to your initial complaint you can request an independent review from the Information Commissioner's Office at **FOI/EIR Complaints Resolution, Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.** You may also contact the Information Commissioner's Office by telephone on 01625 545745 or by email at [mail@ico.gsi.gov.uk](mailto:mail@ico.gsi.gov.uk).

Yours sincerely

Freedom of Information Team  
Legal & Governance  
Nottingham City Council