

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

1. An exemption under section 38(1)(b) of FOISA applies to some of the information you have requested. Section 38(1)(b) applies to the personal data of a third party – it applies to the withholding of information which discloses people's names.

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 of the Interest in open and transparent govt. However, this is outweighed by the public interest in disclosing personal information of individuals below SCS level when it is unlikely to enhance public scrutiny of decision making.

2. An exemption under Section 29(1)(a) of FOISA applies to some of the information you have requested. Section 29(1)(a) applies to formulation of policy – it applies to the withholding of information which relates to drafting 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 of the Interest in open and transparent govt. However, this is outweighed by the public interest in topics being discussed at preliminary stages of consideration when private space to discuss is essential.

3. An exemption under Section 27(1) of FOISA applies to some of the information you have requested. Section 27(1) applies to Information intended for future publication – it applies to the withholding of information which will be released in the future via the normal course of Government publication.

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 now because of the Interest in open and transparent govt. However, this is outweighed by the fact that the finalised version of the document will be released in the future via the normal course of Government publication.

4. An exemption under Section 30(b)(ii) of FOISA applies to some of the information you have requested. Section 30(b)(ii) applies to Free & Frank exchange of view – it applies to the withholding of information which relates to the Free & Frank exchange of individual views.

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 now because of the Interest in open and transparent govt. However, this is outweighed by the public interest in whether the disclosing of free & frank exchanges of views enhances the scrutiny of decision making.

5. An exemption under Section 33(2)(a) of FOISA applies to some of the information you have requested. Section 33(2)(a) applies disclosing UK Economic Information – it applies to the withholding of information which relates to UK Economic Information.

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 now because of the Interest in open and transparent govt. However, this is outweighed by the public interest in the disclosure of economic data/information which would potentially hinder SG decision making on policy.