

Our ref: IM/QRY/10-4459

Date: 6 December 2010

Dear [REDACTED]

Freedom of Information request

Thank you for your email dated 10 November 2010 requesting information about OSCR under the Freedom of Information (Scotland) Act 2002 (FOISA).

Your email asks:

- 1. The name of the organisation that is the subject of the case study on page 10 of the OSCR's 2009/10 annual review.**

Dundee FC in the Community Association.

- 2. Copies of all correspondence between the OSCR and this organisation that relates to its application for charitable status.**

OSCR holds 15 pieces of information in relation to this request. This information is further divided into a) Information released and b) information not released because an exemption applies.

a) Information released:

- i. Application for charitable status received 21/8/09
- ii. Business Plan received 21/8/09
- iii. Quarterly return sheet received 21/8/09
- iv. Constitution received 21/8/09
- v. Letter from OSCR to the organisation dated 25/8/09
- vi. Covering email with letter attached from OSCR to the organisation dated 29/9/09
- vii. Letter from the organisation to OSCR dated 29/10/09
- viii. Email chain between OSCR and the organisation from 29/9/09 to 9/11/09
- ix. Letter from OSCR to the organisation dated 25/11/09
- x. Email from OSCR to the organisation dated 25/1/10
- xi. Email chain with attachment between OSCR and organisation dated 27/1/10

- xii. Letter from OSCR to the organisation dated 17/2/10
- xiii. Email with letter attached from the organisation to OSCR dated 10/3/10.
- xiv. Email with letter attached from OSCR to the organisation dated 31/3/10

Information in items i. to xiv. is released. Personal data is redacted (blacked out) from some of the information released. The redacted information is exempted under Section 38 of FOISA. Our reason for exemption is noted below.

b) Information not released because an exemption applies:

- xv. Trustee declarations forms received 21/8/09.

It is our decision that Information in item xv. is exempt from disclosure in terms of **FOI(S)A Section 38 (1) (b) and 38 (2) (a) (i) (Personal information)**. The information held by us is personal data, the disclosure of which would breach the data protection principles, specifically the first data protection principle. Disclosure of this information would be unwarranted, as it would prejudice the rights of the data subject to privacy.

This is an absolute exemption which means that the public interest test has not been applied.

Right of Appeal

You have the right to ask us to review our decision in respect of release of information under the Freedom of Information (Scotland) Act 2002. Your request for review should be made within 40 days of receipt of this letter and we will reply within 20 days of receipt of that request. If you still remain dissatisfied you have the right to appeal to the Office of the Scottish Information Commissioner.

If you require a review of our decision or wish to make a complaint about the way in which your request was handled, please write to:

Judith Hayhow
Head of Corporate Services
OSCR
2nd Floor
Quadrant House
9 Riverside Drive
Dundee
DD1 4NY

The review will be carried out by a staff member not involved in the original decision making process.

Yours sincerely

Morag Stewart

Morag Stewart
Communications, Website and Freedom of Information Officer
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