



1st April 2021

Dear Ms Amies,

Further to our response to your Freedom of Information request on 5th March, we have concluded our Public Interest Test pursuant to s.43 (2) of the Freedom of Information Act, in regards to the feedback provided from Stonewall as part of our Workplace Equality Index submissions.

s.43 (2) exempts information if its disclosure under the Act would, or would be likely to prejudice the commercial interests of any person (an individual, a company, the public authority itself or any other legal entity).

Please find your original question and the outcome of our review below.

- **Any feedback you received in 2019 or 2020 from Stonewall in relation to either application or programme.**
 - The Museum of London holds three feedback documents received from Stonewall in regards to our Workplace Equality Index submissions.
 - In order to engage s.43 (2), we applied the Prejudice Test to this information, and concluded that the release of feedback received from Stonewall would be likely to harm the commercial interests of Stonewall, who operate in a competitive marketplace.
 - s.43 (2) is a qualified exemption, meaning that we must also apply the Public Interest Test to determine whether the balance of the public interest in maintaining the exemption outweighs that of disclosing the information. Please find our findings below.
 - **Arguments in Favour of Disclosure:**

We believe that the release of the information would demonstrate the Museum of London's commitment to openness and transparency in its activities. We also acknowledge that companies and organisations engaging in activities with the public sector, must expect some information about those activities to be disclosed. In addition, there may be some public interest in the Museum of London's progress concerning LGBTQ+ inclusivity.

- **Arguments against Disclosure:**

By disclosure, competitors would have sight of how Stonewall assesses and provides feedback to organisations, which could lead them to replicate parts of this side of the Workplace Equality Index process, to their competitive advantage. This would be likely to undermine the integrity of the Stonewall programme.

In addition, applicants to the Workplace Equality Index would have access to the tailored feedback provided to their counterpart organisations beforehand. This would allow them to make changes to their internal policies and procedures in order to receive a higher ranking from Stonewall on the index, harming the fairness of the process, and the interests of Stonewall.

Other public bodies would be likely less willing to engage in its services if detailed confidential feedback, highlighting areas of improvement, are shown to be subject to disclosure. This may lead to a detrimental impact on Stonewall's revenue.

- Accordingly, our conclusion, after balancing the arguments, is that the public interest is in withholding this information at this time, as the detrimental effects of disclosure outweigh the arguments in favour.

We are sorry to disappoint on this occasion. Please do not hesitate to get in touch should you have any further queries or concerns.

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of this response to your original email and should be addressed to enquiries@museumoflondon.org.uk.

If you are dissatisfied with the outcome or the conduct of the Museum's internal review, you may seek an independent review from the Information Commissioner. Report your concern via the ICO website at <https://ico.org.uk/concerns> or call their helpline 0303 123 1113.

Yours sincerely,

Ruth Thomson

Museum Archivist and Records Manager