

FOI 93/2015

REQUEST

Can you please let me know how many animal/dog control personnel are employed by tending council and do these employees have council vehicles that they take home each day. Also their job description and the length of time each have been employed by tending council.

RESPONSE

Further to your FOI request, I can confirm that the Council employ two animal/dog control wardens and they both have work vehicles which they are not allowed to take home.

In respect of their job descriptions and the length of time that they have been employed by the Council, we are applying Section 40 of the Freedom of Information Act (FOI) "Personal Information" to your request and will not be disclosing the required information.

Section 40 (2) provides that:

"(2) Any information to which a request for information relates is also exempt information if –

- (a) it constitutes personal data which do not fall into subsection (1), and
- (b) either the first or second condition below is satisfied.

(3) The first condition is –

(a) in a case where the information falls within any of the paragraphs (a) to (d) of the definition of "data" in section 1 (1) of the Data Protection Act 1998, that the disclosure of the information to a member of the public otherwise than under this Act would contravene -

- (i) any of the data protection principles
- (ii) section 10 of that Act (right to prevent processing likely to cause damage or distress) and,

(b) in any other case, that the disclosure of the information to a member of the public otherwise than under this Act would contravene any of the data protection principles if the exemptions in section 33A(1) of the Data Protection Act 1998 (which relate to manual data held by public authorities) were disregarded".

TDC considers that the information you are seeking is exempt information, as to disclose it would breach the second data protection principle.

The Second Principle of the Data Protection Act 1998 states that "Personal information must be processed for limited purposes". In Part II of Schedule 1 of the Act, it states that "In determining whether any disclosure of personal data is compatible with the purpose or purposes for which the data were obtained, regard is to be had to the purpose or purposes for which the personal data are intended to be processed by any person to whom they are disclosed."