

My Ref: IG-7773
Your Ref:
Contact: Information Management Services
Email: InformationRights@nottinghamcity.gov.uk



Nottingham
City Council

Information Management Services

Development & Growth
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Loxley House
Station Street
Nottingham
NG2 3NG

Tel: 0115 876 4376

Email: InformationRights@nottinghamcity.gov.uk
www.nottinghamcity.gov.uk

Requester

At contact address specified for request number above

22 June 2016

Dear Requester

Re: Request under the Freedom of Information Act 2000 (the Act)

The Authority has considered your request which was received on 2 June 2016 and our response to your questions is shown below.

"I would like copies of all complaints made to the council regarding bus services since 1st January 2015. Please also supply all related correspondence and responses where available."

In accordance with Section 1 (1) of the Act the Authority has a duty to confirm whether it holds the information of the description specified in the request, and if that is the case, to have the information communicated to the requester.

Please see the attached pdf document "Bus Complaints – Redacted", personal information as been marked "S.40.2" and removed from the document.

In accordance with Section 40(2) of the Act the requested some of the requested information is exempt from disclosure, namely copies of correspondence and names of complainants. Section 40(2) of the Act sets out the exemption for third party data and subject to one of two conditions being met. The Authority has considered that the disclosure of the information to you otherwise than under the Act would contravene one of the data protection principles as set out in Section 40(3)(a)(i) (first data protection principle – information processed fairly and lawfully).

When determining the privacy rights of the other individual(s) (third party) the Authority has considered that it would be unfair to disclose the personal data of the individual(s). Therefore information relating to the complaints correspondence has also been withheld, the Authority has only provided a summary of the complaints.

In accordance with Section 7(4)(b) of the Data Protection Act, the Authority cannot comply with your request without disclosing information relating to the individual(s). The Authority has also considered whether it would be reasonable to comply with the request without the consent of the other individual(s) concerned. In accordance with

Section 7(6)(a) of the DPA when determining whether obtaining consent from the individual(s) in order to comply with the request is reasonable the Authority has determined there is a duty of confidentiality owed to the other individual(s) and has decided to not comply with the request.

As the Authority is withholding the information as detailed above under Section 40(2) and Section 40(3)(a) 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. However, any other type of re-use, for example, by publishing the information or issuing copies to the public will require the permission of the copyright owner. If the copyright is owned by Nottingham City Council details of the conditions on re-use can be obtained by contacting this office.

If you are unhappy with the response provided or with the handling of your request, you can ask for an internal review by writing to the **Information Governance Specialist, Information Management Services, 4th Floor, Loxley House, Station Street, Nottingham, NG2 3NG** by stating the reasons for your dissatisfaction. Your request for an internal review should be made to the Authority within forty working days of the date of this letter. Please quote reference IG-7773 in all communications.

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.

Yours sincerely

Information Rights & Insight Team
Information Management Services
Development & Growth