

London Borough of Barnet  
2 Bristol Avenue,  
Colindale,  
London, NW9 4EW  
3 May 2023  
Our ref: 9541824

Thank you for your request received on 3 April 2023, for the following information:

**To assist my research, I would be grateful if you could provide the following data from 1 April 2012 to 31 March 2023:**

- \* Total number of RIDDOR reports processed each month, broken down as follows:**
  - o the number of RIDDOR reports received which were:**
    - § confirmed as RIDDOR reportable once reviewed**
    - § confirmed as not RIDDOR reportable once reviewed**
    - § recorded as unknown or left blank on your database**
  - \* For the RIDDOR reports above which were confirmed as RIDDOR reportable once reviewed (for a given month), please specify how many of those resulted in the following actions:**
    - o Investigation / decision to investigate**
    - o No investigation / decision not to investigate**
    - o Total notices served, also specifying their breakdown:**
      - § Improvement notices served**
      - § Prohibition notices served**
    - o Total cautions and prosecutions, also specifying their breakdown:**
      - § Simple caution issued**
      - § Prosecutions sought**
- \* Total number of active businesses in your local authority for each year.**

**Please provide the requested information electronically (to xxx using the attached xlsx template (columns A to Q). I am more than happy to share my research with you; please provide contact details. Please note that any data that is not held, or produced from your database, will be noted as part of the research findings as 'not able to produce' or 'not recorded'.**

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.

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***o the number of RIDDOR reports received which were:***

***§confirmed as RIDDOR reportable once reviewed***

***§confirmed as not RIDDOR reportable once reviewed***

***§recorded as unknown or left blank on your database***

***\* For the RIDDOR reports above which were confirmed as RIDDOR reportable once reviewed (for a given month), please specify how many of those resulted in the following actions:***

***o Investigation / decision to investigate***

***o No investigation / decision not to investigate***

***o Total notices served, also specifying their breakdown:***

***§Improvement notices served***

***§Prohibition notices served***

***o Total cautions and prosecutions, also specifying their breakdown:***

***§Simple caution issued***

***§Prosecutions sought***

Please find attached the RIDDOR DATA spreadsheet. We have provided all information held which is readily reportable from our case management system.

We are unable to provide some of the information requested because its cost limit. Please see refusal notice below

## **Refusal Notice**

### **R12(4) (b) the request for information is manifestly unreasonable**

Regulation 12(4)(b) of the Environmental Information Regulations 2004 provides an exception to the disclosure of information in situations where the request is manifestly unreasonable. This exception may be invoked where the request places a substantial and unreasonable cost or burden of dealing with it. Information. The purpose of the exception is to protect public authorities from exposure to a disproportionate burden or an unjustified level of distress, disruption or irritation, in handling information requests.

This is a qualified exception under EIR which means that consideration must also be given to whether in all the circumstances of the case the public interest favouring disclosure is greater than the public interest in maintaining the exemption. The public interest means what is in the best interests to the public.

Public interest test considerations

I have considered whether the public interest in maintaining the exception outweighs the public interest in disclosing the information requested. There are a number of

public interest arguments that weigh in favour of disclosing the information you have sought:

- The general proposition of maximising openness to which the EIR and the Council aspire ;
- The benefits of ensuring transparent and accountable government

However, there are also public interest arguments against disclosure:

- It does not represent a cost effective use of the Council's resources, we received 1812 RIDDOR records and it would take approximately 5 minutes per complaint so therefore this would equate over 151 Hours

**(5 minutes times 1812 records divided by 60 minutes = 151.00 hrs)**

- The diversion of resources that will be necessary in providing the information requested negatively impact on its ability to deliver its core functions

The Council considers that the public interest in withholding the requested information outweighs the public interest test in disclosure of the requested information.

**\* *Total number of active businesses in your local authority for each year.***

The latest Business Rates Register can be found here:

<https://open.barnet.gov.uk/dataset/businessratesregister>

The Business Rates system does not retain information on active businesses. We would only be able to provide details of properties which were listed as unoccupied and occupied, however a property may be used for storage which attracts an occupied charge and therefore provides inaccurate information as to whether the business is active from a commercial property

## **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](http://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](mailto: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](http://www.ico.org.uk)). There is no charge for making an appeal.