

## REASONS FOR NOT PROVIDING INFORMATION

### An exemption applies, subject to the public interest test

An exemption under section 33(1)(b) of FOISA applies to the information you have requested as it relates to commercial information related to the V&A Dundee Museum. This exemption applies because disclosure of this particular information would, or would be likely to, prejudice substantially the commercial interests of the V&A Dundee Museum and disclosing this, would harm their commercial interests.

This exemption is subject to the 'public interest test'. Therefore, taking account of all the circumstances of this case, we have considered if the public interest in disclosing the information outweighs the public interest in applying the exemption. We have found that, on balance, the public interest lies in favour of upholding the exemption. We recognise that there is a public interest in disclosing information as part of open and transparent government, and to disclose our dealings with 3<sup>rd</sup> parties. However, there is a greater public interest in protecting the commercial interests of companies by withholding commercially sensitive information.

### An exemption applies

An exemption under section 38(1)(b) of FOISA (personal information) applies to a small amount of the information requested because it is personal data of a third party, ie the names and contact details of individuals, and disclosing it would contravene the data protection principles in Article 5(1) of the General Data Protection Regulation and in section 34(1) of the Data Protection Act 2018. This exemption is not subject to the 'public interest test', so we are not required to consider if the public interest in disclosing the information outweighs the public interest in applying the exemption.