



Public Health England

Protecting and improving the nation's health

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By email

Our ref: 27/02/hf/1202

17 August 2020

Dear Helen Thomas

Re: FOI Request – Copy of Exercise Cygnus report

Thank you for your request dated 26 February 2020 addressed to Public Health England (PHE). In accordance with Section 1(1)(a) of the Freedom of Information Act 2000 (the Act), I can confirm that PHE does hold the information you have specified.

You asked:

- the report you produced as a result of Exercise Cygnus, or other relevant analysis of how the exercise was conducted, its conclusions and recommendations for change.***
- reports or other analysis relating to your "structured debriefing" following the exercise.***

PHE response:

PHE apologises for the delay in confirming its disclosure position outlined below. As you are aware, we have taken additional time to respond to your request in order to fully consider the information requested and to liaise with colleagues in Cabinet Office and the Department of Health and Social Care (DHSC). The Cabinet Offices' clearing house has now advised on this matter. The clearing house has responsibility for providing centralised government departments with guidance on handling requests consistently.

The Cabinet Office has now advised that the report should be withheld at this time, on the basis that the information is exempt from disclosure under Section 36 - *prejudice to the effective conduct of public affairs*. Specifically, Sections 36 (2) (b) and (c) of the Act are applicable.

The information you have requested is exempt from disclosure under Section 36 (2) (b) and (c) – *prejudice to the effective conduct of public affairs*. This is a qualified exemption and is subject to a public interest test. Information to which this section applies is exempt information if, in the reasonable opinion of a qualified person, disclosure of the information under this Act would, or would be likely to, prejudice the effective conduct of public affairs.

Factors which were considered in favour of release:

- the public interest in transparency and the commitment of PHE to be open and transparent;
- disclosing information to present a full picture to enable wider public scrutiny of decision making of organisations responsible for the implementation of recommendations within the report.

Factors supporting maintaining the exemption:

- It was PHE's responsibility to produce the report and other bodies' responsibility to consider and implement the recommendations. Premature disclosure would detract from PHE's important work to promote public health and reduce health inequalities;
- The report was and is accessible to a wide range of organisations who are involved in emergency response activities within the United Kingdom (UK). Disclosure may precipitate an unnecessary heightened public concern at what is already a difficult time for the UK population. Information provided out of context is a significant risk to promoting clear accessible public messaging to ensure the wide ranging and rapidly changing guidance reaches the widest possible audience;
- PHE is an executive agency of DHSC and provides certain functions on behalf of the Secretary of State for Health. Disclosure of the full report by PHE is incompatible with the disclosure position of DHSC for requests regarding this report;
- Disclosure of this report could, in the future, make officials more circumspect about engaging in the exchange of views. Premature disclosure could have a dampening effect on collaboration within future emergency response work.

Taking into account the above factors, the public interest favours non-disclosure of the documents identified which fall within the scope of the request.

If you have any queries regarding the information that has been supplied to you, please refer your query to me in writing in the first instance. If you remain dissatisfied and would like to request an internal review, then please contact us at the address above or by emailing foi@phe.gov.uk.

Please note that you have the right to an independent review by the Information Commissioner's Office if a complaint cannot be resolved through the PHE complaints procedure. The Information Commissioner's Office can be contacted by writing to Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely
FOI Team