

From the Secretary



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

35 Great Smith Street, London SW1P 3BQ
Telephone: 020-7276 2610 Facsimile: 020-7276 2607

3 December 2009

Dear Mr Mckinnon

FREEDOM OF INFORMATION ACT 2000

In your e-mail dated 5 August 2009 you requested, under the Freedom of Information Act 2000 (FOIA), information about the structure and content of our database. Roger Sampson responded to you on 11 September. In his response he provided you with information concerning our database's structure but said that we considered the information contained within the database records to be exempt from disclosure under section 36(2)(b) and (c) of the Act and that parts were also covered in any case by sections 21 (information available by other means), 40 (personal data) or 41 (information provided in confidence) of the Act. You subsequently asked in your e-mail of 6 November for an internal review of this decision.

The Chairman of the Committee, as the authorised 'qualified person' for this body under section 36(5) of the Act, has again carefully considered whether or not these exemptions properly apply to the information you are seeking, and if the balance of the public interest favours maintaining the exemption under section 36 of the Act. His conclusion is that it is indeed right and in the public interest that these exemptions should apply to the information contained within the whole database, including those fields not covered by exemptions under sections 21 40 and 41, for the reasons outlined in our initial response to your request. He is also satisfied that there has been no material change in circumstances which should invalidate the original decision or which alters the balance of public interest in safeguarding the effectiveness of the business appointments scrutiny system.

If you are not content with this reply, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

*Yours sincerely
Sue Pither*

SUE PITHER

ROB MCKINNON ESQ
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