



Nick Betts  
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27<sup>th</sup> March 2017

Dear Mr Betts

**Information request**  
**Reference number:** FOI201700255

Thank you for your request of 24<sup>th</sup> February 2017. You requested the following information:

*"Can you please provide a schedule of all reported faults at Plumpton level crossing from 08/02/16 to 07/02/17 please.*

*Can you also provide a schedule of those faults that required attendance by your staff and or contractors."*

I have processed your request under the terms of the Freedom of Information Act 2000 (FOIA).

I can confirm that we hold the information you requested.

Please find enclosed a copy of the fault log for Plumpton level crossing.

### **Personal information**

The Information Commissioner's Office's (ICO) guidance explains that: *'for data to constitute personal data, it must relate to a living individual, and that individual must be identifiable.'*

The information redacted relates to Network Rail staff mentioned within the document.

## **Contravention of the data protection principles**

The first data protection principle states that personal information must be handled fairly and lawfully. In our view the disclosure of the information that you have requested would be unfair to the aforementioned Network Rail staff.

Our reason for thinking it would be unfair is that the aforementioned living individuals may not be in the public domain and would not have a legitimate expectation that their names would be disclosed into the public domain.

We do recognise the legitimate interest in being accountable to the public and that releasing this information creates opportunities for greater accountability. On balance, however, we think that this interest does not override the importance of maintaining the data protection principles.

I do hope you find this response helpful. If you have any enquiries about this response, please contact me in the first instance at [FOI@networkrail.co.uk](mailto:FOI@networkrail.co.uk) or on 01908 782405. Details of your appeal rights are below.

Please remember to quote the reference number at the top of this letter in all future communications.

Yours sincerely

**Catherine Leach**  
**Information Officer**

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**Appeal Rights**

If you are unhappy with the way your request has been handled and wish to make a complaint or request a review of our decision, please write to the FOI Compliance and Appeals Manager at Network Rail, Freedom of Information, The Quadrant, Elder Gate, Milton Keynes, MK9 1EN, or by email at [foi@networkrail.co.uk](mailto:foi@networkrail.co.uk). Your request must be submitted within 40 working days of receipt of this letter.

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