



10 DOWNING STREET

LONDON SW1A 2AA

[foi-team@cabinetoffice.gov.uk](mailto:foi-team@cabinetoffice.gov.uk)

8 October 2020

Dear Mr Lloyd

**Our ref: FOI2020/08440**

Thank you for your email of 23 June, in which you request “*I wish to see full copies of Dominic Cummings' diary appointments from January through to March 2020*”. Your request has been handled under the terms of the Freedom of Information Act 2000 (the Act). I apologise for the delay taken in replying.

I can confirm that the Prime Minister's Office holds information in relation to your request. Some of the information that we hold is exempt from consideration from disclosure by virtue of Section 40 of the Act, in so far as it relates to engagements that are personal in nature. Section 40 is an absolute exemption, and does not require that I consider where the balance of public interest falls between disclosure and exemption.

The information held by this Office that does not engage Section 40 of the Act is exempt from consideration from disclosure by virtue of Section 35(1)(a). Section 35(1)(a) provides that information is exempt from disclosure where it relates to the formulation and development of Government policy. In this case, the exemption is engaged because the information requested relates specifically to engagements held by Mr Cummings' in relation to his role in advising the Prime Minister on the subject of live issues of Government policy, rather than relating to data that is of a historic nature.

Section 35 is a qualified exemption, and requires that I consider in turn where the balance of public interest falls between exemption and disclosure.

I recognise that in all aspects of this request, that there is a general public interest in disclosure of information and I recognise that openness may increase public trust in and engagement with the Government. I further recognise in this instance that there is a specific public interest in Mr Dominic Cummings' engagements, in his role as chief advisor to the Prime Minister.

These public interests have to be weighed against a strong public interest that policy-making and its implementation are of the highest quality, and informed by a full consideration of all the options. There is a very strong public interest in maintaining a protected space in which to allow Ministers, with the support of their advisors, to develop government policy.

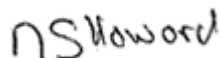
There is a strong public interest in Government being able to explore ideas, whether internally in the form of discussions between officials, or externally with third parties, to gauge the attitude and reaction to a proposed policy idea, which is a task often performed on the Minister's behalf by officials. The removal of this space where advisors are free to seek input into Government policy development could lead to a chilling effect where officials and third parties are less willing to engage in exploration of new policy ideas. As a result the quality of debate underlying collective decision making would decline, leading to worse informed and poorer decision making.

The task of advisors is to provide the highest quality advice to Ministers, and there is a very strong public interest in ensuring that the Prime Minister's chief advisor has the ability to ascertain the genuine views of both officials and third parties in relation to the matters of policy development that he is engaging in on the Prime Minister's behalf.

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

Whilst all of the information held which does not engage the exemption set out at Section 40 of the Act engages Section 35 of the Act, I can additionally neither confirm nor deny if this Office holds any information in relation to your request which, if it were held, would engage the exemptions set out at Section 24 or Section 27 of the Act.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'N Howard', written in a cursive style.

**NICHOLAS HOWARD**

Mr Joseph Lloyd



**10 DOWNING STREET**  
LONDON SW1A 2AA

If you are unhappy with the level of service you have received from this office in relation to any aspect of your request, you may ask for an internal review.

You should contact:

Eirian Walsh Atkins  
Cabinet Office  
1 Horse Guards Road  
London  
SW1A 2HQ

Email: [foi-team@cabinetoffice.gov.uk](mailto:foi-team@cabinetoffice.gov.uk)

You should note that the Cabinet Office will not normally accept an application for internal review if it is received more than two months after the date that the reply was issued.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner's Office for a decision. The Information Commissioner can be contacted at:

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