

**Delayed Office Opening for  
Employee Training**

*This Office will be closed from 8.45 am  
– 11.00 am on the 1<sup>st</sup> Thursday of each  
month.*

M Phillips

**Finance & Support Services**

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Contact Alan Taylor  
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Our ref ATI 2014 / 02 / 03 / 001

Your ref N/A

Date 26 March 2014

Dear M Phillips

**Requirement for Review under Section 20 of the Freedom of Information  
Scotland Act 2002 – Ref: ATI / 2014 / 02 / 03 / 001**

I am writing in response to your email dated 25 March 2014 which requested a review of the response to your recent Freedom of Information (FOI) Request. As the nominated Officer responsible for such reviews, I have considered your original request and the response given by the FOI Team before reaching my conclusion.

On 03 February 2014 you submitted a request for information to the FOI Team via the "What do they know" website.

On 25 February 2014 a response to that email was issued. Within that response some information was exempted from disclosure citing Sections 38(1)(b) and 38(2)(a)(i) of the Act – that the disclosure of the information would be in breach of the data protection principles contained in the Data Protection Act 1998.

On 25 February 2014 you submitted a request for review. That request was rejected and you were asked to provide further clarifications of your reasons for requesting a review.

On 26 February additional information missing from the original response to your request was issued.

On 25 March 2014 you submitted further information relating to your request for a review.

Having reviewed the original response issued by the FOI Team I can advise you that I consider that this response was correct.

Your reason for requesting a review was *"I have not been given the information in relation to wrongdoing"*.

Your original request for information contained one question relating to "wrongdoing" – *"Please state the number of cases where wrong doing was found against a member of staff or elected member for 2011, 2012 and 2013"*

The answer provided to you was "less than 5". This answer is correct although it should have been made clearer that this answer applied to the total number of cases in the period 2011- 2013.

The FOI Team correctly withheld the exact figure and provided the explanation of that decision in the text of the response (attached for reference). The FOI Team was following the Information Commissioners guidance for dealing with low numbers where the potential for an inadvertent disclosure of personal information exists - decision 021/2005 Collie Vs Common Services Agency for the Scottish Health Service.

Your request for a review has now been fulfilled. If you are not satisfied with my decision you have a right to appeal to the Scottish Information Commissioner, who is responsible for the Freedom of Information (Scotland) Act 2002. You have the right to appeal to the Court of Session on a point of law following a decision of the Commissioner. You have a maximum of six months after the date of receipt of this letter to appeal to the Commissioner. The Commissioner can be contacted using the details below:

Scottish Information Commissioner,  
Kinburn Castle,  
Doubledykes Road,  
St Andrews, Fife  
KY16 9DS

Telephone: 01334 464610

Fax: 01334 464611

e-mail: [enquiries@itspublicknowledge.info](mailto:enquiries@itspublicknowledge.info)

Yours sincerely

Alan Taylor  
Head of Finance & Support Services