

# THE FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

## REFUSAL NOTICE

**Request Number: FOI/001**

**Date: 9 March 2023**

This refusal notice is provided in accordance with section 16 of the Freedom of Information (Scotland) Act 2002 (FOI(S)A).

You have requested certain information which we have decided not to disclose to you. Further information about this decision is set out below.

<b>Information which is the subject of the request</b>	<p>I am writing to request the following information relating to communications between the Scottish Biometrics Commissioner and Hikvision</p> <ul style="list-style-type: none"><li>• A copy of all emails/correspondence between the Commissioner and Hikvision, or its representatives [such as marketing or PR firms] since 1<sup>st</sup> October 2022</li><li>• A copy of any agenda, minutes, or attendee list for any meeting between the Commissioner and Hikvision in the last 6 months</li></ul>
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This information is held by us but we have decided not to disclose it as we consider it to be exempt information under FOI(S)A. Details are set out below.

<b>Exemption(s)</b>	Section 38(1)(b) of FOI(S)A – third party personal data
<b>Why exemption(s) applies</b>	<p>Section 38 (1)(b)</p> <p>Information concerning the email addresses and contact details of the Commissioner and officials at Hikvision has been withheld from the correspondence provided as this information is the personal data of the individuals concerned and is therefore exempt from disclosure under section 38(1)(b) of FOI(S)A.</p> <p>Processing of personal data must be carried out lawfully and fairly. The officials whose names are contained in the correspondence attached would have a reasonable expectation that this information (consisting of their email addresses and contact details) about them would not be disclosed into the public domain. We do not have their consent to disclose this information about them and to do so would be neither lawful nor fair.</p>

<b>Public interest (where relevant)</b>	As section 38(1)(b) is an absolute exemption it is not subject to the public interest test.
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