



By e-mail to Mr. Brian Farnet :
request-43733-242b0e06@whatdotheyknow.com

Your ref:

Date: 28th September 2010

Our ref:

Direct dial: 020 8489 3974

Email: John.suddaby@haringey.gov.uk

Dear Mr Farnet

**REQUEST MADE UNDER THE FREEDOM OF INFORMATION ACT 2000 REFERENCE
810002912**

REFUSAL NOTICE

I refer to your request made under the Freedom of Information Act 2000, which was logged on 13 August 2010, for "Copies of proposals presented to your Director-level Board proposing saving opportunities to meet new governments' cuts". I understand that you will have already received a letter from the Council that explains that the Council will require a further 10 working days from the response date of 13 September 2010 in order to respond to your request.

This letter constitutes a refusal notice in respect of your request within the terms of Section 17 of the 2000 Act. The Council believes that the information requested is exempt from disclosure for the reasons given below.

The Council considers, through the reasonable opinion of its qualified person (the Head of Legal Services and Monitoring Officer), that the disclosure of reports tabled at its Chief Executive's Management Board (CEMB) would be likely to inhibit the free and frank exchange of views for the purposes of deliberation within the meaning of Section 36(2)(b)(ii) of the 2000 Act. Reports tabled at the Council's CEMB are intended to be discussion documents that explore options and proposals at a formative stage before firm proposals are made. The Council's CEMB has no formal delegated authority to make decisions under the Council's Constitution. Firm proposals regarding service changes are the subject of public consultation once crystallised. Further, if such proposals were to affect employees of the Council, consultation arrangements are put in place with those affected. Premature disclosure of proposals which are still subject to discussion, amendment or rejection would be likely to restrain the ability of Directors to seek the views of other members of CEMB on those proposals and likely to decrease the freedom of expression with which such options could be expressed. It is the view of the qualified person that the debate at CEMB would be less robust and candid concerning the difficult and sensitive issues of reductions in spending and services in circumstances of potential disclosure. The qualified person has signed the refusal notice to confirm that the above paragraph sets out his reasonable opinion.

Section 36 of the 2000 Act is subject to the public interest test. The Council acknowledges the considerable public interest in the transparency of the decision making process concerning reductions in public spending and public services, which are decisions taken concerning the use of public money and the priorities to be attached to that use. However, the Council believes that this significant public interest is outweighed by the public interest in ensuring that a free and frank debate takes place on the options open for consideration, which is as wide and far ranging as possible. There is a substantial public interest in safeguarding this process of debate from the potential for any premature disclosure, which would have the effect of restricting such a debate. The Council also recognises that proposals, once they reach a certain stage of crystallisation, will be the subject of public consultation and debate before they are the subject of firm decisions.

The Council also believes that the information requested is exempt from disclosure since it is reasonably accessible by other means, within the meaning of Section 22 of the 2000 Act. The gist of proposals, which have been debated at the Council's CEMB and then progressed once finalised, is contained in certain reports submitted to the Council's Cabinet and General Purposes Committee. These reports are publicly available on the Council's web site. However, in the interests of ensuring that the information is made available promptly I have enclosed with this notice copies of the following reports:

1. Report to Cabinet of 13 July 2010 – The Council's Performance April-May 2010;
2. Report to Cabinet of 13 July 2010 – Financial Planning 2011/12 to 2013/14;
3. Report to General Purposes Committee of 23 September 2010 – Support Functions Review – Marketing and Communications Functions
4. Report to General Purposes Committee of 23 September 2010 – Support Functions Review – Policy and Performance Functions.

In addition I enclose a copy of a report dealt with under the Council's Urgency/Delegated Authority procedures which deals with the reductions in the capital programme within the Children and Young People's Service.

If you have any further queries, or are unhappy with how we have dealt with your request and wish to make a complaint or request an Internal Review, please contact the Feedback and Information Team as below.

Feedback and Information Team
River Park House
225 High Road
N22 8HQ
Telephone: 020 8489 2550
Fax: 020 8489 3992
Email: Fol@haringey.gov.uk

You may also complain to the Information Commissioner's office, who may be able to help you. However they would normally expect the local authority to have undertaken a complaint

investigation or Internal Review of the request before they will accept the referral. You can contact the Commissioner at:

Postal address:	Information Commissioner Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF
Phone help line:	0845 6306060, or 01625 545745
Fax:	01625 545510
Website:	www.ico.gov.uk

Yours sincerely



John Suddaby
Head of Legal Services and Monitoring Officer