



Our reference: **DAERA/23-170**

██████████ via e-mail

████████████████████

VSAHG Information Communications Branch  
1st Floor  
Jubilee House  
111 Ballykelly Road  
Limavady  
BT49 9HP

Email: [vsinfocommsbranch@daera-ni.gov.uk](mailto:vsinfocommsbranch@daera-ni.gov.uk)

06 June 2023

Dear ██████████,

### **Freedom of Information Act 2000**

Thank you for your request for information received by the Department on 19 May 2023 which you sought the information in bold below.

***Please could you send me a list of licensed animal boarders along with their licence expiry date.***

You subsequently clarified that this was specifically in relation to animal boarding establishments licenced by DAERA.

I can confirm the Department holds this information, however some of this information is considered to be third party personal data, of which you are not the data subject. Any third-party personal data has been redacted under Section 40(2) of the Freedom of Information Act. In these instances, the Department is required to consider if disclosure would breach the first Data Protection Principle which states that processing must be lawful, fair and transparent. I have carried out a Lawful, Fairness and Transparency test, which is attached at **Annex A**.

A list of boarding establishments (including expiry dates) that are licenced by the Department, is attached as **Annex B**. This information was current on 24<sup>th</sup> May 2023.

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The information is divided over 2 separate tabs:

- Licences processed with a valid expiry date.
- Licences where the renewal is in process, but no licence had been issued by 24<sup>th</sup> May 2023.

If you require any clarification, believe that any part of your request has been overlooked, misunderstood or misinterpreted, please contact me in the first instance to see if it is a matter that can be resolved.

If you are unhappy with the way your request for information has been handled or the decision to release/withhold information, you have the right to request a formal review by the Department. If you wish to do so, please contact The Review Section either by e-mailing [daera.informationmanager@daera-ni.gov.uk](mailto:daera.informationmanager@daera-ni.gov.uk) or by post at The Department of Agriculture, Environment and Rural Affairs, Data Protection & Information Management Branch, Floor 2, Jubilee House, 111 Ballykelly Road, Ballykelly, Limavady BT49 9HP, within two months from the date of this letter.

If after such an internal review you are still unhappy with the response, you have the right to appeal to the Information Commissioner at Wycliffe House, Water Lane, Wilmslow, CHESHIRE, SK9 5AF, who will undertake an independent review of the Department's decision.

Yours sincerely,

[Redacted signature]

[Redacted name]

**Veterinary Services Animal Health Group**

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If you are deaf or have a hearing difficulty you can contact the Department via the Next Generation Text Relay Service by dialling 18001 + telephone number.



## LAWFULNESS, FAIRNESS AND TRANSPARENCY TEST

DAERA/23-170 - Freedom of Information Act 2000

### Request Details:

A list of licensed animal boarders along with their licence expiry date

### Brief description of the Personal Data falling within the scope of the request

Third party names

## LAWFULNESS

### Please identify the lawful bases for processing

Personal data is processed when it is lawfully disclosed in response to an FOI request.

The lawful bases for processing are set out in Article 6 of the GDPR and the ICO expects at least one of two lawful bases (Consent / Legitimate Interest) to apply before the personal data held can be disclosed.

- Consent:** This will apply when the data subject(s) clear consent exists that allows you to disclose the personal data falling within the scope of this request.
- Legitimate interests:** the processing is necessary for the Department's legitimate interests or the legitimate interests of a third party that overrides the data subject(s) rights and freedoms, particularly their right to privacy.

### Consideration of Legitimate Interests

#### 1. PURPOSE

As the disclosure of personal data under FOI is to the world at large doing so on the strength of a requester's private interests alone could constitute a disproportionate and unwarranted level of interference with the data subject(s) rights and freedoms, particularly their right to privacy and family life under the Human Rights Act 1998.

#### 2. NECESSITY

The right of access under FOI does not in itself constitute a **pressing social need**. The Department has considered and not identified any such need for the data subject's right to privacy to be interfered with.

## CONCLUSION

Having considered all of the information contained within this test, the Department has established that, on balance, there is no lawful basis for the disclosure of third party personal data falling within the scope of the request of which the requester is not the data subject.

**Veterinary Service Animal Health Group**