



# Department for Business Innovation & Skills

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Department for Business, Innovation &  
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William Kidd  
Via email: [request-221757-c54ef785@whatdotheyknow.com](mailto:request-221757-c54ef785@whatdotheyknow.com)

BIS reference: **FOI2014/20302**  
Date 26 September 2014

Dear Mr Kidd

## **RE: Freedom of Information Request**

Thank you for your email of 8 September 2014 where you requested the following information:

*"In relation to item 3 following a search of our paper and electronic records, I have established that the Department does not hold any letters and summaries of conversations between TM, BBA and PCA. We have not considered other forms of communication"*

*Please can you supply information as to what you refer to as other forms of communication ?*

*Re your response of 2.9.14 wherein you now claim you may hold E mail records of the information requested please can you supply that information contained within those E mails.*

*In your earlier response are E mails not included as electronic records ?*

*Assuming you can now comply with my request for information I look forward to receiving this asap".*

Under the Freedom of Information Act 2000 ('the Act'), you have the right to:

- know whether we hold the information you require
- be provided with that information (subject to any exemptions under the Act which may apply).

We have now finished searching for emails held by the department up to the date of your original request (27 July 2014). Emails were not considered as part of your original request as we do not consider them to be letters or summaries of conversations as you originally requested. Please find attached the information the department holds, we do not hold any emails between BIS & PCA.

The names and contact details of junior officials and third parties contained within the emails are being withheld under Section 40(2) of the Freedom of Information Act (personal information). Section 40(2) provides an absolute exemption for personal data which then falls to be dealt with under the Data Protection Act. Personal data of third parties can only be disclosed in accordance with the data protection principles. In particular, the first data protection principle requires that disclosure must be fair and lawful and must comply with one of the conditions in Schedule 2 of the Data Protection Act. We do

not think that it is fair to release the names and contact details of junior officials and third parties and do not think that any of the relevant conditions apply.

### **Appeals procedure**

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to the Information Rights Unit ([FOI.Requests@bis.gsi.gov.uk](mailto:FOI.Requests@bis.gsi.gov.uk)).

Information Rights Unit  
Department for Business, Innovation & Skills  
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Please remember to quote the reference number above in any future communications.

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 can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely

Barry Blackwell