



Department
for Exiting the
European Union

**Freedom of Information
Team**

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Mathias Schindler
Via: request-442339-1385999b@whatdotheyknow.com

Our ref: DEX001032

05 July 2018

Dear Mathias Schindler,

I refer to your request, where you asked:

According to

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

- A) **[CLARIFIED TO:]** I would hence propose to narrow the scope of part A down to information that initiated the creation of the individual studies, such as a letter asking or proposing to write or commission a study.
 - 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.
 - 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.
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The Department firstly wishes to acknowledge that in the handling of this case we have failed to meet the requirements of the Freedom of Information Act 2000 (the "Act") under Section 10, which infers a duty to respond to requests within 20 working days. We sincerely apologise for the delay in responding to your request.

With regard to the substance of your revised request, as referred to in the letter from the then-Minister of State David Jones to Molly Scott Cato MEP mentioned in your request, the Department for Exiting the European Union (DExEU) 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. We are examining all areas of the UK economy from a number of perspectives and seeking input from a wide range of stakeholders. This sectoral analysis sits alongside regional and business engagement across the UK. 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, by virtue of section 14(1) of Act, a public authority is not obliged to comply with a request for information if the request would cause “a disproportionate or unjustifiable level of ... disruption.” I attach a copy of the Commissioner’s guidance on this issue for your information:

<https://ico.org.uk/media/for-organisations/documents/1198/dealing-with-vexatious-requests.pdf>

Although we are not required to carry out a public interest test in relation to section 14(1), we have considered here whether using vital Departmental resource to respond to such a request meets an objective wider public interest. We do find there is merit behind the request in understanding more about the selection process which was carried out for analysis mentioned above, and that in doing this there is an opportunity for insight into the Government’s prioritisation within this task and how they we are approaching our exit analysis.

We have all of the information in scope of parts A and B of your request. However, if we apply section 14(1) this should apply to the whole request. For part C, we have had to carry out extensive searches with multiple individuals in the Department, and still think that there are gaps in this information, including information which may be held on dormant accounts previously owned by individuals who have now left the Department.

We do not think that continuing this search, which takes up vital Departmental resource, meets the wider public interest. If the request were limited to information held by the individual who led on the majority of this work (there was 1 key person appointed) and for whom we have already gathered information regarding “*whenever a sector or industry was discarded, merged, renamed or redefined within the drafting process*”, then we believe we already hold this information.

Alternatively, you could remove part C of your request if you wish to do so, or we could limit to the information we have already gathered (other individuals are included in this also). With the last option, I’d like to reiterate that we do not think the search is complete, therefore there may be gaps in the information if this is the route you wish to take.

We’d also welcome an email exchange with you if we are able to assist you further with your request. Until we hear back from you, I shall take no further action on this request.

If you have any queries about this letter, please contact the FOI team. Please remember to quote the reference number above in any future communications.

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.gov.uk or: Freedom of Information Team (internal review)

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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:

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

Yours sincerely,

Freedom of Information Team, DExEU.