



Department for Digital, Culture, Media & Sport

Freedom of Information Team
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8 April 2019

Ruth Kersley
request-552501-dbf8ac60@whatdotheyknow.com

Our Ref: FOI2019/02174

Dear Ms Kersley,

Thank you for your email of 4 March in which you made the following, refined, request for information:

Please provide me with copies of all written and verbal communications between Barnet Council and DCMS from 1st August 2018 and 1st February 2019.

Please limit this request to officials in DCMS libraries team only. Also regarding verbal communication can you please provide only notes or any other written record of any phone conversations.

We have dealt with your request under the Freedom of Information Act 2000 (the Act). I can confirm that the Department for Digital, Culture, Media and Sport (DCMS) holds information within scope of your request.

Please find attached some information within scope of your request, some information has been withheld and redacted under section 35(1)(a) (formulation of government policy) and section 40 (personal information) of the Act. Section 40 is an absolute exemption and therefore does not require a public interest test. Further information has also been withheld under section 35(1)(a) which applies to information relating to the formulation or development of government policy.

Section 35 is a 'qualified exemption' and requires us to carry out a public interest test to consider whether the balance of interest lies in releasing or withholding the information.

Considerations in favour of disclosing the information:

- There is a general public interest for the government to be open and transparent to maintain public trust. Transparency helps make government more accountable to the electorate and increases trust. This includes being open with how the government interact with other government departments, central or local; executive bodies and agencies as well as external stakeholders.

Considerations in favour maintaining the exemption:

- There is a public interest in preserving a 'safe space' around policy officials, which would reveal subject matter under consideration. Policy officials need to be able to consider information submitted by other government departments, executive bodies, agencies and local authorities. The evidence provided needs to be considered away from public scrutiny and premature disclosure will remove the space which allows officials to consider policy issues without inhibition. Without the protection afforded by this 'safe space' the policy development process would be markedly more difficult.



- Good government depends on good decision making. This needs to be based on a full consideration of all the options and a good understanding of the complex issues which may surround a policy decision. Premature disclosure of this information may interfere with the policy making process and could negatively impact the important processes in place to allow for cooperation with local authorities and the effective governance of public services delivered by these authorities. Disclosure of some of the information in scope could also act as a deterrent to executive bodies, agencies and local authorities who might be reluctant to provide information in future when the government makes calls for information, for fear that the information provided might be disclosed. This would result in a 'chilling effect', which would mean the government would be less well informed when developing policy and the policy may be less well balanced as a consequence. This would clearly not be in the public interest.

Taking into account all the circumstances of this case, I have concluded the balance of the public interest favours withholding the information.

Yours sincerely,

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

Complaints and comments:

As is customary in our replies, I should explain that if you are dissatisfied with any aspect of our response to your request for information, and/or wish to appeal against information being withheld from you, please send full details within two calendar months of the date of this email to: foi@culture.gov.uk. You have the right to ask the Information Commissioner (ICO) to investigate any aspect of your complaint. Please note that the ICO is likely to expect internal complaints procedures to have been exhausted before beginning an investigation.