

From: [Foi Enquiries](#)
To: [REDACTED]
Subject: FOI-17-1298 - Incident Records
Date: 03 October 2017 08:57:06
Attachments: [Further Information - Right to Review & Appeal.pdf](#)

Dear [REDACTED],

Your Reference: [REDACTED]

Thank you for your information request of 7 September 2017. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

I wish to make a request under the Freedom of Information (Scotland) Act 2002 for the following documentation:

- 1. All reports, letters, memos, notes and similar documentation held in relation to attendances at and inspections of the premises at The Justice Mill, 423 – 425 Union Street, Aberdeen, AB11 6DE in connection with the incident involving [REDACTED] occurring on 7 June 2014.**
- 2. Any and all photographs held in relation to the inspections and subsequent reports.**
- 3. Any referral letters to Building Standards or similar organisations.**

ACC is unable to provide you with **all reports, letters, memos, notes and similar documentation held in relation to attendances at and inspections of the premises at The Justice Mill, 423 – 425 Union Street, Aberdeen, AB11 6DE in connection with the incident involving [REDACTED] occurring on 7 June 2014, any and all photographs held in relation to the inspections and subsequent reports and any referral letters to Building Standards or similar organisations.** as it is exempt from disclosure. In order to comply with its obligations under the terms of Section 16 of the FOISA, ACC hereby gives notice that we are refusing your request under the terms of Section 38(1)(b) in conjunction with 38(2)(a)(i) - of the FOISA.

In making this decision ACC considered the following points:

ACC is of the opinion that Section 38(1)(b) applies to the information specified above as the information in question is personal information relating to living individuals and the applicant is not the data subject. The requested documents relate to the named individual above and other individuals involved in the incident and investigation. ACC is of the opinion that Section 38(2)(a)(i) applies as ACC considers that disclosure of this information would be a breach of the first Data Protection Principle (that personal information must be processed fairly and lawfully). Given the confidential nature of the information, the individuals would not expect ACC to release this sort of information about them into the public domain under FOISA.

We apologise that we cannot help further.

Yours sincerely,

Information Compliance Team

INFORMATION ABOUT THE HANDLING OF YOUR REQUEST

ACC handled your request for information in accordance with the provisions of the Freedom of Information (Scotland) Act 2002. Please refer to the attached PDF for more information about your rights under FOISA.

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