

ANNEX A

REASONS FOR NOT PROVIDING INFORMATION

An exemption applies

An exemption under section(s) 38(1)(b) of FOISA applies to some of the information you have requested. This exemption applies to personal data of third parties, and means that the personal details of junior officials, and direct contact details of senior officials, have been redacted.

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.

An exemption applies, subject to the public interest test

An exemption under section(s) 29(1)(a) of FOISA applies to some of the information you have requested. This exemption applies to information used in the formulation or development of government policy.

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 some public interest in release because it relates the planned return to schools in August 2021.

However, this is outweighed by the public interest in the Scottish Government being able to have a safe, shared space to develop, discuss and debate early policy ideas, some of which might not ultimately become final policy. Any final policy decisions are communicated via Ministerial announcements and/or to the Scottish Parliament.