



James Coombs

Information Management
Shire Hall
Warwick
CV34 4RL
Telephone 01926 412211
Email brucegreen@warwickshire.gov.uk

Please ask for Bruce Green

Our ref: 7163504

Your ref:

Date: 24th September 2021

Dear James Coombs

Freedom of Information Act 2000

Your request for information has now been considered and the Council is able to disclose some of the information that you have requested.

For ease of reference your request is set out below:

Freedom of Information request - correspondence relating to FOI request.

1. Please provide copies of all correspondence between the council and 11+ test provider CEM between the dates 9 August 2021 and 8 September 2021. The scope of "correspondence" should include, letters, emails and any notes taken in connection with any phone calls. (It may help identify the relevant staff within the council by searching email to and from the email domain @cem.org).

Best wishes.

Please find attached a copy of correspondence between Warwickshire County Council and CEM, between the dates specified within your request, in relation to the consultation with CEM relating to the disclosure of the Contract between the Council and CEM.

You will note that some of the information within the correspondence has been redacted. This is because some of the information is exempt from disclosure by virtue of the below referenced exemption.

In accordance with section 17 of the Freedom of Information Act 2000 please treat this part of the letter as a Public Interest Refusal Notice.

Section 42 (Legal Professional Privilege) of the Act.

This exemption applies because the redacted information is protected by legal professional privilege. The information that has been redacted is an extract of legal advice provided by an in-house lawyer to their client in the Council, which should not have been disclosed within the consultation request to CEM. Legal professional privilege; a fundamental principle of English law protects confidential communications between lawyers and clients.

As a qualified exemption, the Council has considered the public interest arguments to determine whether the public interest is best served by disclosing or withholding the information. The Council recognises that there are arguments in favour of disclosure including the general principle of public sector transparency and accountability.

The Council also recognises that there are arguments in favour of withholding the information over and above the inherently strong public interest in protecting the principle of legal professional privilege. To disclose information which is confidential between a lawyer and client may have the effect of jeopardising future access to full and frank legal advice by clients if they believe that such advice could be disclosed into the public domain.

The Council considers that in all circumstances, on balance, the public interest favours withholding the redacted information at this time.

You have the right to request that the Council carry out an internal review if you are not satisfied with the way your request was dealt with or wish to appeal the decision. A request for an internal review should be made in writing. All requests for an internal review will be dealt with under the Council's internal review procedure. Internal review requests should be submitted within 40 days of the date of receipt of the response to your original letter and should be addressed to:

Information Management
Shire Hall
Warwick
CV34 4RL
inforights@warwickshire.gov.uk

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:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Phone: 0303 123 1113
Website: www.ico.gov.uk

I will now close your request as of this date.

Yours faithfully

Bruce Green
Information Rights Officer