

## **Freedom of Information Act 2000 (FOIA)**

### **Decision notice**

**Date:** 30 March 2023

**Public Authority:** Foreign, Commonwealth & Development Office

**Address:** King Charles Street  
London  
SW1A 2AH

#### **Decision (including any steps ordered)**

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1. The complainant submitted a request to the Foreign, Commonwealth & Development Office (FCDO) seeking information from 2017 onwards held by its internal audit department about Transparency International. The FCDO confirmed that it held information falling within the scope of the request but it considered this to be exempt from disclosure in its entirety on the basis of sections 27(1)(c) and (d) (international relations), section 31(2)(f) (law enforcement), section 40(2) (personal data) and section 43(2) (commercial interests) of FOIA. The FCDO subsequently disclosed a redacted version of the information, relying on some of the above exemptions to redact information, and also withheld some documents in full on the basis of section 41(1) (information provided in confidence) of FOIA. During the course of the Commissioner's investigation the FCDO confirmed that it was willing to remove some, but not all, of these redactions.
2. The Commissioner has concluded that the FCDO has correctly applied sections 27(1)(a) and (c), 41(1) and 43(2) to withhold the information to which these exemptions are still being applied. However, the Commissioner has concluded that section 40(2) only provides a basis to withhold some of the information to which this exemption continues to be applied. The Commissioner has also concluded that the FCDO has, on the balance of probabilities, located all of the information falling within the scope of the request.

3. The Commissioner requires the FCDO to take the following steps to ensure compliance with the legislation.
  - Provide the complainant with the copies of the documents falling within the scope of his request as set out in the attached annex to this notice.
4. The public authority must take these steps within 35 calendar days of the date of this decision notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of the Act and may be dealt with as a contempt of court.

### **Request and response**

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5. The complainant submitted the following request to the FCDO on 30 March 2021:

'I am making a request under the Freedom of Information Act for a copy of material generated, or received, by the Internal Audit Department of the Foreign, Commonwealth and Development Office (FCDO), formerly the Department for International Development (DFID), since 2017 in relation to Transparency International – whether it be Transparency International Secretariat, Transparency International UK or any other Transparency International entity – including but not limited to (i) due diligence assessments of any Transparency International entity/entities or projects and to (ii) correspondence to/from any Transparency International entity.'

6. The FCDO responded on 26 May 2021 and confirmed that it held some information falling within the scope of the request but considered it to be exempt from disclosure on the basis of sections 27(1)(c) and (d) (international relations) and section 40(2) (personal data) of FOIA.
7. The complainant contacted the FCDO on 2 June 2021 and asked it to conduct an internal review of this response.
8. The FCDO informed him of the outcome of the internal review on 6 October 2021. The FCDO explained that its searches did not locate any information held by the FCDO Internal Audit department falling within the scope of the request. However, it did locate information held by its Investigations Department relating to Transparency International. The FCDO explained that it remained of the view that parts of this information were exempt from disclosure on the basis of sections 27(1)(c) and (d) and 40(2). In addition, the FCDO explained that it considered the remaining information to be exempt from disclosure on

the basis of sections 31(1)(a) and (f) (law enforcement)<sup>1</sup> and section 43(2) (commercial interests).

## Scope of the case

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9. The complainant contacted the Commissioner on 26 October 2021. He sought to challenge the FCDO's reliance of the various exemptions it had cited to withhold information falling within the scope of his request.
10. During the course of the Commissioner's investigation of this complaint the FCDO contacted the complainant on 6 December 2022 and provided the complainant with redacted copies of the majority of the information it had located as falling within the scope of his request. This amounted to 154 documents. The redactions were made on the basis of sections 40(2) and 27(1)(a) of FOIA. The FCDO also sought to withhold a number of documents in full on the basis of section 41(1) of FOIA. The FCDO also noted that it had removed some information on the basis that it was out of scope of the request. The information disclosed concerned eight separate investigations about Transparency International.
11. As result of this disclosure the complainant contacted the FCDO on 5 January 2023 and set out his concerns in relation to its revised position. In summary he explained that:
  - He accepted the decision to redact information on the basis that it was out of scope on where that genuinely applied, for example where it wholly concerns bodies other than Transparency International.
  - He accepted the application of section 40(2) to information defined as personal data but noted that this exemption would not apply, for example to organisations' names within email addresses.
  - He noted that a number of redactions appeared to be random; eg case numbers were redacted in some places but not in others. He also questioned the application of section 27(1)(a).
  - He specifically asked that the FCDO considered providing a document referred to as 'the statement' that was 'presented to the

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<sup>1</sup> The internal review referred to section 31(1)(f) of FOIA but the Commissioner understands that the sub-section to which the FCDO intended to refer was section 31(2)(f).

Panel' described in the email contained at page 378 of the bundle of disclosed information.<sup>2</sup>

- He also questioned whether some information had not been located, namely he noted that there were references to an information note being prepared for the Secretary of State (SoS) but this had not been disclosed<sup>3</sup> nor had a prospective future information note for the SoS.
  - He also noted that there were references to the FCDO's due diligence exercises on Transparency International UK in 2018 and Transparency International Secretariat in 2019 but neither document was disclosed.
12. Having considered these grounds of complaint, the Commissioner noted that they focused on two particular safeguarding investigations. Therefore, with a view to focusing the scope of his investigation given that the information in the scope of the request amounted to nearly 700 pages of information, the Commissioner contacted the complainant on 2 February 2023 and suggested to him that his investigation focused solely on the information relating to these two investigations. The complainant did not seek to dispute this approach.
13. On 3 February 2023 the Commissioner also provided the FCDO with his provisional view of the exemptions that had been applied to the information concerning these two investigations. In summary the Commissioner explained that:
- He accepted that section 40(2) applied to the names of individuals, to job titles that would allow individuals to be identified, and to information which is clearly personal data, the disclosure of which would breach data protection principles. However, the Commissioner explained in his view a considerable amount of information had also been redacted on the basis of section 40(2) which did not constitute personal data and therefore is not exempt from disclosure on the basis of this exemption, or is potentially personal data, but is information already in the public domain.

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<sup>2</sup> This document had been withheld in full by the FCDO on the basis of section 41(1) of FOIA.

<sup>3</sup> The Commissioner has established that this is contained at pages 344 and 345 of the bundle of documents disclosed, albeit with redactions applied.

- The Commissioner also advised that he was not satisfied that section 41(1) provided a basis to withhold one of the documents that had been withheld in full, namely a due diligence assessment.<sup>4</sup>
  - In addition the Commissioner also sought responses to a number of queries to allow him to fully consider the complainant's grounds of complaint as set out in his email of 5 January 2023.
14. In response to the Commissioner's provisional views, the FCDO agreed to disclose further information to the complainant and provided the Commissioner with a revised version of the documents in the scope of the complaint on 24 March 2023. This revised version proposed the lifting of a number of redactions previously applied on the basis of section 40(2) of FOIA. The FCDO explained that it was also prepared to disclose the due diligence assessment which the Commissioner had questioned the application of section 41(1) to, albeit with a small number of redactions on the basis of sections 40(2) and section 43(2) and because a small amount of information was out of scope of the complainant. The FCDO maintained that sections 40(2), 27(1)(a) and 41(1) applied to the remainder of the redactions applied to other documents; that some documents were still being withheld in full on the basis of section 41(1); and, that parts of the information were out of scope of the request.
  15. The Commissioner acknowledges and welcomes the FCDO's willingness to remove some of the redactions in light of his provisional assessment of the information. However, having considered the revised version of the information provided to him, in the Commissioner's view there are parts of the withheld information which the FCDO still maintains are exempt from disclosure, but which, in his view, are not. Equally, there are parts of the withheld information which the Commissioner also accepts are exempt from disclosure, but which the complainant disputes are not.
  16. Therefore, this decision notice considers the parts of the information which the FCDO maintains are still exempt from disclosure based on its submission to the Commissioner of 24 March 2023. For any such information which the Commissioner has found is not exempt from disclosure, this notice includes a step for the FCDO to disclose such information.
  17. The Commissioner is conscious that the FCDO has not yet provided the complainant with the parts of the information which it is also now

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<sup>4</sup> Pages 257-271 of the bundle of documents in scope.

prepared to disclose to the complainant. Therefore this notice also requires the FCDO to disclose this information to the complainant.

18. The steps required in respect of each document falling within the scope of the complaint are set out in the annex at the end of this notice.
19. The notice also considers the complainant's concerns that there is additional information falling within the scope of his complaint.

## **Reasons for decision**

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### **Section 40 – personal data**

20. The vast majority of the redactions which the FCDO continues to apply to the withheld information are on the basis of section 40(2). Section 40(2) of FOIA provides that information is exempt from disclosure if it is the personal data of an individual other than the requester and where one of the conditions listed in section 40(3A)(3B) or 40(4A) is satisfied.
21. Section 3(2) of the Data Protection Act 2018 defines personal data as:

“Any information relating to an identified or identifiable living individual.”
22. The two main elements of personal data are that the information must relate to a living person and that the person must be identifiable.
23. An identifiable living individual is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of the individual.
24. Information will relate to a person if it is about them, linked to them, has biographical significance for them, is used to inform decisions affecting them or has them as its main focus.
25. As noted above the complainant accepts the application of this exemption to information which is genuinely personal data. As a result there is no dispute that information such as names, contact details, job titles that would allow individuals to be identified from them, and biographical information about identifiable individuals is exempt from disclosure.
26. Furthermore, the Commissioner notes that the FCDO is now prepared to lift redactions to information such as the name of a law firm and the

domain names of email addresses, information which had previously been withheld on the basis of section 40(2) of FOIA.

27. However, in the version of the documents provided to him by the FCDO on 24 March 2023 there are a number of pieces of information which are marked as redacted on the basis of section 40(2) but which the Commissioner has previously advised do not, in his view, attract this exemption. This is because in the Commissioner's view such information does not fall within the definition of personal data as such information does not relate to an identifiable living individual. As a result such information cannot be exempt from disclosure on the basis of section 40(2) of FOIA. Where such information is contained in a document the Commissioner has noted this in the annex.

## **Section 27 – international relations**

28. The FCDO redacted some information on the basis of section 27(1)(a) of FOIA which states that information is exempt if its disclosure would, or would be likely to, prejudice 'relations between the United Kingdom and any other State.'

### The FCDO's position

29. The FCDO explained that the redactions had been applied to remove the identity of other states involved in the reporting and investigation of alleged wrongdoing. It argued that the disclosure of this information would be likely to prejudice relations between the UK and the relevant states as release has the potential to be seen as undermining the principles of mutual trust and confidence.
30. The FCDO emphasised that the successful conduct of international relations is founded on the ability to influence, persuade, negotiate, build alliances and reach consensus. The UK's ability to influence and persuade is based largely on mutual trust and confidence with its foreign interlocutors. The FCDO argued that without that mutual trust and confidence, its influence and ability is severely compromised.

### The complainant's position

31. The complainant argued that the FCDO's initial refusal of his entire request suggested that its application of such an exemption was questionable. Moreover, he argued that there was tendency to apply it far too widely and that even passing references to other states appeared to have been redacted.

### The Commissioner's position



32. In order for a prejudice based exemption, such as section 27, to be engaged the Commissioner believes that three criteria must be met:

- Firstly, the actual harm which the public authority alleges would, or would be likely, to occur if the withheld information was disclosed has to relate to the applicable interests within the relevant exemption.
- Secondly, the public authority must be able to demonstrate that some causal relationship exists between the potential disclosure of the information being withheld and the prejudice which the exemption is designed to protect. Furthermore, the resultant prejudice which is alleged must be real, actual or of substance.
- Thirdly, it is necessary to establish whether the level of likelihood of prejudice being relied upon by the public authority is met – i.e., disclosure 'would be likely to' result in prejudice or disclosure 'would result' in prejudice. The higher level 'would' means the possible harm caused by release is more probable than not. In other words, there is a more than 50% chance of the disclosure causing the prejudice, even though it is not absolutely certain that it would do so. Case law has determined that the lower level of prejudice 'would be likely to' means that the chance of harm being suffered is more than a hypothetical or remote possibility. That is to say, there must still be a real and significant risk even if it is less likely.

33. With regard to the first criterion of the three limb test described above, the Commissioner accepts that the potential prejudice described by the FCDO clearly relates to the interests which the exemption contained at section 27(1)(a) is designed to protect. With regard to the second and third criteria having considered the content of the withheld information and taking into account the FCDO's submissions, the Commissioner is satisfied that there is a causal link between disclosure of this information and prejudice potentially occurring to the UK's relations with other international states. The Commissioner has reached this view because in his opinion disclosure of the information in question would present a real risk of undermining trust and confidence in the UK in relation to the investigations of this nature. Whilst the Commissioner accepts the information redacted may simply extend to the names of others states in some instances, he is satisfied that given the context within which some information appears disclosure of it would nevertheless be prejudicial.

#### Public interest test

34. Section 27 is a qualified exemption and therefore the Commissioner must consider whether in all the circumstances of the case the public



interest in maintaining the exemption contained at section 27(1)(a) outweighs the public interest in disclosing the information.

35. The complainant argued that there was a public concern about the management and culture of Transparency International, and the consequently the FCDO's funding of it, as illustrated by the stories in a number of newspaper articles.<sup>5</sup>
36. The FCDO accepted there is a public interest in disclosing how the UK works with other states in the reporting and investigation or alleged wrongdoing. However, it argued that undermining the principles of trust and confidentiality which underpin these relationships is not in the public interest. It is likely to make states reluctant to work closely with the UK both in investigations and potentially in other areas.
37. The Commissioner acknowledges that there is legitimate public interest in the public being able to understand how the FCDO, on the part of the UK, investigates allegations such as those which are the subject of the two investigations in question. However, in the Commissioner's view disclosure of the limited information which has been withheld on the basis of section 27(1)(a) would not provide any great insight into the conduct of these investigations. In contrast, the Commissioner considers that disclosure of the information would be likely to have a notable impact on the UK's relations with the states in question. Furthermore, the Commissioner considers there to be a significant public interest in ensuring effective international relations are maintained in order to protect the effectiveness of such investigations in the future. As a result, the Commissioner has concluded that the balance of the public interest favours maintaining the exemption.

#### **Section 41 – information provided in confidence**

38. The FCDO withheld a number of documents in full on the basis of section 41(1). This states that:

'(1) Information is exempt information if—

(a) it was obtained by the public authority from any other person (including another public authority), and

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<sup>5</sup> <https://www.theguardian.com/global-development/2019/aug/21/transparency-international-staff-complain-of-bullying-harassment> and <https://www.theguardian.com/society/2020/jun/06/anti-corruption-watchdog-hit-by-legal-row-over-staff-bullying>

(b) the disclosure of the information to the public (otherwise than under this Act) by the public authority holding it would constitute a breach of confidence actionable by that or any other person.'

39. Therefore, for this exemption to be engaged two criteria have to be met; the public authority has to have obtained the information from a third party **and** the disclosure of that information has to constitute an actionable breach of confidence.
40. With regard to whether disclosure would constitute an actionable breach of confidence the Commissioner follows the test of confidence set out in *Coco v A N Clark (Engineering) Ltd* [1968] FSR 415. This judgment suggested that the following three limbed test should be considered in order to determine if information was confidential:
- whether the information had the necessary quality of confidence;
  - whether the information was imparted in circumstances importing an obligation of confidence; and,
  - whether an unauthorised use of the information would result in detriment to the confider.
41. However, further case law has argued that where the information is of a personal nature it is not necessary to establish whether the confider will suffer a detriment as a result of disclosure.
42. The Commissioner has assessed each of these criteria in turn.

Was the information obtained from another person?

43. With regard to the requirements of section 41(1)(a), the FCDO explained that the information in question had been provided to it by subjects outside of the organisation. Having reviewed the information in question the Commissioner is satisfied that it does constitute information provided to the FCDO by third parties. Section 41(1)(a) is therefore met.

Does the information have the necessary quality of confidence?

44. In the Commissioner's view information will have the necessary quality of confidence if it is not otherwise accessible and, it is more than trivial.
45. With regards to the quality of confidence, the FCDO noted that it was clear from the content of the information that it was more than trivial. The FCDO acknowledged that there was information in the public domain relating to these investigations but it did not consider the

information contained in the documents withheld on the basis of section 41(1) to be reasonably accessible to a member of the general public.

46. The Commissioner has had sight of the information withheld on the basis of this exemption and accepts that it is not otherwise accessible and it cannot be said to be trivial. Consequently, the Commissioner is satisfied that the information has the necessary quality of confidence.

Was the information imparted in circumstances importing an obligation of confidence?

47. The FCDO explained that given the content, and context of the information, provided as it was for the purposes of an investigation it was clearly understood by the parties that it would not be disclosed.
48. In light of these points, and in particular having had regard to the content of the information, the Commissioner is satisfied that the information was provided to the FCDO with the clear expectation that it would remain confidential.

Would disclosure be of detriment to the confider?

49. The FCDO argued that given the content of the information disclosure of it would be detrimental to those that had provided it. This is because the information contained sensitive details about the matters which the investigations considered.
50. Again, having considered the content and context of the withheld information, the Commissioner is satisfied that if this information was disclosed this would be likely to be detrimental to the confiders.

Is there a public interest defence to the disclosure of the information?

51. Section 41 is an absolute exemption and so there is no requirement for an application of the conventional public interest test. However, the common law duty of confidence contains an inherent public interest test. This test assumes that information should be withheld unless the public interest in disclosure outweighs the public interest in maintaining the duty of confidence (and is the reverse of that normally applied under FOIA). British courts have historically recognised the importance of maintaining a duty of confidence, so it follows that strong public interest grounds would be required to outweigh such a duty.
52. However, disclosure of confidential information where there is an overriding public interest is a defence to an action for breach of confidentiality. The Commissioner is therefore required to consider whether the FCDO could successfully rely on such a public interest defence to an action for breach of confidence in this case.

53. The complainant's submissions in respect of the public interest in disclosure are set out above. For its part the FCDO acknowledged the public interest in allowing scrutiny of the activities of public authorities and in particular how the UK Government engages with non-governmental organisations through which UK taxpayers' money is channelled. However, it explained that it believed that disclosure would damage the reputation of FCDO and be likely to lead to a reduction in the willingness of other partners to share information with FCDO in future. The FCDO argued that in turn this would lead to a reduced ability by the FCDO and the wider UK government to carry out its policy objectives where these require the support and engagement external partners. The FCDO argued that this would be very much against the public interest.
54. For the reasons discussed above, the Commissioner accepts that there is a public interest in disclosing information about the FCDO's investigations into matters which are the focus of this complaint. In the Commissioner's view disclosure of the information that has been withheld on the basis of this exemption would provide a considerable and notable insight into the investigations in question (more so than the information withheld on the basis of section 27). The public interest in the disclosure of the information should not be underestimated.
55. However, the Commissioner recognises that there is a strong public interest in the FCDO being able to conduct effective investigations where allegations of wrong doing are made. The Commissioner accepts that if information withheld on the basis of section 41 was disclosed this would directly impact on this process. Taking the above into account, whilst the Commissioner acknowledges the weight of the public interest in disclosure of the information, given the broad impact this would have on the FCDO's ability to conduct such investigations, he has concluded that there is not a sufficiently compelling argument in support of a public interest defence against an action for breach of confidence. The Commissioner has therefore concluded that the information in question is exempt from disclosure on the basis of section 41(1) of FOIA.
56. The Commissioner has therefore concluded that the information in question is exempt from disclosure on the basis of section 41(1) of FOIA.

### **Section 43(2) – commercial interests**

57. The FCDO withheld a very small portion of information on the basis of section 43(2). This states that:

'Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).'

58. The FCDO argued that disclosure of such information would be likely to harm Transparency International Secretariat's commercial interests as it would reveal details of the terms it agrees with its suppliers. The Commissioner has considered the withheld information and the FCDO's submissions in respect of it and is prepared to accept that there is more than a hypothetical risk of such prejudice occurring if the information was disclosed.
59. Section 43 is also a qualified exemption and therefore subject to the balance of the public interest test. As noted above, the Commissioner accepts that there is a public interest in the disclosure of information about the nature of these investigations. However, in the Commissioner's view disclosure of the small amount of information redacted on the basis of this exemption would not add in any way to the public understanding of this subject. The Commissioner also considers there to be a significant public interest in third parties being able to protect their commercial interests. Therefore, the Commissioner has concluded that the balance of the public interest favours maintaining this exemption.

### **Further information potentially held**

60. As noted above, the complainant raised concerns that the FCDO had not provided him with all of the information falling within the scope of his request. More specifically, a prospective future information note for the SoS which had also not been disclosed and the FCDO's due diligence exercises on Transparency International UK in 2018 and Transparency International Secretariat in 2019.
61. In cases such as this where there is some dispute as to whether information falling within the scope of the request is held, the Commissioner, following the lead of a number of Information Tribunal decisions, applies the civil standard of the balance of probabilities.
62. In other words, in order to determine such complaints the Commissioner must decide whether on the balance of probabilities a public authority holds any further any information which falls within the scope of the request. In applying this test the Commissioner will consider the scope, quality, thoroughness and results of the searches, and/or other explanations offered as to why the information is not held.
63. With regard to the due diligence reports the FCDO explained that the Internal Audit Department do not have a copy of the Due Diligence

Reports from 2018 and 2019. The FCDO further explained that the Due Diligence reports are not generated by the Internal Audit Department and the department was not in receipt of the 2018 and 2019 reports therefore it considered these to be out of scope of the request.

64. The Commissioner notes that the request specifically seeks 'a copy of material generated, or received, by the Internal Audit Department of the Foreign, Commonwealth and Development Office (FCDO)'. He also notes the FCDO's assurances that such reports are not produced by the Internal Audit Department and that it is not in receipt of the specific reports in question. Therefore, whilst the reports in question may be held by the wider FCDO, the Commissioner accepts that on the balance of probabilities they are not held by the Internal Audit Department, and therefore are not held for the purposes of this request.
65. With regard to the prospective information note for the SoS, the Commissioner understands this was not produced and therefore is satisfied that on the balance of probabilities this information is not held by the FCDO.

## Right of appeal

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66. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)  
GRC & GRP Tribunals,  
PO Box 9300,  
LEICESTER,  
LE1 8DJ

Tel: 0203 936 8963

Fax: 0870 739 5836

Email: [grc@justice.gov.uk](mailto:grc@justice.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

67. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
68. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Signed .....**

**Jonathan Slee**  
**Senior Case Officer**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**



**Annex**

<b>File reference</b>	<b>Pages</b>	<b>FCDO position at 6 December 2022 based on disclosure to complainant of that date</b>	<b>FCDO revised position as per its submission to ICO of 24 March 2023</b>	<b>ICO view on FCDO revised position of 24 March 2023 / steps needed</b>
S01	255-256	Released with redactions under section 40(2)	N/A	Section 40(2) applies to all redactions with exception of domain name of email address.  Disclose document again with email domain unredacted.
S02	257-271	Withheld in full under section 41(1)	Prepared to disclose with redactions on basis of sections 40(2), 41(1), 43(2) and some information out of scope.	Exemptions apply and agree that some information is out of scope material.  Disclose document with these parts removed as per version provided to ICO on 24 March.
S03	272-284	Released with redactions under section 40(2)	Some section 40(2) redactions to be lifted	Redactions are now inline with section 40(2) of FOIA.

				Disclose document as per version provided to ICO on 24 March.
S04	285-287	Released with redactions under section 40(2)	Redactions have been made on basis that information is out of scope.	Agree that redacted information is out of scope.  No steps needed.
S05	288	Released with redactions under section 40(2)	Section 40(2) redaction to domain name can be lifted.	Agree that section 40(2) applies to all remaining redactions.  Disclose document as per version provided to ICO on 24 March.
S06	289	Released with redactions under section 40(2)	Some section 40(2) redactions can be lifted.	Agree that section 40(2) applies to all remaining redactions.  Disclose document as per version provided to ICO on 24 March.
S07	290	Released with redactions under section 40(2)	Some section 40(2) redactions can be lifted.	Agree that section 40(2) applies to all remaining redactions.  Disclose document as per version provided to ICO on 24 March.
S08	291	Released with redactions under section 40(2)	Some section 40(2) redactions can be lifted.	Agree that section 40(2) applies to all remaining redactions.

				Disclose document as per version provided to ICO on 24 March.
S09	292	Released with redactions under section 40(2)	Some section 40(2) redactions can be lifted.	Agree that section 40(2) applies to all remaining redactions.  Disclose document as per version provided to ICO on 24 March.
S10	293	Released with redactions under section 40(2)	Some section 40(2) redactions can be lifted.	Agree that section 40(2) applies to all remaining redactions.  Disclose document as per version provided to ICO on 24 March.
S11	294	Released with redactions under section 40(2)	Some section 40(2) redactions can be lifted.	Agree that section 40(2) applies to all remaining redactions.  Disclose document as per version provided to ICO on 24 March.
S12	295	Released with redactions under section 40(2)	Some section 40(2) redactions can be lifted.	Agree that section 40(2) applies to all remaining redactions.  Disclose document as per version provided to ICO on 24 March.
S13	296	Released with redactions under section 40(2)	Some section 40(2) redactions can be lifted.	Agree that section 40(2) applies to all remaining redactions.

				Disclose document as per version provided to ICO on 24 March.
S14	297	Released with redactions under section 40(2)	Some section 40(2) redactions can be lifted.	Agree that section 40(2) applies to all remaining redactions.  Disclose document as per version provided to ICO on 24 March.
S15	298	Released with redactions under section 40(2)	Some redactions can be lifted.	Section 40(2) applies to individual's name and to a job title but to other redactions as no link to an identifiable individual.  Disclose the document again with only the individual's name and a job title redacted.
S16	299	Released with redactions under section 40(2)	All redactions remain in place.	Section 40(2) only applies to individual's name and a job title but not to other redactions as no link to an identifiable individual.  Disclose the document again with only the author's name and a job title redacted.
S17	300	Released with	Some redactions can be lifted.	Agree that section 40(2) applies to all remaining redactions.

		redactions under section 40(2)		Disclose document as per version provided to ICO on 24 March.
S18	301	Released with redactions under section 40(2)	Some redactions can be lifted.	Agree that section 40(2) applies to all remaining redactions.  Disclose document as per version provided to ICO on 24 March.
S19	302-304	Withheld in full on basis of section 41(1)	N/A	Document is exempt from disclosure on basis of section 41(1).  No steps needed.
S20	305	Released with redactions under section 40(2)	Some redactions can be lifted.	Agree that section 40(2) applies to all remaining redactions.  Disclose document as per version provided to ICO on 24 March.
S21	306-307	Released with redactions under section 40(2)	Some redactions can be lifted.	Agree that section 40(2) applies to all remaining redactions.  Disclose document as per version provided to ICO on 24 March.
S22	308-309	Released with redactions under section 40(2)	N/A	Section 40(2) applies to all redactions.  No steps needed.

S23	310	Released with redactions under section 40(2)	Some redactions can be lifted.	Agree that section 40(2) applies to all remaining redactions.  Disclose document as per version provided to ICO on 24 March.
S24	311-312	Released with redactions under section 40(2)	Some redactions can be lifted.	Agree that section 40(2) applies to all remaining redactions.  Disclose document as per version provided to ICO on 24 March.
S25	313-316	Released with redactions under section 40(2)	Some redactions can be lifted.	Agree that section 40(2) applies to all remaining redactions.  Disclose document as per version provided to ICO on 24 March.
S26	317-319	Released with redactions under section 40(2)	Some redactions can be lifted.	Agree that section 40(2) applies to all remaining redactions.  Disclose document as per version provided to ICO on 24 March.
S27	320	Released with redactions under section 40(2)	Some redactions can be lifted.	Agree that section 40(2) applies to all remaining redactions.  Disclose document as per version provided to ICO on 24 March.

S28	321-323	Released with redactions under section 40(2)	Some redactions can be lifted.	<p>Agree that section 40(2) applies to all remaining redactions.</p> <p>Disclose document as per version provided to ICO on 24 March.</p>
S29	324-325	Released with redactions under section 40(2)	Some redactions can be lifted.	<p>Agree that section 40(2) applies to all remaining redactions.</p> <p>Disclose document as per version provided to ICO on 24 March.</p>
S30	326-343	Withheld in full	N/A	<p>Document is exempt from disclosure on basis of section 41(1).</p> <p>No steps needed.</p>
S31	344-345	Released with redactions under section 40(2)	N/A	<p>Names, job titles and contact details are exempt from disclosure on the basis of section 40(2) of FOIA (with the exception of the information contained in paragraph 1).</p> <p>However, section 40(2) does not provide a basis to withhold the remainder of the information as it does not relate to an identifiable individual.</p> <p>Disclose the document again with only</p>



				names, job titles and contact details redacted.
S32	346	Released with redactions under section 40(2)	N/A	<p>The information redacted is all exempt on the basis of section 40(2) with the exception of that made to paragraph 4 as this does not relate to an identifiable individual.</p> <p>Disclose the document again with the information contained at paragraph 4 unredacted.</p>
S33	347-349	Released with redactions under section 40(2)	N/A	<p>Section 40(2) applies to all redactions.</p> <p>No further action needed.</p>
S34	350-351	Released with redactions under section 40(2)	Some redactions can be lifted.	<p>Agree that section 40(2) applies to all remaining redactions, with the exception of the redaction applied to the penultimate paragraph on page 350 as this does not relate to an identifiable individual.</p> <p>Disclose document as per version provided to ICO on 24 March but with the redaction to the penultimate paragraph on page 350 removed.</p>

S35	352	Released with redactions under section 40(2)	Some redactions can be lifted.	Agree that section 40(2) applies to all remaining redactions.  Disclose document as per version provided to ICO on 24 March.
S36	353-356	Released with redactions under section 40(2)	Some redactions can be lifted and some is out of scope.	Agree that section 40(2) applies to all remaining redactions or that information is out of scope.  Disclose document as per version provided to ICO on 24 March.
S37	357-360	Released with redactions under section 40(2)	Some redactions can be lifted and some is out of scope.	Agree that section 40(2) applies to all remaining redactions or that information is out of scope.  Disclose document as per version provided to ICO on 24 March.
S38	361-363	Released with redactions under section 40(2)	Some redactions can be lifted and some is out of scope.	Agree that section 40(2) applies to all remaining redactions or that information is out of scope.  Disclose document as per version provided to ICO on 24 March.
S39	364-370	Released with redactions under section 40(2)	Some redactions can be lifted and	Agree that section 40(2) applies to all remaining redactions or that information is out of scope.

			some is out of scope.	Disclose document as per version provided to ICO on 24 March.
S40	371-372	Released with redactions under section 40(2)	Some redactions can be lifted and some is out of scope.	Agree that section 40(2) applies to all remaining redactions or that information is out of scope.  Disclose document as per version provided to ICO on 24 March.
S41	373	Released with redactions under section 40(2)	Some redactions can be lifted and some is out of scope.	Agree that section 40(2) applies to all remaining redactions or that information is out of scope.  Disclose document as per version provided to ICO on 24 March.
S42	374-377	Released with redactions under section 40(2)	Some redactions can be lifted and some is out of scope.	Names, job titles and contact details can be redacted on the basis of section 40(2) but the remainder of the information cannot be as there is no link to an identifiable individual.  Disclose the document with only the names, job titles and contact redacted on the basis of section 40(2).
S43	378-380	Released with	Some redactions can be lifted and	Agree that section 40(2) applies to all remaining redactions or that

		redactions under section 40(2)	some is out of scope.	information is out of scope.  Disclose document as per version provided to ICO on 24 March.
S44	381	Released with redactions under section 40(2)	Some redactions can be lifted and some is out of scope.	Agree that section 40(2) applies to all remaining redactions or that information is out of scope.  Disclose document as per version provided to ICO on 24 March.
S45	382-383	Released with redactions under section 40(2)	Some redactions can be lifted and some is out of scope.	Agree that section 40(2) applies to all remaining redactions or that information is out of scope.  Disclose document as per version provided to ICO on 24 March.
S46	384-388	Released with redactions under section 40(2)	Some redactions can be lifted and some is out of scope.	Agree that section 40(2) applies to all remaining redactions.  Disclose document as per version provided to ICO on 24 March.
S47	389-394	Released with redactions under section 40(2)	Some redactions can be lifted.	Agree that section 40(2) applies to all remaining redactions.  Disclose document as per version provided to ICO on 24 March.

S48	395-401	Released with redactions under section 40(2)	Some redactions can be lifted.	<p>Agree that section 40(2) applies to all remaining redactions.</p> <p>Disclose document as per version provided to ICO on 24 March.</p>
S49	402-403	Released with redactions under section 40(2)	Some redactions can be lifted.	<p>Agree that section 40(2) applies to all remaining redactions.</p> <p>Disclose document as per version provided to ICO on 24 March.</p>
S50	404-409	Released with redactions under section 40(2)	Some redactions can be lifted.	<p>Agree that section 40(2) applies to all remaining redactions.</p> <p>Disclose document as per version provided to ICO on 24 March.</p>
S51	410-411	Released with redactions under section 40(2)	Some redactions can be lifted.	<p>Agree that section 40(2) applies to all remaining redactions with the exception of the redactions made to the first paragraph of the email of 4/9/19 as these do not relate to an identifiable individual.</p> <p>Disclose document as per version provided to ICO on 24 March with the redactions in the first paragraph also lifted.</p>

S52	412-417	Released with redactions under section 40(2)	Some redactions can be lifted.	Agree that section 40(2) applies to all remaining redactions.  Disclose document as per version provided to ICO on 24 March.
S53	418-422	Released with redactions under section 40(2)	Some redactions can be lifted.	Agree that section 40(2) applies to all remaining redactions.  Disclose document as per version provided to ICO on 24 March.
S54	423-425	Released with redactions under section 40(2)	Some redactions can be lifted.	Agree that section 40(2) applies to all remaining redactions.  Disclose document as per version provided to ICO on 24 March.
S55	426-431	Released with redactions under section 40(2)	Some redactions can be lifted.	Agree that section 40(2) applies to all remaining redactions.  Disclose document as per version provided to ICO on 24 March.
S56	432-435	Released with redactions under section 40(2)	Some redactions can be lifted.	Agree that section 40(2) applies to all remaining redactions.

				Disclose document as per version provided to ICO on 24 March.
S57	436-437	Released with redactions under section 40(2)	Some redactions can be lifted.	Agree that section 40(2) applies to all remaining redactions.  Disclose document as per version provided to ICO on 24 March.
S58	438-440	Released with redactions under section 40(2)	Some redactions can be lifted.	The names, job titles and contact details can be redacted; the remainder of the information cannot be as it does not relate to identifiable individuals.  Disclose the document with only the names, job titles and contact details redacted.
S59	441-442	Released with redactions under section 40(2)	Some redactions can be lifted.	The names, job titles can be redacted and contact details; the remainder of the information cannot be as it does not relate to identifiable individuals.  Disclose the document with only the names, job titles and contact details redacted.
S60	443	Released with	Some redactions can be lifted.	Agree that section 40(2) applies to all remaining redactions.



		redactions under section 40(2)		Disclose document as per version provided to ICO on 24 March.
S61	444-445	Released with redactions under section 40(2)	Some redactions can be lifted.	Agree that section 40(2) applies to all remaining redactions.  Disclose document as per version provided to ICO on 24 March.
S62	446-447	Released with redactions under section 40(2)	Some redactions can be lifted.	Section 40(2) applies to names, job titles, contact details and information redacted after 'current status'.  Remainder of information is not exempt as it does not relate to an identifiable individual.  Disclose the document with only the names, job titles, contact details and information after 'current status' redacted.
S63	448-449	Released with redactions under section 40(2)	Some redactions can be lifted.	Agree that section 40(2) applies to all remaining redactions.  Disclose document as per version provided to ICO on 24 March.
S64	Separate file	Released with	N/A	Names and job titles exempt under section 40(2). Remainder is not.

		redactions under section 40(2)		Provide copy of document with only names and job titles redacted.
S65	450	Released with redactions under section 40(2)	N/A	Names and job titles exempt under section 40(2). Remainder is not.  Provide copy of document with only names and job titles redacted.
S66	451-461	Withheld in full under section 41(1)	N/A	Document is exempt from disclosure on basis of section 41(1).  No steps needed.
S67	462-463	Withheld in full under section 41(1)	N/A	Document is exempt from disclosure on basis of section 41(1).  No steps needed.
S68	464	Released with redactions under section 40(2)	N/A	Redactions are exempt under section 40(2).  No further steps.
S69	465-467	Withheld in full under section 41(1)	N/A	Document is exempt from disclosure on basis of section 41(1).
S70	468	Released with	Some redactions can be lifted.	Agree that section 40(2) applies to all remaining redactions.

		redactions under section 40(2)		Disclose document as per version provided to ICO on 24 March.
S71	469	Released with redactions under section 40(2)	Some redactions can be lifted.	<p>Agree that section 40(2) applies to all remaining redactions with the exception of the information redacted from the body of the first paragraph.</p> <p>Disclose document as per version provided to ICO on 24 March with the redaction in the body of the first paragraph also unredacted.</p>
S72	470-488	Withheld in full under section 41(1)	N/A	<p>Document is exempt from disclosure on basis of section 41(1).</p> <p>No steps needed.</p>
S73	489	Released with redactions under section 40(2)	Some redactions can be lifted.	<p>Agree that section 40(2) applies to all remaining redactions.</p> <p>Disclose document as per version provided to ICO on 24 March.</p>
S74	490-492	Withheld in full under section 41(1)	N/A	<p>Document is exempt from disclosure on basis of section 41(1).</p> <p>No steps needed.</p>

S75	493	Released with redactions under section 40(2)	Some redactions can be lifted.	<p>Agree that section 40(2) applies to all remaining redactions with the exception of the name of the newspaper which is not exempt.</p> <p>Disclose document as per version provided to ICO on 24 March including removing the redaction to the name of the newspaper.</p>
S76	494	Released with redactions under section 40(2)	Some redactions can be lifted.	<p>Agree that section 40(2) applies to names and job titles but not to remaining information as this does not relate to an identifiable individual.</p> <p>Disclose the document with only names, job titles and contact details redacted.</p>
S105	584-586	Released with redactions under section 40(2)	Some redactions can be lifted.	<p>Agree that section 40(2) applies to names and job titles but not to remaining information as this does not relate to an identifiable individual.</p> <p>Disclose the document with only names, job titles and contact details redacted.</p>
S106	587-588	Released with	Some redactions can be lifted.	Agree that section 40(2) applies to names and job titles but not to

		redactions under section 40(2)		remaining information as this does not relate to an identifiable individual.  Disclose the document with only names and job titles redacted.
S104	589	Released with redactions under section 40(2)	Some redactions can be lifted.	Agree that section 40(2) applies to names, job titles and contact details but not to remaining information as this does not relate to an identifiable individual.  Disclose the document with only names, job titles and contact details redacted.
S107	590	Withheld in full under section 41(1)	N/A	Document is exempt from disclosure on basis of section 41(1).  No steps needed.
S108	591	Withheld in full under section 41(1)	N/A	Document is exempt from disclosure on basis of section 41(1).  No steps needed.
S109	592	Released with redactions under section 40(2)	Some redactions can be lifted.	Agree that section 40(2) applies to names and job titles but not to remaining information as this does not relate to an identifiable individual.

				Disclose the document with only names and job titles redacted.
S110	593	Released with redactions under section 40(2)	Some redactions can be lifted.	Agree that section 40(2) applies to names and job titles but not to remaining information as this does not relate to an identifiable individual.  Disclose the document with only names and job titles redacted.
S111	594	Released with redactions under section 40(2)	Some redactions can be lifted.	Agree that section 40(2) applies to names and job titles but not to remaining information as this does not relate to an identifiable individual.  Disclose the document with only names and job titles redacted.
S112	595	Released with redactions under section 40(2)	Some redactions can be lifted.	Agree that section 40(2) applies to names and job titles and references to complainant but not to remainder of information as it does not relate to identifiable individuals.  Disclose the document with only the above information redacted.
S113	596-597	Released with	Some redactions can be lifted.	Agree that section 40(2) applies to all remaining redactions.

		redactions under section 40(2)		Disclose document as per version provided to ICO on 24 March.
S114	598-600	Withheld in full under section 41(1)	N/A	Document is exempt from disclosure on basis of section 41(1).  No steps needed.
S115	601	Released with redactions under section 40(2)	Some redactions can be lifted.	Agree that section 40(2) applies to all remaining redactions.  Disclose document as per version provided to ICO on 24 March.
S116	Separate file	Released with redactions under section 40(2)	N/A	Agree that section 40(2) applies to names and job titles but not to remaining information as this does not relate to an identifiable individual.  Disclose the document with only redactions made to names and job titles.
S117	602-603	Released with redactions under section 40(2)	Some redactions can be lifted.	Agree that section 40(2) applies to all remaining redactions.  Disclose document as per version provided to ICO on 24 March.



S118	604-606	Released with redactions under section 40(2)	Some redactions can be lifted.	<p>Agree that section 40(2) applies to names, job titles and contact details but not to remaining information as this does not relate to an identifiable individual.</p> <p>Disclose the document with only redactions made to above information.</p>
S119	607-644	Withheld in full under section 41(1)	N/A	<p>Document is exempt from disclosure on basis of section 41(1).</p> <p>No steps needed.</p>
S120	645-646	Withheld in full under section 41(1)	N/A	<p>Document is exempt from disclosure on basis of section 41(1).</p> <p>No steps needed.</p>
S121	647-649	Withheld in full under section 41(1)	N/A	<p>Document is exempt from disclosure on basis of section 41(1).</p> <p>No steps needed.</p>
S122	650-651	Released with redactions under section 40(2)	Some redactions can be lifted.	<p>Agree that section 40(2) applies to all remaining redactions.</p> <p>No steps needed.</p>

S123	655-656	Released with redactions under section 40(2)	Some redactions can be lifted.	<p>Agree that section 40(2) applies to names, job titles and contact details but not to remaining information as this does not relate to an identifiable individual.</p> <p>Disclose the document with only redactions made to above information.</p>
S124	652-654	Released with redactions under section 40(2)	Some redactions can be lifted.	<p>Agree that section 40(2) applies to names, job titles and contact details but not to remaining information as this does not relate to an identifiable individual.</p> <p>Disclose the document with only redactions made to above information.</p>
S125	657-658	Released with redactions under section 40(2)	Some redactions can be lifted.	<p>Agree that section 40(2) applies to all remaining redactions.</p> <p>No steps needed.</p>
S126	659-662	Released with redactions under section 40(2)	Some redactions can be lifted.	<p>Agree that section 40(2) applies to all remaining redactions.</p> <p>No steps needed.</p>

S127	663	Released with redactions under section 40(2)	Some redactions can be lifted.	Agree that section 40(2) applies to all remaining redactions.  No steps needed.
S128	664-665	Released with redactions under section 40(2)	Some redactions can be lifted.	Agree that section 40(2) applies to all remaining redactions.  No steps needed.
S129	666	Released with redactions under section 40(2)	Some redactions can be lifted.	Agree that section 40(2) applies to all remaining redactions.  No steps needed.
S130	667	Released with redactions under section 40(2)	Some redactions can be lifted.	Agree that section 40(2) applies to all remaining redactions.  No steps needed.
S131	668	Released with redactions under section 40(2)	Some redactions can be lifted.	Agree that section 40(2) applies to names but not remaining to information as this does not relate to an identifiable individual.  Disclose the document with only redactions made to names.