



Ein Cyf/Our Ref: ATISN 11449

Date: 1 September 2017

Dear ,

**ATISN 11449 - Bridgend Youth Strategy Grant**

Thank you for your request which I received on 3 August 2017 about the Bridgend Youth Strategy Grant.

You have requested the following information:

1. Completed WG Youth Strategy Grant application form (including any budgetary break down) that was submitted by Bridgend County Borough Council for the years 2016/17 and 2017/18.  
Please see attached work plans at Doc 1 and Doc 2.
2. Confirmation of the total grant awarded by WG against the applications for 2016/17 and 2017/18.  
The total grant awarded for 2016/17 was £123,438 and for 2017/2018 was £173,837.  
A breakdown of these costs can be found at Doc 1 and Doc 2.
3. A copy of the performance report and financial return submitted by BCBC to WG (relating to the Youth strategy grant awarded) for the financial year 2016/17.  
These can be found at Doc 3 and Doc 4 attached.

I have decided that some of the information described in the enclosed list is exempt from disclosure under section 40 (2) of the Freedom of Information Act (third party personal data exemption) and is therefore withheld. The reasons for applying these exemptions are set out in full at Annex A to this letter.

If you are dissatisfied with the Welsh Government's handling of your request, you can ask for an internal review within 40 working days of the date of this response. Requests  
*Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.*

*We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.*

for an internal review should be addressed to the Welsh Government's Freedom of Information Officer at:

Information Rights Unit,  
Welsh Government,  
Cathays Park,  
Cardiff,  
CF10 3NQ

or Email: [FreedomOfInformationOfficer@wales.gsi.gov.uk](mailto:FreedomOfInformationOfficer@wales.gsi.gov.uk)

Please remember to quote the ATISN reference number above.

You also have the right to complain to the Information Commissioner. The Information Commissioner can be contacted at:

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

However, please note that the Commissioner will not normally investigate a complaint until it has been through our own internal review process.

Yours sincerely

## Annex A

Information released in response to a Freedom of Information (Fol) request is released not just to the person making the request but also to the world at large. The personal interest of the requester and any use they may look to put information to is irrelevant. When considering the release of information in response to a Fol request we have to consider the potential effects of that wider disclosure and to the potential uses any unknown person may put the information to. I have decided to withhold the following information:

Information being withheld	Section number and exemption name
Names of staff, their job titles and their signatures.	Third party personal data exemption - section 40(2)

Section 40 of the Freedom of Information Act sets out an exemption from the right to know if the information requested is personal information protected by the Data Protection Act 1998 (DPA). Personal data is defined in Section 1(1) of the DPA as: “personal data” means data which relates to a living individual who can be identified from those data; or from those data and other information which is in the possession of, or is likely to come into the possession of, the data controller”.

We have concluded that, in this instance, the information identified above amounts to third party personal data.

Under Section 40(2) of the FOI Act, personal data is exempt from release if disclosure would breach one of the data protection principles. We consider the principle being most relevant in this instance as being the first.

### The first data protection principle.

This states:

Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless -

(a) at least one of the conditions in Schedule 2 is met, and (b) in the case of sensitive personal data, at least one of the conditions in Schedule 3 is also met.

We consider that the information highlighted falls within the description of personal data as defined by the DPA and that its disclosure would breach the first data protection principle.

The first data protection principle has two components:

- 1 Personal data shall be processed fairly and lawfully.
2. Personal data shall not be processed unless at least one of the conditions in DPA schedule 2 is met.

Guidance from the Information Commissioner’s Office (ICO) (Personal information (section 40 and regulation 13) v 1.4) states:

If disclosure would not be fair, then the information is exempt from disclosure. This approach was endorsed by the Court of Appeal in the case of *Deborah Clark v the Information Commissioner and East Hertfordshire District Council* where it was held: “The first data protection principle entails a consideration of whether it would be fair to disclose the personal data in all the circumstances. The Commissioner determined that it would not be fair to disclose the requested information and thus the first data protection principle would be breached. There was no need in the present case therefore to consider whether any other Schedule 2 condition or conditions could be met because even if such conditions could be established, it would still not be possible to disclose the personal data without breaching the DPA” (paragraph 63).

Our analysis of the ICO’s key considerations in assessing ‘fairness’, as set out in the Guidance, are below.

Whether the information is sensitive personal data and the possible consequences of disclosure on the individual.

The signatures of individuals warrants being considered as sensitive personal data as this is used to identify individuals and is used for security purposes, etc. Disclosure of an individual’s signature opens them up to be the victim of fraud, identity theft, etc.

The reasonable expectations of the individual, taking into account: their expectations both at the time the information was collected and at the time of the request; the nature of the information itself; the circumstances in which the information was obtained; whether the information has been or remains in the public domain; and the FOIA principles of transparency and accountability.

The individuals concerned have no public facing role and they are not of a grade that makes decisions that affect directly any person within the local authority area. The names were solely obtained as a result of their handling of the application for funding this project and there would not have been any expectation that in doing so their personal data could end up in the public domain.

Whether there is any legitimate interest in the public or the requester having access to the information and the balance between this and the rights and freedoms of the individuals who are the data subjects.

As the individuals hold no public facing role nor have decision making responsibilities, we do not believe there is any wider public interest in disclosing the information that outweighs the data subjects rights.

Thus, we believe release of this information would be unfair and so breach the first data protection principle. For that reason, the information is being withheld under section 40(2) of the Freedom of Information Act. This is an absolute exemption and not subject to the public interest tests.