



**CHARITY COMMISSION**  
FOR ENGLAND AND WALES

Mr S Delahunty  
By email: [request-707686-1695d458@whatdotheyknow.com](mailto:request-707686-1695d458@whatdotheyknow.com)

Charity Commission  
PO Box 211  
Bootle  
L20 7YX

**Your ref:**  
**Our ref: C-532417**

**Date: 16 December 2020**

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 the commission provide the list of main action points from all core change committee meetings described in the FOI response below.

[https://www.whatdotheyknow.com/request/core\\_change\\_committee\\_2020](https://www.whatdotheyknow.com/request/core_change_committee_2020)”

I can confirm that we hold information relevant to your request. 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.

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

### **On track to meet your deadline?**

Visit [www.gov.uk/charity-commission](http://www.gov.uk/charity-commission) for help on filing your annual return and accounts

**t:** 0300 066 9197 (General enquiries)

**w:** [www.gov.uk/charity-commission](http://www.gov.uk/charity-commission)

circumstances of this particular case, and balance this against the public interest in disclosure.

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 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](mailto: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](mailto:casework@ico.org.uk)).

Yours sincerely,

Lucy Breakspere  
Information Rights and Complaints Manager