



Department  
for Environment  
Food & Rural Affairs

T: 03459 33 55 77 or  
08459 33 55 77  
helpline@defra.gsi.gov.uk  
www.gov.uk/defra

Your ref:  
Our ref: RFI6985  
Date: 14 November 2014

Dear [REDACTED]

### **REQUEST FOR INFORMATION: Meetings with North West Energy Task Force**

Thank you for your request for information, which we received on 30 September 2014, about correspondence or meetings between Defra ministers or staff (including Special Advisers) and the North West Energy Task Force between 1 September 2013 and 30 September 2014. I apologise for the delay in responding. We are experiencing a high volume of information requests which is making it difficult to respond within the deadlines. Your request has been handled under the Freedom of Information Act 2000 (FOIA).

Following a search of our systems, we have located one record of an email exchange between a Defra Special Adviser to Private Secretary and representative of the North West Energy Task Force. Please see the document "Email correspondence.pdf", attached to the accompanying email. The names of Defra officials and of the representative of the North West Energy Task Force have been withheld under Section 40(2) of FOIA, which relates to personal data of which the applicant is not the data subject. For further details, please see Annex C.

In keeping with the spirit and effect of the FOIA, and in keeping with the government's Transparency Agenda, all information is assumed to be releasable to the public unless exempt. Therefore, the information released to you will now be published on [www.gov.uk](http://www.gov.uk) together with any related information that will provide a key to its wider context. Please note that this will not include your personal data.

I attach Annex A, which explains the copyright that applies to the information being released to you.

I also attach Annex B giving contact details should you be unhappy with the service you have received.

If you have any queries about this letter please contact the address below.

Yours sincerely,

[REDACTED]  
**Defra FOIA and EIRs Team**  
[REDACTED]



**INVESTORS  
IN PEOPLE**

## **Annex A**

### **Copyright**

The information supplied to you continues to be protected by copyright. You are free to use it for your own purposes, including for private study and non-commercial research, and for any other purpose authorised by an exception in current copyright law. Documents (except photographs or logos) can be also used in the UK without requiring permission for the purposes of news reporting. Any other re-use, for example commercial publication, would require the permission of the copyright holder.

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Copyright in other documents may rest with a third party. For information about obtaining permission from a third party see the [Intellectual Property Office's website](#).

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## **Annex B**

### **Complaints**

If you are unhappy with the service you have received in relation to your request you may make a complaint or appeal against our decision under section 17(7) of the FOIA or under regulation 18 of the EIRs, as applicable, within 40 working days of the date of this letter. Please write to Mike Kaye, Head of Information Standards, Area 4D, Nobel House, 17 Smith Square, London, SW1P 3JR (email: [requestforinfo@defra.gsi.gov.uk](mailto:requestforinfo@defra.gsi.gov.uk)) and he will arrange for an internal review of your case. Details of Defra's complaints procedure are on our [website](#).

If you are not content with the outcome of the internal review, section 50 of the FOIA and regulation 18 of the EIRs gives you the right to apply directly to the Information Commissioner for a decision. Please note that generally the Information Commissioner cannot make a decision unless you have first exhausted Defra's own complaints procedure. The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

## **Annex C**

### **Section 40(2) of FOIA**

Section 40(2) of FOIA states that information that constitutes personal data of which the applicant is not the data subject is exempt if it meets the definition of personal data in Section 1(1) of the Data Protection Act 1998, and if disclosure other than under FOIA would contravene any of the data protection principles.

The First Data Protection Principle says that personal data 'shall be processed fairly and lawfully'. Guidance published by the Information Commissioner, 'Personal information (section 40 and regulation 13)', states that when considering fairness in relation to disclosing personal information under FOIA [and EIR] it will usually mean considering:

- whether the information is sensitive personal data;
- the possible consequences of disclosure on the individual;
- the reasonable expectations of the individual, taking into account: their expectations both at the time the information was collected and at the time of the request; the nature of the information itself; the circumstances in which the information was obtained; whether the information has been or remains in the public domain; and the FOIA [and EIR] principles of transparency and accountability; and
- any legitimate interests in the public having access to the information and the balance between these and the rights and freedoms of the individuals who are the data subjects.

Whilst the information being withheld does not constitute sensitive personal data, the release of this personal data, and any subsequent contact, may cause unnecessary or unjustified distress or damage to the individual. The individual would not have reasonably expected for this information to be disclosed, and there is no legitimate interest in the public having access to this information, since it is not integral to the public's understanding of the event concerned. Defra is therefore satisfied that the information requested fits the definition of personal data and that its release would be 'unfair' under the meaning of the first Data Protection Principle and should not be released.

