

Mr Michael Doherty  
[request-112506-de46d1e1@whatdotheyknow.com](mailto:request-112506-de46d1e1@whatdotheyknow.com)

21<sup>st</sup> June 2012

Dear Mr. Doherty,

**Review of request under the Freedom of Information Act 2000**

Thank you for your email dated 24 May 2012 requesting a review of Mike Benbow's decision of 5<sup>th</sup> April.

I have reviewed the file and relevant Information Commissioner Decision Notices - FS50086498 and FS5040875.

I agree with Mr Benbow's decision. The information that you requested is clearly personal data and it is exempt information under s40 (2) and s40 (3) (i) (a). This is because the provision of the information to you would contravene the first data protection principle. This principle places upon us a legal duty to process information fairly and lawfully. In my view it would be unfair to provide the information to you.

I consider that Decision Notice FS50086498 supports my view, specifically:

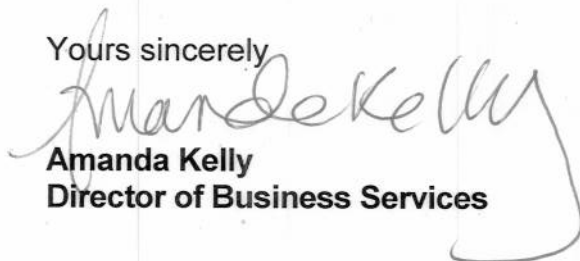
" The Commissioner considers that public authorities should provide information to the public about complaints received, but that this can be achieved without revealing information that constitutes the personal data of individual officers in that authority (for example by releasing aggregated statistical information). To release the fact that a complaint has been made against an employee may lead to assumptions being made about that employee's competence. However, the complaint may be unsubstantiated or malicious, or certain employees may be involved more frequently with difficult decisions that are more likely to result in dissatisfaction. Therefore, releasing this information does not aid transparency or accountability but could be misleading and unfair to particular employees."

I have therefore concluded that Mr Benbow's letter of 5<sup>th</sup> April contains enough information to satisfy the IPCC's obligations under the Freedom of Information Act 2000.

I hope that you appreciate the reasons for my decision but if you are still not satisfied you may contact:

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

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Amanda Kelly'. The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

**Amanda Kelly**  
**Director of Business Services**