



**Wigan**♥  
**Council**

## Request

I would appreciate your assistance by providing the following brief information regarding the commissioning and placement of Looked After Children to OFSTED residential homes from your local authority:

- Name of manager and direct email of manager for placement team for OFSTED residential spot purchases.

## Response

The Council confirms that it holds the information requested (Name of manager and direct email of manager for placement team for OFSTED residential spot purchases).

Section 40(2) of the Freedom of Information Act 2000 provides an exemption if the information requested constitutes personal data and if one of three conditions is satisfied; a name and email address is personal data. The first condition under section 40(3A)(a) is satisfied if disclosure would breach any of the Data Protection Principles in UK General Data Protection Regulation (GDPR). The first data protection principle is that personal data processing must be lawful. The only possible lawful bases for disclosure under the Freedom of Information Act 2000 would be consent or legitimate interests. The Council does not have the person's consent to disclose this information. The Council has no legitimate interest in disclosing this information when the member of staff would not expect it and an email address is provided for contact; any third party's legitimate interests would be outweighed by the data protection and privacy rights of the manager.

Therefore, the Council confirms that it has withheld the name and direct email using the exemption available at section 40(2) of the Freedom of Information Act 2000.

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