



Department for Digital, Culture, Media & Sport

Freedom of Information Team
Department for Digital, Culture, Media & Sport

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IR2021/20958

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Dear Joanna Booth,

Thank you for your correspondence of 9 December, in which you requested an internal review of the department's response to your request for information on 28th July. Your previous request was for the following information:

For the meeting held on 04/11/2020 between The Baroness Barran MBE and Good Faith Partnership , with purpose To be introduced to their work could you please provide the following information:

- ***A full list of attendees, including full names and titles as well as who the attendee represents***
- ***A copy of the meeting agenda***
- ***Meeting notes/minutes taken during the meeting, as well as any briefing notes and papers***
- ***Any correspondence associated with the attendees, including debriefs of the meeting via email or other forms of communication.***

The department responded on 26 November (our reference FOI2021/15190) confirming we held information within scope of all 4 parts of the request. We provided details of the attendees of the meeting, but withheld the agenda, the briefing and correspondence related to the meeting under section 36(2)(b)(ii) of the Act having conducted the public interest test and received the reasonable opinion of a Minister of the Crown.

You have now requested an internal review, as follows:

You have not conducted an internal review. You have sent me the same letter that you first sent. Please conduct an internal review and let me know the outcome. The ICO are not able to investigate otherwise.

In order to ensure cases are looked at afresh, internal reviews of Freedom of Information (FOI) requests are carried out in our department by officials unconnected to the handling of



the original request. I was therefore asked to conduct the internal review and I present my findings below.

Firstly I must reiterate the sincere apology from the previous response, for the delay in our response to the request. It is clear the department did not meet our statutory obligations in that instance. I can also see that we did not originally conduct an internal review when you first requested one, and for that I apologise.

Turning to the content of the response itself, I can see that we did provide the names of the attendees of the meeting, with the exception of the names of junior DCMS staff members whose names we withheld under section 40(2) (Personal information) of the Act. This information from release if it relates to another person and to release the information would contravene one of the Data Protection Principles in Article 5 of the UK GDPR. I have reviewed the names of these officials and can confirm that they are indeed junior DCMS officials, and therefore I uphold the decision to withhold the specific information there. The information we have released should provide you with the information you require on the attendees from other organisations.

On the agenda for the meeting and the readout of the meeting, having reviewed these documents I believe the application of the exemption under section 36(2)(b)(ii) was correct and I uphold that decision. I have, however, considered that the briefing document should be withheld under section 36(2)(b)(i) instead. I should note that I have sought the reasonable opinion of a qualified person, a Minister of the Crown, and they have agreed to the application of the above exemptions. I also considered the public interest in the release of the information and have set them out below.

As you have not provided any additional public interest test arguments in favour of release we have only considered the public interest arguments that we considered previously.

In favour of release of the readout of the meeting and the briefing document I have considered only the general, inherent, public interest in transparency. Transparency creates accountability and increases trust. I also considered that there was a heightened interest in the governance of the Good Faith Partnership at the time of the request, and therefore that there is an interest, albeit not necessarily a public interest, in the correspondence held. However, I did not consider this a strong public interest.

In favour of maintaining the exemption to the documents I have considered the strong public interest in protecting the 'safe space' where officials can brief ministers and where meetings can take place without fear of candid thoughts being released. When ministers are to meet with stakeholders it is imperative that they are sufficiently briefed to enable the meetings to achieve their aims and so that the minister is not caught unprepared for issues. If officials do not feel confident that their briefings will be protected then they will be less candid in their briefings, which may leave the minister unprepared for meetings. It is not in the public interest that meetings held by the ministers are impacted negatively.

Furthermore, in applying the exemption under section 36(2)(b)(ii) to the agenda for the meeting and the readout of the meeting I considered the strong public interest in protecting the safe space where ministers can engage in robust discussions with stakeholders on a range of issues. If those who attend meetings are concerned that any contributions they make to these meetings will be released then they may be inhibited going forward. This will reduce the effectiveness of meetings which is not in the public interest.

For the correspondence captured in part 4 of your request, I have reversed the decision to withhold the information and I have released this information in the attachment. Whilst I have considered this information is able to be released you should note that personal information, specifically the names of junior staff, and the contact details of all persons irrespective of seniority, has been withheld under section 40(2) (Personal information) of the Act. As per the response to withholding the names of some attendees, I believe that a similar position applies here, and that the release of the information would contravene the Data Protection Principles under Article 5 UK GDPR. This is an absolute exemption and the department is not obliged to consider the public interest test.

You should also note that on page 6 the redacted section of text is the readout of the meeting which has been considered exempt from release as explained above. It will be clear from reading the email that the information is the readout.

Having reviewed the handling of the request I have reversed the decision in relation to part 4 of your request, but upheld the decision in response to parts 1-3 of your request.

Yours sincerely,

Freedom of Information Team
Department for Digital, Culture, Media and Sport

Complaints and comments

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner's Office have a complaints form which you can utilise to make a complaint. This can be found here:

<https://ico.org.uk/make-a-complaint/official-information-concerns-report/official-information-concern/>.

