



# South Tyneside Council

Date: 28th April 2020  
Our Ref: FOI 20 20315

Michael Rainsforth  
[request-657131-766c19ca@whatdotheyknow.com](mailto:request-657131-766c19ca@whatdotheyknow.com)

Dear Mr Rainsforth

## **Freedom of Information Request**

I refer to your Freedom of Information Request received on the 30th March 2020

Your request asked for the following information:

### **Your Request**

1. Copies of all commercial South Tyneside Council public liability insurance policy certificates with what is covered, policy numbers, providers and underwriters held by South Tyneside Council. In particular, make sure anything regarding 'pollution liability', 'policy enhancement' and 'schedules of exclusions' documents in relation to the commercial public liability insurance policy held by South Tyneside Council.
2. Copies of the 'certificate of indemnity' from South Tyneside Council that may include the public insurance provider and underwriters, confirming that any injuries, damages or adverse health effects directly or indirectly arising out of, resulting from or contributed to by electromagnetic fields, electromagnetic radiation, electromagnetism, radio waves or noise, wireless RF radiation, microwave radiation, non-ionizing radiation-emitting devices, and equipment.

### **Council's Response**

**Please find attached our public liability insurance policy document and summary of our liability insurance cover provided by our insurance provider.**

**We do not have a certificate of indemnity nor do we hold the information you have requested. Please note that where appropriate, redactions have been made, these will appear as blacked out blocks in the attached document. The exemption for non-disclosure and the redactions have been made in line with the Act and are explained below.**

## **Personal Data**

**You will see that the personal details for the named individuals have been redacted.**

**I believe, on this occasion, that providing this information would breach some of the principles in the Data Protection Act. I would suggest that providing email addresses and contact numbers for the individuals will be exempt under section 40(2) as doing so would contravene some of the data protection principles to disclose it. The principle that is most relevant is the first principle; the processing (in this case the disclosure) must be fair.**

**I do not consider that disclosure would be fair, and therefore it would contravene the first DPA principle, and the information is exempt under FOIA section 40(2).**

## **Copyright Procedure**

The information supplied to you continues to be protected by the Copyright, Designs and Patents Act 1988. You are free to use this information for your own purposes, including any non-commercial research you are doing and news reporting. Any other re-use of this information, for example commercial publication requires the permission of the Council as the Copyright holder. All re-use requests will be treated under the Re-Use of Public Information Regulation 2006.

## **Internal Review Procedure**

If you are dissatisfied with the handling of this enquiry you can invoke the Council's internal review procedures to ask for an independent review of your request. All such requests must be sent to us within 4 weeks and must clearly state in writing your reference number and your reasons for your request for internal review.

The Information Governance Team can be contacted at the following address:  
Information Governance Team, Town Hall and Civic Buildings, Westoe Road, South Shields, NE33 2RL.

## **Information Commissioner's Office (ICO)**

Should you remain dissatisfied with the final outcome of the internal review process you can write to the Information Commissioner to ask for an independent review. The Information Commissioner is the Government's Independent Body responsible for overseeing the Freedom of Information Act 2000, the Data Protection Act 2018 and the Environmental Information Regulations 2004.

Please do note the ICO will only review cases that have exhausted the Council's internal review procedures. All correspondence to the ICO must quote the Council's reference number and your reasons for your appeal.

The ICO's contact details are as follows: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, SK9 5AF. More information can be found on the ICO's website at [www.ico.org.uk](http://www.ico.org.uk)

If you have any further queries about this matter then please do not hesitate to contact us.

Yours sincerely

**Neil Purvis**  
**Performance and Information Coordinator**  
**Information Governance**

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