LAWFULNESS, FAIRNESS AND TRANSPARENCY TEST

DAERA/26-201 EIR

Request Details:

Inspection reports for Glenoak Fish Farm

Brief description of the Personal Data falling within the scope of the request
Approval numbers, personal telephone numbers, attending veterinarians names and practice names, staff names and telephone numbers, signatures.

LAWFULNESS

Please identify the lawful basis for processing

The lawful basis for processing is 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.

Neither basis applies to the data requested.

Consideration of Legitimate Interests

1. PURPOSE

The purpose for disclosure is concern over improper regulation of the site.

2. NECESSITY

The right of access under FOI or EIR 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.

[redacted]
[redacted],
Abstraction and Impoundment Licencing Team
NIEA