

11<sup>th</sup> February 2022  
FOI903 – CON-31971/BM

Sent via email – [REDACTED]

Dear [REDACTED]

**RE: FREEDOM OF INFORMATION REQUEST – FOI903 – 31971**

Avon and Somerset Police and Crime Commissioner's (PCC's) office have now completed the search for the information which you requested on the 1<sup>st</sup> February 2022.

#### Your request:

Dataset of responses to the survey undertaken by OPCC to inform the funding increase in the precept.

#### Our response:

I can confirm that that dataset has been identified.

However I am not obliged to provide the information in the format requested as to provide all the information together as you have asked would identify personal information. The exemption applicable to this is;

- Section 40(2), third party personal information.

This is an Absolute exemption so therefore there is no requirement to conduct a harm or public interest test. Any information is exempt from disclosure under the Freedom of Information Act if it relates to or is supplied by another individual and disclosure of that information would contravene any of the data protection principles set out in:

- (a) Article 5(1) of the GDPR, and
- (b) Section 34(1) of the Data Protection Act 2018;

A Freedom of Information Disclosure is a disclosure to the world. Therefore information that is provided can be viewed by any member of the public. Should the information be provided in a format in which a living individual could be identified this would constitute personal data. This would then become a breach of rights provided under the Data Protection Act 2018.

This serves as a partial refusal notice under section 17(1) of the FOI act.

However, I can direct you to the full report prepared in response to the precept survey, which is published as per the link below. From page 55 onwards you will find the 2022/23 Precept Survey Analysis provided by the OPCC:

[\(Public Pack\)Supplementary Papers - Formal Scrutiny of the Budget and Proposed Precept Agenda Supplement for Avon & Somerset Police and Crime Panel, 01/02/2022 10:30](#)

If you are unhappy about how your request has been handled and wish to make a complaint or request a review of the decision then you should write to:

Chief of Staff  
Avon and Somerset Police and Crime Commissioner's Office  
Valley Road  
Portishead  
Bristol  
BS20 8JJ

Please note, Avon and Somerset Police and Crime Commissioner's office provides you with the right to request a re-examination of your case under its review procedure. The appeals document is attached for your reference.

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by Avon and Somerset Police and Crime Commissioner's office. The Information Commissioner can be contacted at: <http://ico.org.uk/>.

Yours sincerely,

***Freedom of Information Officer***

**Avon and Somerset Police and Crime Commissioners Office**