

THE FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

REFUSAL NOTICE

Request Number: 2022-682743

Date: 12 January 2023

This refusal notice is provided in accordance with section 16 of the Freedom of Information (Scotland) Act 2002 (FOI(S)A).

You have requested certain information which we have decided not to disclose to you. Further information about this decision is set out below.

Information which is the subject of the request	The reactive calls data, which contains the name of a member of staff.
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This information is held by us but we have decided not to disclose it as we consider it to be exempt information under FOI(S)A. Details are set out below.

Exemption(s)	Section 38(1)(b) of FOI(S)A 2002 – personal data
Why exemption(s) applies	<p>Section 38(1)(b) Information concerning the name of a member of SPCB staff has been withheld from the data provided as this information is the personal data of the individual concerned and is therefore exempt from disclosure under section 38(1)(b) of FOI(S)A.</p> <p>Processing of personal data must be carried out lawfully and fairly. The member of staff whose name is contained in the reactive calls data attached would have a reasonable expectation that this information about them would not be disclosed into the public domain. We do not have their consent to disclose this information about them and to do so would be neither lawful nor fair.</p>
Public interest (where relevant)	As section 38(1)(b) is an absolute exemption (where disclosure would contravene the Data Protection principles in Article 5(1) of the UK GDPR) it is not subject to the public interest test.

