

From: [Foi Enquiries](#)
To: [REDACTED]
Subject: FOI-17-1844 - Injury Claims
Date: 04 January 2018 15:08:41
Attachments: [Further Information - Right to Review & Appeal.pdf](#)

Dear [REDACTED]

Thank you for your information request of 30 November 2017. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

Please find my FOI request below in relation to injury claims from pedestrians falling on pavements in your area.

For the last 12 months from the latest date available please provide the following data - broken down into months or quarterly figures if possible.

1) How many claims were received from members of the public as a result of falling on pavements?

No. of claims including paths – 40

2) How many claims were successful?

No. of successful claims - <5

Please note that, as the number is greater than 0 but less than 5 then the specific number has not been provided. Such low numbers could lead to identification of individuals.

As such, ACC is unable to provide you with this information 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) – Personal Information – 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 individual(s), of which the applicant is not the data subject. ACC is of the view that disclosing exact numbers could enable the individual(s) involved to be identified.

ACC is of the opinion that Section 38(2)(a)(i) applies, as we consider that disclosure of this information would be a breach of the first Data Protection Principle (that personal information must be processed fairly and lawfully). The individual(s) have not consented to the disclosure of their information, and ACC does not consider that they would expect ACC to release this information about them into the public domain under the FOISA.

3) Please provide the total value paid out as a result of these successful claims.

Total value - £491.00

We hope this helps with your request.

Yours sincerely,

Grant Webster
Information Compliance Officer

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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Calls from BT landlines will be charged at the local call rate of 10.24p per minute (the same as 01224s).

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