FOI – 202500476616

Annex A

Exemptions subject to the public interest test

28(1) (Relations with the United Kingdom)

An exemption under section 28(1) of FOISA applies to some of the information you have requested. This exemption applies because disclosure would, or would be likely to, prejudice substantially relations between the Scottish Government, the UK Government and in some cases the other devolved administrations. Disclosure of this information would reveal candid internal discussion about other administrations' policies, including information shared in confidence with Scottish Government officials. It is essential for the effective administration of the UK as a whole that there should be regular, and often private, communications between the Scottish Government, the UK Government and the other devolved administrations. Disclosure of this information will mean that the UK Government are likely to be more reluctant to communicate with the Scottish Government in future on important matters like progressing the transition of the four Infected Blood Support Schemes to the Infected Blood Compensation Authority.

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 as part of open, transparent and accountable government, and to inform public debate. However, this is outweighed by the public interest in maintaining close working relationships between the Scottish Government and the governments of the other three UK nations and in protecting the free exchange of information between the administrations to ensure that we keep each other fully and regularly informed about matters such as the transition of the four Infected Blood Support Schemes to the Infected Blood Compensation Authority. There is no public interest in disclosing information, when that will damage relationships or mutual trust and disrupt future communications as that may impact on the effectiveness of future policy implementation work and ensuring the interests of those infected or affected in Scotland are fully considered as part of that