

Matt Smith

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www.gov.uk/hm-treasury

1 September 2021

Dear Matt Smith

Ref: FOI2021/17138

Freedom of Information Act 2000

Thank you for your enquiry of 24 June 2021, which we have considered under the terms of the Freedom of Information Act 2000 (the FOI Act).

You asked for the following information:

"Thanks for your reply to my request.

I would like to narrow it down to the following:

Please provide all emails TO/FROM Suzy Kantor, during the period from 2nd December 2019 to 16th December 2019 (both inclusive) which contain the keyword "Amyas" OR "Loan Charge". If this still generates too many matches, please match only the keyword "Amyas".

Following a search of our records, we can confirm that HM Treasury does hold information within the scope of your request.

However, we consider that dealing with the main parts of your request, the release of all emails containing the keywords "'Loan Charge" or "Amyas"' or just the keyword "Amyas", would still be particularly burdensome and we are therefore refusing your request under section 14(1) of the FOI Act. Whilst this exemption is often used to refuse frivolous or vexatious requests, it can also be used to refuse a legitimate request where the handling burden is deemed to be disproportionately high. We consider this to be the case for your request.

To comply with your request, we would need to review a large amount of correspondence, including numerous attachments, in order to consider whether any information should be withheld under FOI exemptions. In particular, we would need to identify and redact any third-party personal data, the disclosure of which would be in breach of the General Data Protection Regulation and the Data Protection Act 2018.

As part of this redaction process, where the search terms provided are included in correspondence alongside topics outside of the Loan Charge, we would need to seek the views of officials in a number of different policy teams across HM Treasury to identify information which might be exempt as it relates to the formulation or development of current government policy. In some instances, we would also need to engage with those who had submitted representations, in line with Part 3 of the revised section 45 FOI Act Code of Practice, in order to seek the views of the third parties in respect of any material supplied by them to HM Treasury. Information which is of a confidential nature or might

be deemed commercially sensitive would need to be identified and considered for redaction.

Given the large amount of correspondence in scope of your request the effort required to review, assess and extract that information would be considerable and would require a disproportionate level of staff effort. The Information Commissioner recognises the need to protect public authorities' resources from burdensome requests.

Although we have refused your request, it may be that if you were to amend your request, for example, by narrowing the timescale and being more specific about the type of information that you are particularly interested in, we may be able to comply with a future request. However, I cannot guarantee that this would be the case.

If you have any queries about this letter, please contact us. Please quote the reference number above in any future communications. If you have any queries about this letter, please contact us. Please quote the reference number above in any future communications.

Yours sincerely

Information Rights Unit

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Your right to complain under the Freedom of Information Act 2000

If you are not happy with this reply, you can request a review by writing to HM Treasury, Information Rights Unit, 1 Horse Guards Road, London SW1A 2HQ or by emailing us at the address below. Any review request must be made within 40 working days of the date of this letter.

Email: foirequests@hmtreasury.gov.uk

It would assist our review if you set out which aspects of the reply concern you and why you are dissatisfied.

If you are not content with the outcome of the review, you may apply directly to the Information Commissioner for a decision. Generally, the Commissioner will not make a decision unless you have exhausted the complaints procedure provided by HM Treasury which is outlined above.

The Information Commissioner can be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF (or via their website at: <https://ico.org.uk>).