

## Appendix A – Public Interest Test

Exemptions applied to: Witness statements or notes taken by the officers who compiled the official report relating to the Cathedral Yard Fire issued by Devon and Somerset Fire and Rescue Service.

<b>Exemption No. Name</b>	
Section 36: Prejudice to the effective conduct of Public Affairs	
<b>Factors for disclosure</b> <ul style="list-style-type: none"><li>• There has been criticism expressed by a few individuals and reported in the media that the ‘whole picture’ relating to this incident was not being made available.</li><li>• Non-disclosure could increase the opinion of a few individuals that the Service has something to hide.</li><li>• A great deal of additional information used to compile the public report produced by the Service would be available for scrutiny.</li></ul>	<b>Factors for withholding</b> <ul style="list-style-type: none"><li>• Disclosure would inhibit firefighters in providing a free and frank exchange of views as part of debriefs following an incident, which would have a significant adverse impact on the Service’s ability to develop operational learning with consequential impacts on firefighter safety and public safety.</li><li>• The Service has already published a report on this incident (available on the Service website) and has published substantial information about the incident on its website.</li><li>• Following suggestion by the Service, the Ministry of Housing, Communities and Local Government commissioned and published an independent ‘Fires of Special Interest’ report (produced by the Building Research Establishment) in November 2018, which looked at the fire spread from No 18 (where the fire originated) to the hotel. This report is also available on the Service website</li><li>• At the request of the Service, an independent review conducted on behalf of the National Fire Chiefs Council by West Midlands Fire Service is looking at: the process of compiling the report published by the Service; the range of evidence gathered to substantiate the report; and whether any evidence corroborates the public allegations that the Command decisions ignored information that may have</li></ul>

	<p>affected firefighting operations. Further information will be published as a result of that review.</p> <ul style="list-style-type: none"> <li>• The Terms of Reference for the NFCC review is published on the Service website.</li> </ul>
<p><b>Reasons why the public interest favours withholding information</b></p> <ul style="list-style-type: none"> <li>• Safeguarding the effectiveness of the process for learning from operational incidents is of critical importance in terms of firefighter and public safety and is the primary consideration.</li> <li>• Significant information about the incident is available on the Service website.</li> <li>• A 'Fires of Special Interest' report has been published by the Ministry of Housing, Communities and Local Government and is available on the Service website.</li> <li>• The National Fire Chiefs Council has been asked to undertake an independent review to examine issues surrounding the report published by the Service and the public allegations about Command decisions. The terms of reference for this review are published on the Service website.</li> <li>• Further information will be published as a result of the NFCC review.</li> </ul>	