



14/10/2020

Adrian Waller

(By email only: request-666205-2b5d608f@whatdotheyknow.com)

Dear **Adrian Waller**

Cabinet Office Internal Review Reference: IR2020/10674

(Original Case Reference: FOI2020/06734)

REVIEW OF REQUEST UNDER THE FREEDOM OF INFORMATION ACT 2000

Thank you for your email of 2 August. You asked for an internal review of our response to your request for information of 20 May. In your request you asked for information regarding a video call between the Prime Minister and Mr Bill and Mrs Belinda Gates of 19 May. I apologise for the delay taken in replying.

I have carefully reviewed the handling of your request and I consider that you were correctly informed that the Cabinet Office does not hold a transcript, video recording or audio recording of this video call.

However, the Cabinet Office holds a written record that should have been considered as being potentially relevant to your request.

Having carefully reviewed this record, I consider that it is exempt from consideration from disclosure by virtue of Section 35(1)(d) and Section 41(1) of the Act.

Section 35(1)(d) provides that information is exempt from disclosure if it relates to the operation of a Ministerial private office. In this case, some of the information you have requested relates to a core function of the Prime Minister's Private Office, namely to ensure that a record of the Prime Minister's engagements is maintained. Section 35 is a qualified exemption and requires that I consider where the balance of public interest falls between disclosure and exemption.

I recognise that there is a general public interest in greater transparency in how Government operates, and in particular about how the Government Ministers go about developing relationships with major international partners such as the Gates Foundation.

This public interest is significantly reduced, however, by the pro-active publication of summaries of such meetings, as in this instance where a summary was made available at:

<https://www.gov.uk/government/news/pm-call-with-bill-and-melinda-gates-19-may-2020>

I have weighed these public interests against the stronger public interest that it is vital that the Government is able to gather views from a variety of stakeholders, and that the stakeholders feel able to share their views frankly. In addition, Ministerial Private Offices must be free to record a frank and accurate record of Ministerial meetings. Premature release of the content of such records, or the threat thereof, could lead to stakeholders being less frank in their discussions with Ministers.

In this instance, I consider that the balance of public interest favours withholding this information.

Section 41(1) (confidentiality) is an absolute exemption and is not subject to a public interest test.

Finally, in your request for an internal review you refer to *the "Transparency of Lobbying Act"*. The Office of the Register of Consultant Lobbyists is responsible for maintaining the register, as specified in the Transparency of Lobbying, Non-party Campaigning and Trade Union Administration Act 2014. I should explain that the requirements in the Act apply to consultant lobbyists, and not as you suggest in your letter. Should you wish to consult the register, you can find it at:

<https://registrarofconsultantlobbyists.org.uk/>

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:

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

A handwritten signature in black ink, appearing to read 'Eirian Walsh Atkins', with a horizontal line drawn through the middle of the letters.

Eirian Walsh Atkins