



Department
for Exiting the
European Union

Freedom of Information Team
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Mathias Schindler
Via: request-442339-1385999b@whatdotheyknow.com

Our ref: DEX000789

23 January 2018

Dear Mathias Schindler,

I refer to your request, where you asked:

According to media reports, the UK government holds over 50 sectoral studies concerning the effects of Brexit on the economy (for example <http://www.cityam.com/274842/dexeu-has-finally-revealed-which-sectors-conducted-brexit>). As I understand it, a number of FOIA requests have been made to obtain these studies itself.

A) I am requesting all information the Government holds concerning the creation of these studies, not the studies itself. This information might include emails and letters from and to the authors of the studies, specifications, feedback, invoices and other administrative documents.

B) In case these studies follow a common style guide, I am requesting these style guides as well as templates and formatting tools as well as any kind of artwork (in a broader sense) concerning these studies.

According to <http://mollymep.org.uk/2017/10/30/government-list-50-secret-studies/>, 58 studies exist concerning a number of industries and sectors.

C) I am requesting the information the government holds concerning the selection process for these studies and any information whenever a sector or industry was discarded, merged, renamed or redefined within the study drafting process.

As addressed in the Written Ministerial Statement of the 7th November 2017 (available at www.hansard.parliament.uk), the Department has used 58 sectors to help structure some of our thinking and analysis, which in turn helps inform our negotiating positions. It is a wide mix of qualitative and quantitative analysis contained in a range of documents, developed at different times since the referendum. Our analysis is constantly evolving and being updated based on our discussions with industry and our negotiations with the EU.

I must inform you that section 12 of the Freedom of Information Act 2000 (the "Act") is engaged and as such, the Department for Exiting the EU (DExEU) is unable to comply with your requests. Section 12 of the Act relieves public authorities of the duty to comply with a request for information if the cost of dealing with it would exceed the appropriate limit. The appropriate limit has been specified in regulations and for central government this is set at

£600. This represents the estimated cost of one person spending 3½ working days in determining whether the department holds the information, and locating, retrieving and extracting it.

Reasoning for section 12

The reason that your request exceeds the cost limit is that relevant information could be contained in many files, most notably with regards to part A of your request.

For part A of your request to be sufficiently searched, notably around the wording of “all information” which “might include emails and letters from and to the authors of the studies, specifications, feedback, invoices and other administrative documents”, we would have to search documents held by hundreds of individuals and groups across the Department, including individual and shared storage and inboxes. In addition, since this was a Government-wide collaborative exercise, we may also need to search communications between DExEU and other Government Departments. As stated in the Written Ministerial Statement, this analysis is constantly updated and therefore the timeframe for the search is equally considerable. Furthermore, “administrative documents” may cover a wide range of medium and it is not for the Department to interpret which information may fall in scope of this term. We therefore find that these searches would be well over the limitations set out in section 12 for part A alone.

Advice and Assistance

We would advise that with respect to part A, that you further clarify the specifics you are looking for in order to allow for the request to fall within the Section 12 limitations. Due to the manner in which our information is stored and that we cannot search all accounts in scope at once, in this instance we would welcome an email dialogue with you to further understand the specifics of the information you are seeking, in the hope that you will then be able to submit another request which will fall within the Section 12 limitations. Further information on making an FOI request can be found at the Information Commissioner's Office's website: <https://ico.org.uk/for-the-public/official-information/>

I must also inform you that if DExEU does hold any information, it may be subject to one or more of the exemptions contained in the Freedom of Information Act.

We wish to note that we find that part B and C, if taken in isolation, would fall within the limitations set out in section 12 of the Act.

If you are unhappy with the service you have received in relation to your request or wish to request an internal review, you should write to foi@dex.eu or:

Freedom of Information Team (internal review)
Department for Exiting the European Union
9 Downing Street
SW1A 2AG

You should note that DExEU will not normally accept an application for internal review if it is received more than two months after the date that the reply was issued.

If you are not content with the outcome of your internal review, you may apply directly to the Information Commissioner for a decision. Generally, the Commissioner cannot make a decision unless you have exhausted the complaints procedure provided by DExEU. The Information Commissioner can be contacted at:

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

Yours sincerely,

Freedom of Information Team, DExEU.