

## **FREEDOM OF INFORMATION ACT 2000**

Your request for information has now been considered and the Council's response to your question is shown below.

### **You asked:**

**Please provide all information you hold regarding the grievance raised at UPLANDS JUNIOR SCHOOL, Melbourne Road, Highfields, Leicester, since March 2013**

The information you have requested pertains to an on-going investigation and named individuals and has been deemed by the Council to be exempt from disclosure.

**Section 17** of the Freedom of Information Act 2000 however requires Local Authorities when refusing to provide such information to provide you the applicant with a notice stating why this exemption applies.

The relevant exemptions are as follows:

Section 30 – Investigations and proceedings conducted by public authorities.

Section 40(2)(a)(b) – Personal Information

**Section 30:** Disclosure of the requested information at this stage could have a material impact on the outcome of the investigation. The Council considers there is a strong public interest in avoiding any prejudice or external influence in this investigation.

**Section 40(2)(a)(b)** is an absolute exemption which means there is no requirement on the Local Authority to consider whether there is a public interest in disclosure. Personal data is governed by other law (The Data Protection Act 1998)

Any disclosure under FOIA is a public disclosure and release of the personal data of an individual relating to their record would breach principles 1 & 2 of the Data Protection Act 1998.

Principle (1) requires that personal data is processed lawfully and fairly.

Principle (2) requires that personal data is processed for a specific purpose and not further processed in any manner incompatible with that purpose.

Public disclosure would cause unnecessary distress or damage to the persons involved and they would not have an expectation that their personal data will be disclosed to others or possibly used for another purpose.

If you are dissatisfied with the handling of your request please write to:

**Information Governance Manager**

**Information and Support**

**Leicester City Council**

**FREEPOST (LE985/33)**

**New Walk Centre**

**LEICESTER LE1 6ZG**

e-mail: [info-requests@leicester.gov.uk](mailto:info-requests@leicester.gov.uk)

Your request for internal review should be submitted to the above address within 40 (forty) working days of receipt by you of this response. Any such request received after this time will only be considered at the Council's absolute discretion.

You can also complain to the Information Commissioner at:

**Information Commissioner's Office**

**Wycliffe House**

**Water Lane**

**Wilmslow SK9 5AF**

**Telephone: 01625 545 700**

[www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk)

Please be aware that the Information Commissioner does not normally consider appeals or complaints until the internal appeals and complaints processes of the public authority which is answering the request have been exhausted. You are therefore advised to complain or appeal to the Information Governance Manager before contacting the Commissioner.