



Guy Wall

Via: request-926603-28a1ee27@whatdotheyknow.com

13 February 2023

Dear **Guy Wall**

Cabinet Office Internal Review Reference: **IR2023/00561**

(Original Case Reference: **FOI2022/17524**)

FREEDOM OF INFORMATION REQUEST REF: FOI2022/17524 - INTERNAL REVIEW

We refer to your email of 17 January in which you requested an Internal Review. Your request for an Internal Review was prompted by the Cabinet Office's response of 6 January to your request for information (reference FOI2022/17524) under the Freedom of Information Act 2000 ('the Act').

This letter constitutes the outcome of the Internal Review. My findings are below.

The Request

On 7 December you submitted a request for information. You wrote:
'Please supply a total amount for the spend on advertising (TV/Social Media/print media/leaflets/direct mail et al) surrounding the cost of living crisis (e.g. Help for Households campaign)'

The Response

The Cabinet Office responded to you on 6 January. It informed you that the information you requested was held by the Cabinet Office, however that information was exempt under section 22(1) of the Freedom of Information Act.

The Cabinet Office directed you to the webpage below where it publishes spend data monthly on a rolling basis as part of routine government transparency:

<https://www.gov.uk/government/publications/cabinet-office-spend-data>

Request for an Internal Review

On 17 January, you requested an Internal Review of your request for information. You wrote:

'Please pass this on to the person who conducts Freedom of Information reviews.'

I am writing to request an internal review of Cabinet Office's handling of my FOI request 'Summary of Funds Spent on 'Cost of Living Crisis' Advertising'.

As you may be aware, ICO guidance states that the authority is obliged to conduct a public interest test when applying a Section 22 exemption (see <https://ico.org.uk/media/for-organisations/documents/1172/information-intended-for-future-publication-and-research-information-sections-22-and-22a-foi.pdf>).

I am requesting an internal review of my request. If the exemption is upheld, please provide details of the public interest test and how its conclusion was arrived at.

Can you please confirm that there will be sufficient granularity to the publicly data for individuals to identify the spend on the specific advertising messaging relating to the 'Cost of Living crisis' and that the data will not simply be supplied 'rolled up' with all other media advertising?

A full history of my FOI request and all correspondence is available on the Internet at this address:

https://www.whatdotheyknow.com/request/summary_of_funds_spent_on_cost_o

Outcome of the Internal Review

I have carefully reviewed the handling of your request and I consider that exemption 22(1) of the Freedom of Information Act was properly applied. We will expand on the reasons why we are withholding this information, detailing the public interest factors for and against disclosure of the requested information. I am providing a full response below. This reflects the position at the time of your request.

The Freedom of Information Act recognises the desirability of information being freely available in its own right, but section 22 also acknowledges that public authorities must have freedom to be able to determine their own publication timetables. This allows them to deal with the necessary preparation, administration and context of publication.

The exemption in section 22 requires a public interest test. When applying the test, the public authority is simply deciding whether, in all the circumstances of the case, it serves the interests of the public better to withhold or to disclose information.

The circumstances of this case are that the requested information was intended for future publication at the time of your request, but was not finalised at that time.

Therefore, the public interest balance under section 22 is focussed mainly on the quality of the data. The information to be published is still being checked, in order to ensure accuracy and that it is of the highest quality.

Public interest consideration favouring disclosure

The public interest consideration in favour of immediate disclosure is that it would demonstrate Government's commitment to transparency in relation to the Cabinet Office's expenditure on advertising.

Public interest considerations against immediate disclosure

The Government is committed to publication; however, it is in the public interest that the Cabinet Office's work is reviewed before the finalised work is published. This will lead to a better quality final report, and outweighs the minimal public interest in giving an individual applicant access to the unfinalised data ahead of the scheduled publication.

The public interest in permitting public authorities to publish information in a manner and form and at a time of their own choosing is important. It is a part of the effective conduct of public affairs that the general publication of information is a planned and managed activity within the reasonable control of public authorities. As there is a commitment to publish the data, we are reasonably entitled to make our own arrangements to do so.

After weighing up the competing public interest considerations, I consider that at the time of the request it was reasonable in all the circumstances that the information held should be withheld from disclosure until the date of intended publication (section 22(1)) and that the public interest in maintaining the exemption outweighed the public interest in disclosure.

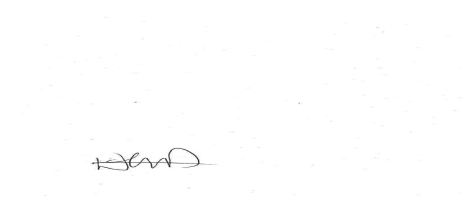
The intent to publish is clear within the routine publication of spend data over £25,000 since 1 April 2010, mentioned in previous correspondence. Under our section 16 duty to provide advice and assistance, and outside the auspices of the Act, you may also wish to note

the following details on the granularity of the data. This data is not broken down by the channels you have requested. However our media buying supplier is Manning Gottlieb,

so a search within the transparency data for this supplier and the Cost of Living campaign, should allow you to total the spend.

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



Head of Freedom of Information
Cabinet Office