

Freedom of Information exemptions and exceptions

If there is an appropriate exemption under the Freedom of Information (Scotland) Act or exception under the Environmental Information Regulations, we will remove or redact the information before providing it to you and always explain why we have done so.

Some of the circumstances in which Aberdeen City Council may refuse to supply you with the information include:

Information already otherwise accessible

This is when the information you have requested is already publicly available without having to make a specific request for it under FOISA or the EIRs, for instance if the information has already been published on our website or if third party organisations already make the information available.

Third party personal information

Your FOISA or EIRs request may cover somebody else's personal information. Aberdeen City Council will not supply you with this information if doing so would breach the Data Protection Act 1998.

Your own personal information (Subject Access Request)

You have a separate right to access personal information the Council holds about you. As your personal information is private and confidential, the Council is not allowed to release it under FOISA or the EIRs.

Information not held

This is when the information you have requested is not recorded or held by Aberdeen City Council, for instance, because we do not have a requirement to do so or the information has been destroyed in line with our retention and destruction procedures.

Confidential information

We will exempt information if providing it to you is deemed to be a breach of confidence. Information may also be confidential if it comprises legal advice.

Commercially sensitive information

This is when the information you have requested is commercially sensitive, either to Aberdeen City Council, a Third Party or both, and releasing it in response to your request would significantly prejudice commercial interests.

Many of the exemptions and exceptions are subject to the Public Interest. This means that Aberdeen City Council must decide whether the public interest in withholding the information is stronger than the public interest in releasing it to you.