

London Borough of Barnet
2 Bristol Avenue,
Colindale,
London, NW9 4EW
29 December 2022
Our ref: 8775481

Thank you for your request received on 2 December 2022, for the following information:

This Freedom of Information request is for the attention of the department that oversees the private rented sector and enforcement.

The Secretary of State for Levelling Up, Housing and Communities, the Rt Hon Michael Gove has written to all councils in England following the tragic death of Awaab Ishak to enquire about activity taken over the last three years to address damp and mould hazards in the private rented sector. This includes specific activity covering the amount and nature of remediation and enforcement activity, civil penalty notices and prosecutions. The full letter can be found here:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1118877/SoS_letter_to_local_authority_chief_executive_and_council_leaders.pdf

We understand that a further correspondence was sent out by the Department dated 25th November, requesting an initial response to be sent to them by 30th November 2022 from all local authorities.

The NRLA therefore requests a copy of this initial response sent by this local authority to the Department for Levelling Up, Housing and Communities.

We have processed this request under the Environmental Information Regulations 2004.

Response

I can confirm that London Borough of Barnet holds the information you requested. However, we believe that the exceptions detailed below apply to some of this information and this is withheld. Please see the Refusal Notice below.

Please see attached

Refusal Notice

R13 - Personal data

We have redacted the names of individuals by virtue of Regulation 13 of the Environmental Information regulations 2004, as disclosure of this information to the public generally, in the Council's view, would not be consistent with the data protection principle found in Article 5.1(a) of the General Data Protection Regulation (GDPR) lawfully, transparently and fairly. We have considered whether disclosure is lawful and fair and whilst it may be lawful under Article 6.1(f) GDPR (legitimate interests) it would not be fair to the individuals concerned who would not expect the names of junior employees to be disclosed as part of such a request.

We consider that regulation 13 (Personal information) applies to the information requested.

Therefore, we have decided to withhold the information.

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 Records & Information Management Service, Assurance Group, 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.