



CHARITY COMMISSION
FOR ENGLAND AND WALES

Mr S Delahunty
By email: request-720212-9e285a9e@whatdotheyknow.com

Charity Commission
PO Box 211
Bootle
L20 7YX

Your ref:
Our ref: C-536249

Date: 16 February 2021

Dear Mr Delahunty,

RESPONSE TO REQUEST FOR INFORMATION

Thank you for your email requesting information, which I have dealt with under the Freedom of Information Act 2000 (the Act).

You have requested the following:

“Can you provide the minutes of all audit and risk assurance audit committee between 2019/20? If no minutes were taken, can you provide the main action points.”

I can confirm that we hold the information requested. However, we are unable to communicate this information to you as it is considered that the exemption at section 35 of the Act applies.

Section 35(1)(a) is relevant in this case and states:

- “(1) Information held by a government department or by the Welsh Assembly Government is exempt information if it relates to—
- (a) the formulation or development of government policy”

The terms formulation or development policy broadly refer to the design of new policy, and the process of reviewing or improving existing policy.

You will find a description of the remit of this Committee and a broad description of the issues considered in the year 2019/2020 in the Charity Commission’s annual report and accounts 2019 to 2020 - <https://www.gov.uk/government/publications/charity-commission-annual-report-and-accounts-2019-to-2020>.

Section 35 is a qualified exemption and we must, therefore, conduct a public interest test to consider how much public interest there is in maintaining this exemption in the circumstances of this particular case, and balance this against the public interest in disclosure.

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t: 0300 066 9197 (General enquiries)

w: www.gov.uk/charity-commission

Arguments for disclosure:

- Public authorities such as the Charity Commission have a wider duty to be transparent and accountable for the decisions they make;
- Disclosure would lead to increased public understanding about what the Commission does;
- Disclosure would enable public debate about, and scrutiny of, the Commission.

Arguments against disclosure:

- The Commission needs a safe space to develop ideas, debate live issues, and reach decisions away from external interference and distraction;
- Disclosure of information about such internal discussions would be likely to fetter free and frank debate in the future. This in turn would adversely affect the quality of decision making.

Outcome:

In balancing the public interest of disclosure against the public interest in withholding the information, it is the Commission's view that, in this instance, the greater public interest lies in withholding the information.

If you are dissatisfied with the handling of your request or the decision which has been reached, you have the right to ask for an internal review. Internal review requests must be submitted within two months of the date of this response and should be addressed to the Charity Commission at PO Box 211, Bootle, L20 7YX (email: RIGA@charitycommission.gov.uk).

If you are not satisfied with the internal review, you are able to appeal to the Information Commissioner. Generally, the ICO cannot make a decision unless you have exhausted our review procedure. The ICO can be contacted at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF (email: casework@ico.org.uk).

Yours sincerely,

Lucy Breakspere

Information Rights and Complaints Manager