



London Borough of Barnet,
2 Bristol Avenue,
Colindale,
London NW9 4EW
11 October 2019
Our ref: 5622600

Thank you for your request received on 13 September 2019, for the following information:

I am writing to make an open government request for all the information to which I am entitled under the Freedom of Information Act. In order to assist you with this request, I am outlining my query as specifically as possible. If however this request is too wide or too unclear, I would be grateful if you could contact me as I understand that under the Act, you are required to advise and assist requesters. Can you please provide me with a list of 'specified injuries' (<http://www.hse.gov.uk/riddor/specified-injuries.htm>) reported to you under the Reporting of Injuries, Disease and Dangerous Occurrences Regulations (RIDDOR) as part of your responsibilities under The Health and Safety (Enforcing Authority) Regulations 1998. I would like to receive the data from 2014 to the current day, with the information provided in a series of columns detailing:

1/ The date of the incident.

2/ The injured party's age.

3/ The specified injury sustained (bone fracture, amputation, blinding, crush, serious burns, scalping, loss of consciousness, injuries associated with working in an enclosed space).

4/ The industry sector.

5/ The name of organisation where the injury occurred.

6/ The post code where the injury was sustained.

7/ If the incident was investigated by the Local Authority or not.

I would be grateful if you could confirm in writing that you have received this request. I look forward to hearing from you.

Response

We have processed this request under the Freedom of Information Act 2000.

I can confirm that London Borough of Barnet holds the information you requested.

However, we consider that the following exceptions apply to some of the information requested. The remaining information is not withheld and is attached.

Can you please provide me with a list of 'specified injuries' (<http://www.hse.gov.uk/riddor/specified-injuries.htm>) reported to you under the Reporting of Injuries, Disease and Dangerous Occurrences Regulations (RIDDOR) as part of your responsibilities under The Health and Safety (Enforcing Authority) Regulations 1998. I would like to receive the data from 2014 to the current day, with the information provided in a series of columns detailing:

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Please see attached spreadsheet.

We consider that Section 40 sub section 2 (Personal information) applies to some of the information requested.

To ensure that no personal sensitive or individual identify information was released we have check each data record before release. Our General Data Protection Regulation (GDPR) or Data Protection Act 2018 (DPA) related concerns would be to assure ourselves that the information released would not allow a specific individual to be identified. This is because many reports will relate to small employers, or even individuals, and when taken alongside location details (eg postcode, Local Authority), there could be disclosure issues especially if the premises employ only a few workers. Where this is the case I have provided a partial postcode and removed the name of the Trading Name.

We would wish to ensure that any disclosure would not compromise an on-going investigation or any formal enforcement/court action that may be in progress. Again only a partial postcode is provided and no details of the Trading Name.

Therefore we have decided to withhold some of the information.

Refusal Notice Section 40(2)

[Part 1 of Schedule 19](#) of the Data Protection Act 2018 amends the personal data exemption under section 40 of the Freedom of Information Act 2000(FOI). These are consequential amendments designed to ensure that the correct provisions of the GDPR and the new Act are referenced instead of the now repealed DPA 1998. They

will not fundamentally impact when personal data can, and cannot, be disclosed in response to an FOI request.

Personal Information is governed by the Data Protection Act legislation and is defined as any information relating to an identified or identifiable natural person ('data subject'). It adds that: an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location number, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

The withheld information is exempt because disclosure would contravene the first data protection principle which requires that personal data is processed fairly and lawfully. Disclosure of the requested information would breach this principle and in particular the requirement of fairness. The reasons why it is unfair in this case eg it would allow children to be identified/ it would allow planning complainants to be identified where they have complained expecting their details

Further information

If you are interested in the data that the council holds you may wish to visit Open Barnet, the council's data portal. This brings together all our published datasets and other information of interest on one searchable database for anyone, anywhere to access. <http://open.barnet.gov.uk/>

Advice and Assistance : Direct Marketing

If you are a company that intends to use the names and contact details of council officers (or other officers) provided in this response for direct marketing, you need to be registered with the Information Commissioner to process personal data for this purpose. You must also check that the individual (whom you wish to contact for direct marketing purposes) is not registered with one of the Preference Services to prevent Direct Marketing. If they are you must adhere to this preference. You must also ensure you comply with the Privacy Electronic and Communications Regulations (PECR). For more information follow this Link www.ico.org.uk **For the avoidance of doubt the provision of council (and other) officer names and contact details under FOI does not give consent to receive direct marketing via any media and expressly does not constitute a 'soft opt-in' under PECR.**

Your rights

If you are unhappy with the way your request for information has been handled, you can request a review within the next 40 working days by writing to the Information Management Team at: foi@barnet.gov.uk. Or by post to Information Management Team (FOI) London Borough of Barnet, 2 Bristol Avenue, Colindale, NW9 4EW

If, having exhausted our review procedure, you remain dissatisfied with the handling of your request or complaint, you will have a right to appeal to the Information Commissioner at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF (telephone: 0303 123 1113; website www.ico.org.uk). There is no charge for making an appeal.

