



Department for  
Business, Energy  
& Industrial Strategy

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## Internal Review of response to Freedom of Information Request

I am writing following your email of 31 August asking for an internal review of the response to your Freedom of Information (FOI) request. I am the Director for Digital, Data and Technology in the Department for Business, Energy and Industrial Strategy (BEIS) and I undertook the review. When I carried out the review I considered the information which was withheld, and whether the original response to your request was correct. My decision is explained below.

Your original request was made on 20 July 2018 and asked for the following information:

Dear Department for Business, Energy and Industrial Strategy,

Thank you for publishing your spend data here:

<https://www.gov.uk/government/collections/beis-spending-over-25000>. However, I notice that you haven't published any spending data since September 2017.

I'd like to make a request under the Freedom of Information act for all transactions over £25,000 from October 2017 to a month in arrears from the date at which you publish in response to this request. Please provide the data in a machine readable format (preferably csv). As a minimum, please make sure to include the date, value and recipient of each transaction. Please also provide details on the procurement category of each transaction if you have it.

Your team may also be interested in the guidance on producing spending data:

<https://www.gov.uk/government/publications/guidance-for-publishing-spend-over-25000>.

For the avoidance of doubt, I am making this request under the Freedom of Information Act. I await your response within 20 working days.

The Department answered your request on x August 2018 This explained that although the Department holds the information requested we believe it to be exempt from disclosure under Section 22 of the Act because the information is intended for publication at a future date.

Section 22 is a qualified exemption subject to the public interest test. When we carried out this public interest test we agreed that there is a public interest in transparency and accountability, in good decision-making by public bodies, in upholding standards of integrity, and in securing the best use of public resources. However, we have recently reviewed the process for publishing this data in order to protect its accuracy and integrity and are now preparing this information for publication. We consider that the best use of public resources is in ensuring the data is accurate and published in a consistent and comprehensive format and in accordance with the established publishing procedure, rather than being released in a piecemeal fashion.

In your request for an internal review you cite the Local Government Transparency Code. Although BEIS as a Central Government Department is not covered by this code, publication of our transparency data is captured by guidance on Central Government Transparency Commitments.

The [HM Treasury guidance on the publication of spend data](#) states in paragraph 2.22 that “Departments should put in place a robust review process to ensure sensitive data is not inadvertently released. This will involve bringing together knowledge from different parts of the organisation in order to identify transactions that should be reacted.” Furthermore paragraph 2.23 states “Department should review their data, in particular to ensure that necessary redactions have been applied and that they can be justified. Your Transparency Minister and senior officials must be content that a robust process is in place to ensure sensitive data is not released.”

Having considered the information being withheld in the light of your request for an internal review, I have concluded that it remains imperative to ensure that:

- i) the data we intend to publish is accurate, comprehensive and correctly formatted;
- ii) all redactions necessary are made and justified; and
- iii) senior officials and ministers are content that our new process is robust and ensures that sensitive data is not released.

We will therefore publish this data in the autumn on the data.gov.uk website: [https://www.gov.uk/government/publications?keywords=&publication\\_filter\\_option=transparency-data&topics%5B%5D=all&departments%5B%5D=department-for-business-energy-and-industrial-strategy&official\\_document\\_status=all&world\\_locations%5B%5D=all&from\\_date=&to\\_date](https://www.gov.uk/government/publications?keywords=&publication_filter_option=transparency-data&topics%5B%5D=all&departments%5B%5D=department-for-business-energy-and-industrial-strategy&official_document_status=all&world_locations%5B%5D=all&from_date=&to_date)

If you are not content with the outcome of the internal review, 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

Yours sincerely,

Karl Hoods