



Joseph Lloyd

Via: request-743023-6c6b43d6@whatdotheyknow.com

2 December 2021

Dear Joseph Lloyd

Cabinet Office Internal Review Reference: IR2021/10902
(Original Case Reference: FOI2021/07396)

REVIEW OF REQUEST UNDER THE FREEDOM OF INFORMATION ACT 2000

Thank you for your email of 11 May 2021. You asked for an internal review of our response to your request for information of 31 March 2021. I apologise for the time it has taken to respond to your request. Unfortunately this was in part due to an administrative error in the handling of your request, to which a response was drafted in July. I apologise that this was not issued to you at that time. In your request you asked for information about the National Economy and Recovery Taskforce.

I have carefully reviewed the handling of your request and I consider that the exemptions at Section 35(1) (a) and (b) of the Freedom of Information Act were properly applied. I believe that the balance of the public interest was fully considered for the reasons set out in our letter of 6 May 2021. I have therefore concluded that I should uphold the decision given in our letter.

I would also like to draw your attention to two decisions made by the Tribunals in relation to FOI requests where similar section 35 arguments were upheld. These cases include:

EA/2019/0082/A

[https://informationrights.decisions.tribunals.gov.uk/DBFiles/Decision/i2648/Cabinet%20Office%20EA2019-0082A%20DECISION%20\(21.04.20\)-Amended%20Under%20Slip%20Rule%20\(15.05.20\)%20.pdf](https://informationrights.decisions.tribunals.gov.uk/DBFiles/Decision/i2648/Cabinet%20Office%20EA2019-0082A%20DECISION%20(21.04.20)-Amended%20Under%20Slip%20Rule%20(15.05.20)%20.pdf)

EA/2020/0104V

<https://informationrights.decisions.tribunals.gov.uk/DBFiles/Decision/i2748/019%20260121%20cabinet%20office%20v%20ico%20amended.pdf>

In both cases, the Tribunals recognised the weight of public interest applied to protecting Cabinet collective responsibility and the need for a 'safe space' in this regard. We believe the same arguments apply to this case.

If you are unhappy with the handling of your request for information, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

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



Tarley Smith
Cabinet Office