

Freedom of Information Request – Response – 27750

I wish to make a Freedom of Information Request concerning all emails sent to Philip Faircloth-Mutton, Deputy Leader of Suffolk County Council, that concern or mention Michael Hadwen, Leader of Suffolk County Council. These would be emails sent to Mr Faircloth-Mutton using his official suffolk.gov.uk email.

I would like the search to cover the period from 1 July 2026 to 31 July 2026.

Suffolk County Council (SCC) has considered your request under the Freedom of Information Act 2000 (FOIA) and can neither confirm nor deny whether any information falling within the scope of your request is held under s.40(5B)(a)(i).

s.40(5B) provides an exclusion to a public authority from the duty to confirm or deny whether information is held where doing so would involve the disclosure of a third party's personal data and where such disclosure would contravene one of the data protection principles.

Your request relates to correspondence concerning a specifically named individual. Whether information is held, or is not held, would itself reveal personal information about that individual. In the circumstances of this request, confirmation or denial could reveal information about whether the individual has been the subject of communications, concerns, discussions, allegations, enquiries, complaints or other matters recorded in correspondence. This would amount to the disclosure of personal data.

The UK GDPR requires personal data to be processed lawfully, fairly and transparently. SCC considers that the individual concerned would have a reasonable expectation that any personal information of this nature would not be disclosed into the public domain through a response under FOIA. Confirmation or denial of whether relevant information is held would therefore be unfair and would contravene the first data protection principle.

The purpose of a Neither Confirm Nor Deny response is to ensure that no inference can be drawn from SCC either confirming or denying whether information is held. Accordingly, SCC is unable to confirm or deny whether any information within the scope of your request is held.

Section 40(5B) is an absolute exemption and there is no requirement to carry out a public interest test.