Further to your Information request FOI64174 please find your questions and our responses below:

I am writing to request particulars of any trading history or reports you may hold, adverse or favourable, concerning an individual roofing contractor trading from 10 within your area.

Response: This is a section 17 refusal notice under the Freedom of Information Act 2000 invoking exemption 44 Prohibitions on Disclosure.

Where the disclosure of information is prohibited under any enactment - Section 44 (1) (a)

Section 44(1)(a) of the FOIA provides an absolute exemption from disclosure of information where the Public Authority holding it is prohibited under any other law.

One such prohibition is contained in Part 9 of the EA 2002.

Part 9 of the Enterprise Act 2002 ("EA 2002"), which relates to 'Restrictions on Disclosure', means we can't provide anyone with details of complaints data held by this service unless a permitted gateway allows the information to be released.

Within Part 9, sections 237 and 238 prohibit the disclosure of 'specified information' – that is, information that comes to a public authority in connection with the exercise of its functions. Indeed, section 245 makes it a criminal offence for officials to unlawfully disclose information to which sections 237 and 238 apply.

Complaints information received by this service is received in the course of the performance of our functions under the EA 2002 and is therefore subject to the exemption on disclosure in section 44(1)(a) of the FOIA.

This concludes your request FOI64174.

If you require translation of the information you have been sent please do not hesitate the contact us.

If you are unhappy with the information we have provided in response to your request please write to:

Information Management Team Manager
Royal Borough of Windsor & Maidenhead
Town Hall, St Ives Road
Maidenhead
SL6 1RF
or send an e-mail to martin.tubbs@rbwm.gov.uk

We are proud to be one of the leading authorities in England for consistently responding to information requests within the 20 working days set down by statute. Information about our performance and summaries of requests received can be found on our website:

http://www.rbwm.gov.uk/web/foi_information_request_statistics.htm

We are keen to hear about your experience with the Information Management Team here at the Royal Borough of Windsor & Maidenhead and look forward to receiving any comments you have about the way your information request was processed.

Please send any feedback to the Information Management Team Manager either by e-mail martin.tubbs@rbwm.gov.uk or in writing to the address above.

Yours sincerely