



Department
for Environment
Food & Rural Affairs

helpline@defra.gsi.gov.uk
www.defra.gov.uk

[REDACTED]
[REDACTED]

Our ref: RFI 5710
Date: 20 December 2013

Dear [REDACTED],

REQUEST FOR INFORMATION: TB Questionnaires

Thank you for your request for information about farmer TB questionnaires in Gloucestershire, which was a narrowed down version of your initial request. As you know, we have handled your request under the Freedom of Information Act 2000 (FOIA). We apologise for not getting this request to you within the extended deadlines, which was down to a breakdown in the RFI process between Defra and the relevant executive agency holding the data.

I can confirm that AHVLA does hold the information that you have requested, but we have decided that it should be withheld under section 40(2) (third party personal data) of the FOIA, as the information constitutes personal data relating to third parties. Section 40(2) of the FOIA states that personal data relating to third parties is exempt information if disclosure would breach the Data Protection Act 1998 (DPA).

We consider that disclosure of this information is likely to breach the first data protection principle in Schedule 1 to the DPA, which relates to the fair and lawful processing of personal data, in two ways. First, disclosure would not constitute 'fair' processing of the personal data; second, disclosure would not satisfy any of the conditions for data processing set out in Schedule 2 to the DPA. Therefore, we have concluded that this information is exempt from disclosure under section 40(2) of the FOIA.

Moreover, it is estimated the amount of staff time that would be spent anonymizing the materials requested would exceed the statutory time and cost limits of £600. Section 12(1) of the FOIA allows us to refuse a request for information if we estimate that the cost of complying with the request would exceed the appropriate limit, which currently stands at £600. I attach an annex giving contact details should you be unhappy with the service you have received.

If you have any queries about this letter, please contact me.

Yours Sincerely,

Defra TB Programme

Ccu.correspondence@defra.gsi.gov.uk

Annex

Complaints

If you are unhappy with the service you have received in relation to your request you may make a complaint or appeal against our decision under section 17(7) of the FOIA or under regulation 18 of the EIRs, as applicable, within 40 working days of the date of this letter. Please write to Mike Kaye, Head of Information Standards, Area 4D, Nobel House, 17 Smith Square, London, SW1P 3JR (email: requestforinfo@defra.gsi.gov.uk) and he will arrange for an internal review of your case. Details of Defra's complaints procedure are on our [website](#).

If you are not content with the outcome of the internal review, section 50 of the FOIA and regulation 18 of the EIRs gives you the right to apply directly to the Information Commissioner for a decision. Please note that generally the Information Commissioner cannot make a decision unless you have first exhausted Defra's own complaints procedure. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF