

## Appendix 1

Exemptions applied in period October-December 2024

**Section 21** – This means that the information is available by other means, e.g. information we already publish pre-emptively or is purchased for a fee such as Land Charge searches.

**Section 22** – This means information that will be published at a later date or is in the process of completion.

**Section 31** – This means information that cannot be released as it could increase the risk of criminal activity or prevent law enforcement from being able to function as effectively as possible.

**Section 40(2) and (EIR Regulation 13)** – This is information that falls under the definition of personal data under GDPR, in these cases we need to consider the data subjects rights over the need to disclose.

**Section 42** – This is information that is subject to Legal Professional Privilege. This is generally advice provided by a solicitor to the client.

**Section 43 (EIR Regulation 12(5)(e))** – This is information that is commercially sensitive and would harm either the councils or a third parties commercial interests.

This only represents a small snapshot of the requests not responded to fully. The statistics below highlights how this:

Total not to provided	Number
Exempt or part Exempt	32
Either Don't hold or Partially don't hold information	50

This shows that the FOIs are generally not processed fully due to the information being either not held or partially not held, this can be because we do not collect the data or that the data falls under the jurisdiction of Devon County Council or other authorities. All Freedom of information requests need to be processed regardless of jurisdiction.

It is important to note that of the 32 refused or partially refused requests, 14 were refused due to the information already accessible or soon to be published (s21/22). Only 18 requests involved the use of exemptions that withhold the information.