



Department for Digital, Culture, Media & Sport

Freedom of Information Team
4th Floor
100 Parliament Street
London SW1A 2BQ
E: foi@culture.gov.uk

www.gov.uk/dcms

24 January 2020

Adrian Short
request-612276-6e4fc83a@whatdotheyknow.com

Our Ref: FOI2019/11135

Dear Mr Short,

Thank you for your email of 16 October 2019 in which you made the following request for information:

Please could you send me all documentation and correspondence, internal and external, that you hold relating to the InLinkUK from BT kiosk network.

This will include all correspondence with InLink Ltd itself and its parent companies Intersection and Primesight.

Please ensure that you include all email attachments in full.

We have dealt with your request under the Freedom of Information Act 2000 (the Act). I can confirm that the Department for Digital, Culture, Media and Sport (DCMS) holds information within scope of your request. Please accept my sincere apologies for the delay in our response.

Please see attached some of the information within scope of your request. Personal information has been redacted and withheld under section 40 (personal information) of the Act. Section 40 is an absolute exemption and therefore does not require a public interest test. This exemption has been applied to all personal information concerning junior officials at the department or in other organisations and members of the public.

However, some information has been withheld or redacted under sections 35(1)(a) (formulation of government policy), including information which has been redacted on page 4 of the attachment. Section 35(1)(a) applies to information which concerns the formulation or development of government policy.

Section 35 and is a 'qualified exemption' which requires us to carry out a public interest test to consider whether the balance of interest lies in releasing or withholding the information in scope of the exemption.

Considerations in favour of disclosing the information:

There is a general public interest for the government to be open and transparent to maintain public trust. Transparency helps make government more accountable to the electorate and increases trust. This includes how the government interact with other government departments or executive bodies and agencies as well as external stakeholders.

Considerations in favour maintaining the exemption:



There is a public interest in preserving a 'safe space' around policy officials, which would reveal subject matter, policy concerns or policy barriers under consideration. Policy officials need to be able to consider different types of information when developing policies, including views and concerns raised by external stakeholders. The information provided needs to be considered away from public scrutiny and premature disclosure will remove the space which allows officials to consider policy issues without inhibition. Without the protection afforded by this 'safe space' the policy development process would be markedly more difficult.

Good government depends on good decision making and this needs to be based on the best advice available and a full consideration of all the options – premature disclosure of this information may act as a deterrent to external experts or stakeholders who might be reluctant to provide their view and/or advice for fear that this might be disclosed. This would result in a 'chilling effect', which would mean the government would be less well informed when developing policy and the policy may be less well balanced as a consequence. This would not be in the public interest.

It is also important that organisations are able to talk frankly with government and that they can expect confidence to be maintained when engaging with, or providing sensitive information to, the department. Disclosure of such communications between organisations and DCMS could undermine confidence in DCMS and deter organisations from speaking candidly with the department or sharing sensitive information for consideration in future. This would make the policy making process markedly more difficult, especially when attempting to address policy concerns or barriers.

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

Yours sincerely,

Freedom of Information Team
Department for Digital, Culture, Media and Sport

Complaints and comments:

As is customary in our replies, I should explain that if you are dissatisfied with any aspect of our response to your request for information, and/or wish to appeal against information being withheld from you, please send full details within two calendar months of the date of this email to: foi@culture.gov.uk. You have the right to ask the Information Commissioner (ICO) to investigate any aspect of your complaint. Please note that the ICO is likely to expect internal complaints procedures to have been exhausted before beginning an investigation.