



Foreign, Commonwealth
& Development Office

Information Rights Unit

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King Charles Street
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SW1A 2AH

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www.gov.uk/fcdo

Mr Stephen Delahunty

[request-701868-248816ff@whatdotheyknow.com](#)

11th November 2020

Dear Mr Stephen Delahunty,

FREEDOM OF INFORMATION ACT 2000 - REQUEST REF: FOI2020/22100

Thank you for your email of *date of request* asking for information under the Freedom of Information Act (FOIA) 2000. You asked:

Can you provide the minutes of the meeting that took place between Heather Wheeler MP and Rio Tinto on 3 October 2019?

If the request is to be considered under Section 43 [commercial sensitivity] can you provide a detailed explanation of your decision and how the department weighed the public interest against commercial sensitivity? For example:

For information to be withheld under Section 43, the following MUST be provided:

-Details of the exact FOIA exemption.

-Details of who would be prejudiced – see MoJ guidance above, page 4.

-A “Public Interest Test” where the arguments for and against release of the information should be discussed .

- If release of the information could prejudice a third party, they should be consulted with – see FOIA Section 45 Code of Practice Part IV

- In addition much information from recent public sector contracts should be made available, especially if they are from after 2005, the start date of the FOIA – see ICO Awareness guidance 5 annexe – public sector contracts.

Further, can you identify and provide any information that might not be commercially sensitive?

I am writing to advise you that following a search of our paper and electronic records, I have established that the information you requested is not held by this Department.

If you wish to make a complaint or if you would like a review of our response, please write to the Information Rights Unit, Foreign, Commonwealth & Development Office, Room WH 2.177, King Charles Street, London, SW1A 2AH. E-mail: information.rights@fcdo.gov.uk. You have 40 working days to do so from the date this letter. Please remember to quote the reference number above in any future communications.

If you are not content with the outcome of the above, you may then apply directly to the Information Commissioner for a review of our response. Generally, the Information Commissioner will only carry out a review once you have exhausted the internal FCDO complaints procedure. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF, or online at: <https://ico.org.uk/make-a-complaint/>

You can find responses to other FOI requests on the FCDO's [website](#).

Yours sincerely,

Information Rights Unit

For information about how the FCDO handles personal information please see our [Personal Information Charter](#)