

## **FOI Request (received 28 September 2022) - Reference: DFI/2022-0317**

Please provide:

- a copy of the internal engineer's report in relation to Claim Ref C2103585; and
- a copy of all internal emails, reports and electronic communication in relation to Claim Ref C2103585.

## **Response (issued 28 September 2022)**

Thank you for your e-mails dated 28 September 2022 requesting information held by the Department under the Freedom of Information Act 2000 (FOI). You requested:

- *a copy of the internal engineer's report in relation to Claim Ref C2103585; and*
- *a copy of all internal emails, reports and electronic communication in relation to Claim Ref C2103585.*

In response to your request, I can confirm that the Department for Infrastructure does hold information related to your request.

As FOI relates to public rights of access to information, I must consider whether information is suitable for release to the world at large, and not solely to the applicant. This is especially relevant when responding to e-mail addresses where responses are automatically uploaded to the internet, as occurs when responding to an e-mail address by whatdotheyknow.com.

The requested information consists of information gathered in order for the Department to resolve a legal claim received from an individual. This constitutes third party personal data within the meaning of the Data Protection Act 2018 (DPA).

A public authority may only release third party personal data if to do so would be fair, lawful and would meet the conditions in Schedule 2, 3 or 4 of the DPA. The Department may not disclose personal information to the public in contravention of any of the data protection principles (Article 5(1) UK General Data Protection Regulation or sections 34(1) and 85(1) DPA) and must consider all consequences of disclosure in each case.

The requested information is therefore withheld under the exemption provided under FOI by s40(2): personal information.

I appreciate that you will be disappointed with this response but I hope that you will understand the reasons behind the Department's decision.

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