

### **Section 40(2) – Third Party Personal Data**

Third party personal data is exempt from disclosure by virtue of section 40(2) of the Freedom of Information Act 2000 ("the Act").

Further information on section 40(2) is available via the following link:

<https://www.legislation.gov.uk/ukpga/2000/36/section/40>

The information you have requested is the personal data of another person. Section 40(2) provides that information should not be disclosed under the Act if it is the personal data of another and its disclosure would breach any of the data protection principles. In this instance, we believe the disclosure of the requested information would breach the first data protection principle, in that it would not be fair or lawful to disclose this information.

There is a wider legitimate interest for transparency, however, placing this information in the public domain would lead to an unwarranted level of interference with the person's privacy. It is not necessary for us to consider the necessity for disclosure and, in this case, there is no pressing need for us to disclose the information. Therefore, a further balancing test is not required.